



DARREY OF  
THE AMERICAN LAW ASSOCIATION  
THE NEW WILLARD WASHINGTON, D.C. FEB. 15, 1923

# *90th Anniversary*

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# TENTATIVE AGENDA

(as of March 1, 2013)

*Note: This agenda is subject to change before or during the Meeting.  
Events that require a paid ticket or an invitation are marked with an asterisk (\*).*

*Dress Code: The dress code for the Meeting and other events is business attire.*

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## Pre-meeting Events

### Sunday, May 19

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1:30 to 3:00 p.m. ▼

**Special Program: The Future of Election Reform (in light of the 2012 elections)**  
(Salon II)

*Presenters: Edward B. Foley and Steven F. Huefner*

(Open to all Annual Meeting attendees; registration required)

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4:00 to 6:00 p.m. ▼

**ALI CLE Program: Legal Ethics in the News\*** (Salon II)

(Open to all Annual Meeting attendees; registration required)

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## Annual Meeting Program and Events

*(All sessions and events are in the Ritz-Carlton Ballroom unless otherwise noted.)*

### Monday, May 20

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10:00 a.m. ▼

#### Opening Session

- Call to order and report by President Roberta Cooper Ramo

#### Reports and Business

- Report of Director Lance Liebman
- Report of Treasurer Carolyn Dineen King
- Report of the Membership Committee
- Report of the Nominating Committee and election of Council members
- Report of the Governance Committee on proposed bylaw amendments

**Remarks by:**

- The Honorable Brett M. Kavanaugh, U.S. Court of Appeals, District of Columbia Circuit
  - Laurel G. Bellows, ABA President
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11:15 a.m. ▼

**Restatement Third, The U.S. Law of International Commercial Arbitration**

(Tentative Draft for approval)

*Reporters: George A. Bermann, Jack J. Coe, Jr., Christopher R. Drabozal, and Catherine A. Rogers*

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12:30 p.m. ▼

**New Member Luncheon\*** *(by invitation only)*

(lunch for most members is “on your own”;  
restaurant guide available in registration area)

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2:00 p.m. ▼

**Principles of the Law of Liability Insurance**

(Tentative Draft for approval)

*Reporters: Tom Baker and Kyle D. Logue*

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5:00 p.m. ▼

Adjournment

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6:30 to 8:30 p.m. ▼

**Members Reception\*** *(Corcoran Gallery of Art, 500 Seventeenth Street, NW)*

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## Tuesday, May 21

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9:00 a.m. ▼

**Special Session: An Update About Our Membership Process**

*The Honorable Paul L. Friedman, Chair, Ad Hoc Committee on Membership Process, and Roberta Cooper Ramo, ALI President*

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9:30 a.m. ▼

**Presentation of ALI Young Scholars Medal to 2013 winner(s)**

*Presenter: The Honorable Goodwin Liu, Chair, Special Committee on the ALI Young Scholars Medal*

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10:30 a.m. ▼

**Model Penal Code: Sexual Assault and Related Offenses**

(Discussion Draft)

*Reporters: Stephen J. Schulhofer and Erin E. Murphy*

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Noon ▼

**Presentation of Distinguished Service Award to Geoffrey C. Hazard, Jr.**

*Presenter: The Honorable Anthony J. Scirica, U.S. Court of Appeals, Third Circuit*

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12:30 p.m. ▼

**Luncheon honoring new Life (25-year) and new 50-year Members\* (Salon III)**

Presentation of 1988 Class Gift by Michael D. Green  
and George M. Newcombe

*Speaker: G. Edward White, Professor, University of Virginia School of Law  
and Life Member, Class of 1988*

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2:15 p.m. ▼

**Model Penal Code: Sentencing**

(Discussion Draft)

*Reporters: Kevin R. Reitz and Cecelia M. Klingele*

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4:15 p.m. ▼

**Discussion of new project: Restatement Fourth,  
The Foreign Relations Law of the United States**

*Reporter: Sarah H. Cleveland*

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5:15 p.m. ▼

Adjournment

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7:00 p.m. ▼

**Annual Reception and Dinner\* (black tie optional)**

(Dinner begins at 7:45 p.m.)

*Speaker: Kenneth C. Frazier, Chairman, President, and CEO, Merck & Co.*

# Wednesday, May 22

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9:00 a.m. ▼

## **Restatement Third, Employment Law**

(Tentative Draft for approval)

*Reporters: Samuel Estreicher, Matthew T. Bodie, and Michael C. Harper*

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11:00 a.m. ▼

## **Presentation of Friendly Medal to William H. Webster**

*Presenter: Merrick Brian Garland, U.S. Court of Appeals,*

*District of Columbia Circuit*

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11:30 a.m. ▼

## **Restatement Third, The Law of American Indians**

(Discussion Draft)

*Reporters: Matthew L. M. Fletcher, Wenona T. Singel, and Kaighn Smith, Jr.*

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12:30 p.m. ▼

## **Luncheon\* (Salon III)**

*Speaker: Maureen E. Mahoney, Of Counsel, Latham & Watkins*

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2:00 p.m. ▼

## **Discussion of new project: Restatement Third, Information Privacy Principles**

*Reporters: Paul M. Schwartz and Daniel J. Solove*

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3:00 p.m. ▼

## **Principles of the Law of Charitable Nonprofit Organizations**

(Tentative Draft for approval (topic: Private Enforcement))

*Reporter: Evelyn Brody*

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4:00 p.m. ▼

## **Discussion of new project: Restatement Third, Torts: Intentional Torts to Persons**

*Reporters: Ellen S. Pryor and Kenneth W. Simons*

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5:00 p.m. ▼

Adjournment

## SPEAKERS



**Judge Brett Michael Kavanaugh** was appointed to the United States Court of Appeals for the D.C. Circuit in 2006. A Yale law grad, he clerked for Justice Anthony Kennedy and was a partner at Kirkland & Ellis before holding several high-ranking legal posts in the White House under President George W. Bush, including Assistant to the President and Staff Secretary. From 1994 to 1997 and for a period in 1998, Judge Kavanaugh was Associate Counsel in the Office of Independent Counsel Kenneth W. Starr.



**Laurel G. Bellows** is President of the American Bar Association, and the founder and managing principal of The Bellows Law Group. She is an elected member of ALI. She has served as chair of the ABA's policymaking House of Delegates (2006-2008), chair of the ABA Commission on Women in the Profession, and as a member of the ABA Board of Governors, where she chaired the Finance Committee. In 1991, she became the second woman president of the 22,000-member Chicago Bar Association. She has received the 2012 ATHENA Leadership Award and the Margaret Brent Women Lawyers of Achievement Award.



The author of 15 books on subjects ranging from legal and constitutional history to judicial biography to baseball, **Professor G. Edward "Ted" White** teaches constitutional law, tort law, and Supreme Court history at the University of Virginia School of Law. A member of the UVa faculty since 1972, he clerked for Chief Justice Earl Warren after graduating from Harvard Law School. His most recent book is *Law in American History: Volume One, From the Colonial Years Through the Civil War* (Oxford, 2012).



**Kenneth C. Frazier** has been Chairman, President and CEO of Merck & Co. since 2011. Frazier led several key transformation efforts for the company, including the 2009 merger of Merck and Schering-Plough. Under his leadership, the company has increased the growth of key products, advanced a robust late-stage research and development pipeline, dramatically improved its cost structure and redeployed resources into high-growth emerging markets. A longtime member of ALI's Council, Frazier was previously a partner with the Philadelphia law firm of Drinker Biddle & Reath. He has been recognized for his achievements as a leader in business, diversity and inclusion, and his successful defense of a death-row inmate.



A former deputy solicitor general, **Maureen Mahoney** is a founding member of the Supreme Court and Appellate Practice in the Washington, D.C., office of Latham & Watkins. During the 2006 term of the Supreme Court, she argued four cases—more than any other advocate in private practice. Notably, she argued on behalf of the University of Michigan and its affirmative action program in *Grutter v. Bollinger* (2003), in which the Court decided in favor of Michigan by a 5-4 vote.

## AWARDS



### *The Henry J. Friendly Medal*

**Judge William H. Webster's** extraordinary career in the law includes service as the Director of both the Federal Bureau of Investigation (1978-87) and the Central Intelligence Agency (1987-91). He also served as a federal judge on both the Eastern District of Missouri and the U.S. Court of Appeals for the Eighth Circuit. At age 89, he continues to serve as Chairman of the Homeland Security Advisory Council.

Judge Webster is the recipient of the Henry J. Friendly Medal, which recognizes contributions to the law in the tradition of Judge Friendly and the American Law Institute. Established in 1987 by Judge Friendly's former law clerks, the Friendly Medal has been awarded on just eight occasions to 10 individuals. Recent recipients include former U.S. Supreme Court Justice Sandra Day O'Connor and former Attorney General Nicholas deB. Katzenbach. The chair of ALI's Awards Committee, Judge Mary M. Schroeder of the U.S. Court of Appeals for the Ninth Circuit, said the award "recognizes a colleague of legendary intelligence and integrity whose contributions to our profession are surpassed only by his contributions to our nation as a whole."

The Friendly Medal will be presented by Judge Merrick B. Garland of the U.S. Court of Appeals for the District of Columbia Circuit.





### *Distinguished Service Award*

**Professor Geoffrey C. Hazard, Jr.**, served as Director of the American Law Institute from 1984 until 1999, and, as Director Emeritus, continues to serve on the Institute's council. Considered a leading expert in the fields of civil procedure and legal ethics, Professor Hazard is the author or coauthor of 16 books and his writings are a mainstay in American legal education. Prior to his 15-year tenure as ALI's Director, Professor Hazard had been Reporter for the ALI Restatement Second of Judgments. He was also Reporter for the American Bar Association's Model Rules of Professional Conduct (promulgated in 1983) and draftsman for the ABA Model Code of Judicial Conduct (promulgated in 1972).

The Distinguished Service Award will be presented by Judge Anthony J. Scirica of the U.S. Court of Appeals for the Third Circuit where he served as Chief Judge from 2004-2010.

# 90TH ANNUAL MEETING HOTEL INFORMATION

## THE RITZ-CARLTON HOTEL

*Annual Meeting Headquarters*

**All guests of the American Law Institute room block will receive complimentary wireless Internet in the guest rooms and complimentary access to the Sports Club.**

1150 22<sup>nd</sup> Street, N.W. | Washington, D.C. 20037

Reservations Toll Free: 1-800-558-9994 or Local Phone: 1-202-835-0500

DELUXE ROOM (aka Standard room, approx. 450 Sq. Ft.) @ \$399

EXECUTIVE ONE-BEDROOM SUITE (approx. 900 Sq. Ft.) @ \$499

*Prices exclude state & local tax currently @ 14.5%*

### **Phone reservations:**

Call the Group Reservations phone number for access to special block rates. Ask for the “American Law Institute” room block and supply your dates.

### **Online reservations:**

[www.ritzcarlton.com/en/Properties/WashingtonDC/Default.htm](http://www.ritzcarlton.com/en/Properties/WashingtonDC/Default.htm)

1. Enter Check-in and Check-out dates
2. Under Special Rates – Click on Group Code and enter: ALIALIA
3. Press Continue and follow instructions to complete the reservation

## WASHINGTON MARRIOTT HOTEL

**All guests of the American Law Institute room block will receive complimentary wireless Internet in the guest rooms.**

1221 22<sup>nd</sup> Street N.W. | Washington, D.C. 20037  
Reservations (local and toll free): 1-800-228-9290  
or Main Phone: 202-872-1500

STANDARD ROOM (Queen bed, approx. 360 Sq. Ft.) @ \$275  
*Prices exclude state & local tax currently @ 14.5%*

### **Phone reservations:**

Call the Group Reservations phone number above for access to special block rate. Ask for the “American Law Institute” room block and supply your dates.

### **Online reservations:**

[www.marriott.com/hotels/travel/waswe-washington-marriott/?todate](http://www.marriott.com/hotels/travel/waswe-washington-marriott/?todate)

1. You will be directed to the hotel’s home page. Enter ALI group code: liolioa
2. Enter your arrival and departure dates on the left side of the page, and click Find
3. \$275 rate will appear – Click Continue and follow instructions to complete the reservation



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NOTE: Discounted rates are available online for Saturday, May 18 through Wednesday, May 22. Please call to make your reservation if it is before or after these dates; discounted rates are offered three days before and after meeting, based on availability. Only the ALI discounted rates and room types available will appear. If you do not find what you are looking to book online, call the hotel directly.

ALI GROUP RATES ARE AVAILABLE UNTIL APRIL 26, 2013  
OR UNTIL ALI ROOM BLOCK IS FULL, WHICHEVER COMES FIRST.