

SHARON J. ARKIN

Articles and Syllabus Materials

Ms. Arkin has been a repeat Rutter Group seminar speaker as well as a frequent AAJ (formerly ATLA) and CAOC convention speaker, is co-author of The Shernoff Approach to First Party Bad Faith Cases, is the co-author of the punitive damages chapter of the treatise *ATLA's Tort Litigation*, published by Thomsen-West, and is author or primary co-author of numerous magazine articles, law review articles, book chapters and seminar materials, a partial list of which is provided below:

- *Appellate Procedure 101* [Legal Aid Society of Orange County, 2009]
- *Class Action Fees in California* [California Litigation, Volume 22, Number 2, November 2009]
- *Oral Argument on Summary Judgment* [CAALA convention, 2009]
- *Overcoming Watanabe: Preserving Your Case Against an HMO* [Regional Trial Lawyers Conference, 2009]
- *New Theories on Punitive Damages in Bad Faith Cases* [CAALA convention, 2008]
- *The Basics of Law and Motion in Insurance Bad Faith Cases* [CAOC Tahoe convention, 2008]
- *After the Shouting is Over: Post Trial Motions* [OCTLA, 2007/Forum Oct., 2007]
- *The ABC's of HMO Liability* [CAOC convention syllabus, November 2007]
Bookends: Pre- and Post-Trial Motions [CAALA convention, 2007]
- *When is a Carrier Liable Beyond its Policy Limits?* [CAOC, Tahoe Convention, March 2007]
- *The "Surveillance Society": Can Privacy Torts Keep Up With Technology?* [Forum, May, 2007/California Litigation, March 2007]
- *Making Friends with the Court: Using Amicus Letters and Briefs to Help Your Case* [Orange County Bar Association, Appellate Section, January 2007]
- *Busting Myths About Punitives in Products Cases* [ATLA, 2006 Winter Convention]

Appellate and Class Action Update [Shernoff/Rutter Bad Faith Program, 2006]

- *SLAPP Motions* [Rutter/CJA, 2006]
- *To Rely or Not Rely: 17200 Cases and the Conflict Between Mervyn's and Pfizer* [Mealey's Telephone Conference: Proposition 64/17200, September 2006]
- *Anti-SLAPP in the World of Business Torts* [CAALA Convention, September 2006]
- *Writs of Mandate or Prohibition: Getting Your Writ Noticed; Getting Theirs Ignored* [CAALA, 2005 Convention]
- *How Campbell Can Be Used to Enhance Your Discovery and Litigation* [Forum, Consumer Attorneys of California, Vol.34, No. 4, May, 2004]
- *Down the Slippery Slope of Tort Reform: How Do We Stop the Slide?* [Consumer Attorneys of California, Syllabus, Mexican Travel Seminar, May, 2004]
- *Bringing California's Anti-SLAPP Statute Full Circle: To Commercial Speech and Back Again* [Western State University Law Review; Vol. 31, No. 1, Fall, 2003]
- *The ABC's of HMO Liability* [Consumer Attorneys Association of Los Angeles, Syllabus, Annual Convention, September, 2003]
- *Recent Developments in Anti-SLAPP Law* [Forum, Consumer Attorneys of California, Vol. 33, No. 6, July/August 2003]
- *Developments in HMO Case Law - Preemption* [ATLA Annual Convention, Syllabus, July, 2003]
- *Slapping Down a SLAPP Motion: What They Are And What to Do With Them* [CAOC Annual Convention, Syllabus, April, 2003]
- *Recent Developments in Anti-SLAPP Law* [Consumer Attorneys of California, Syllabus, Hawaii Travel Seminar, November, 2002]
- *Unfair Competition Claims 2002: California Section 17200's Impact on Corporations Everywhere; Future of 17200: Target Industries and Possible Legislative Reform;* Practicing Law Institute Syllabus [August, 2002]
- *Tort Actions Against Health Maintenance Organizations and Their Doctors*, 23 Whittier L. Rev. 609 [2002]
- *Law and Motion: Spending Your Resources Wisely* [Forum, Consumer Attorneys of

California, Vol. 32, No. 4, May 2002];

- *Using Corporate Relationships at Both Ends of the Case to Reach the Parent: Punitive Damages and Personal Jurisdiction* [Forum Magazine, Consumer Attorneys of California, Vol. 31, No. 7, September, 2001];
- *In the Heart of the Firestorm: Update on the Ford/Firestone Litigation* [Forum, Consumer Attorneys of California, Vol. 31, No. 6, July/August, 2001];
- *It's Not Just for Nursing Homes Anymore: Using the Elder Abuse Act to Go After HMOs* [Forum Magazine, Consumer Attorneys of California, Vol. 31, No. 3, April, 2001];
- *The Effective Use of California's Unfair Competition Law to Redress Managed Care Abuses*, 22 Whittier Law Review 467 [Winter, 2000]
- *Follow the Money: Using Alter Ego, Pooling and Corporate Relationships to Maximize Punitive Damages* [CAOC, Annual Convention, November, 2000.]
- *Motions in Limine: How to Use Them and How to Fight Them* [OCBA, Business & Corporate Law Section, Pre-Trial Preparation: The Last 90 Days Seminar, October, 2000]
- *Tort Actions Against HMOs and Their Doctors* [CAALA, Annual Convention, September, 2000.]
- *Back to The Basics: Evaluation of The Case: ERISA And FEHBA* [ATLA, Annual Convention; HMO Litigation Group Educational Program, August, 2000.]
- *Onward to Justice: How to Make Carriers Settle Your Third-Party Claim After the Demise of Prop. 30* [Forum magazine, Consumer Attorneys of California, Vol. 30, No. 5, June, 2000]
- *Can State Law "Trump" ERISA Preemption?* [The Brief, American Bar Association, Tort & Insurance Practice Section magazine, Spring 2000, Vol. 29, No. 3.]
- *Stepping Lightly Through the Minefield: Avoiding Conflicts of Interest in Settling on Behalf of Jointly Represented Clients.* [Forum magazine, Consumer Attorneys of California, Vol. 30, No. 3, April, 2000]
- *More Than Just "Royal Globe Lite:" If It Survives The Referendum Challenge, California's New Third-Party Liability Law Will Finally Restore Balance To The Process Of Settling Third-Party Claims* [Consumer Attorneys Association of Los Angeles; 1999

Legislative Update Seminar (December, 1999)]

- *Alter Ego, Pooling, And Financial Worth: When And How To Get The Evidence You Need For Your Punitive Damages Case* [Consumer Attorneys of California, Annual Travel Seminar, Maui, Hawaii (November-December, 1999)]
 - *ERISA Litigation - Is the Plaintiff's Remedy in the Appellate Court?* [Consumer Attorneys of California, Annual Convention (November, 1999)]
 - *More Than Just "Royal Globe Lite:" California's New Third-Party Liability Law Will Finally Restore Balance to the Process of Settling Third-Party Claims* [Forum magazine, Consumer Attorneys of California, Vol. 29, No. 9, November, 1999]
 - *What is a 17200 Claim and How Does it Work?* [Consumer Attorneys Association of Los Angeles, Annual Convention, Las Vegas, Nevada (October, 1999)]
 - *"The Great Escape:" Can State Law Ever 'Trump' Erisa Preemption? (Or, How Recent Trends In Quality Of Care And McCarran-Ferguson Can Bridge' The Remedies Gap In Health Care And Disability Cases)* [American Bar Association, Annual Meeting, Tort and Insurance Practice Section Program (August, 1999)]
 - *Structuring a Business & Professions Code section 17200 Case* [Forum magazine, Consumer Attorneys of California, Vol. 29, No. 5, June, 1999]
 - *Use It [Right] or Lose It: Do's and Don'ts With a Business & Professions Code Section 17200 Case* [Consumer Attorneys of California, Annual Tahoe Seminar (March 1999)]
 - *A Litigator's Perspective on HMO Liability: The View From the Plaintiff's Side* [American Journal of Trial Advocacy (Vol. 22:1, Summer 1998)]
 - *Why Arbitration Agreements Do Not Belong in Consumer Contracts* [American Bar Association, Section of Dispute Resolution, "Dispute Resolution - Catch the Next Wave: Successful Application for Lawyers," Los Angeles, California (2/99)]
 - *Disability Dollars or Disaster: Litigating the Individual and Long Term Disability Case Effectively* [Consumer Attorneys of California, Maui Travel Seminar, Wailea, Hawaii (12/98)]
- * *How Business & Professions Code Section Can Be A "Value Added" Component of Your Litigation and How Those Claims Can Be Settled* [Consumer Attorneys of California, Maui Travel Seminar, Wailea, Hawaii (12/98)]

- * *But, How Do You Settle A Section 17200 Case?* [Consumer Attorneys of California, Annual Convention, San Francisco, California (11/98)]
- * *Successfully Suing HMOs* [Consumer Attorneys Association of Los Angeles, Annual Convention, Las Vegas, Nevada (9/98)]
- * *Cross-Examination Of Insurance Adjusters, Supervisors And Managers* [Consumer Attorneys Association of Los Angeles, Annual Convention, Las Vegas, Nevada (9/98)]
- * *Settlement Strategies Under The New EPLI Policies* [California Employment Lawyers Association, Annual Employment Law Seminar, San Francisco, California (9/98)]
- * *Long Term Disability Insurance, the Professional and ERISA: Dealing with the Problems and Avoiding Disaster* [Forum magazine, Consumer Attorneys of California, Vol. 28, No. 7, September, 1998]
- * *Shelter from the Storm?* [Trial magazine, Association of Trial Lawyers of America, (August, 1998)]
- * *HMOs and Federal Preemption Issues* [Forum magazine, Consumer Attorneys of California, Vol. 28, No. 6 (July/August 1998)]
- * *Disability Insurance: Making Sure the Pieces Fit* [DMEC, Third Annual National Conference, San Diego, California (7/98)]
- * *Bad Faith and Disability Insurance* [Insurance Bad Faith Claims Seminar, Lorman Education Services, Sherman Oaks, California (7/98)]
- * *Lessons Learned From the Earthquake Cases* [Forum magazine; Consumer Attorneys of California; Volume 28, Number 5, June, 1998]
- * *Basic Insurance Law and Bad Faith* [CAOC 33rd Annual Tahoe Seminar (3/98)]
- * *Preventative Strategies For Avoiding Bad Faith Claims: The Plaintiff Attorney's Role* [American Conference Institute, Bad Faith And Punitive Damages Program, San Francisco, California (3/98)]
- * *Righting the Wrongs: Cases, Causes and a Successful Conclusion* [ATLA National College of Advocacy, Winter Convention, Maui, Hawaii (2/98)]
- * *The Disability Insurance Gap: Where Mind And Body Meet* [ABA/Tips Life Insurance Law Committee, Mid-Winter Meeting/Boca Raton, Florida, (1/98)]
- * *Quick Hits: Insurance Bad Faith How to Master the Bad Faith Individual and ERISA*

- Long-term Disability Case* [Consumer Attorneys of California, Travel Seminar syllabus, Maui (12/97)]
- * *Everything You Always Wanted to Know about Standard of Review, but Didn't Know Enough to Ask: Using the Standard of Review to Help You Win Your Case* [Consumer Attorneys of California, San Francisco Convention, Appellate Panel syllabus (11/97)]
 - * *The "State of the Art" Issues in Insurance Bad Faith* [Rutter Group, Shernoff First Party Bad Faith Seminar (11/97)]
 - * *Using Consumer Remedy Statutes to Attack "Institutional" Insurance Bad Faith* [ATLA, National College of Advocacy Course Materials, ATLA Convention, San Diego, (8/97)];
 - * *Around the Royal Globe and Back Again: a Major Issue Resurfaces - a View from the Plaintiff's' Perspective* [Association of California Insurance Companies, VIII Annual General Counsel Seminar (7/97)]
 - * *Issues Relating to Catastrophe Claims: Northridge Earthquake Update* [American Conference Institute; Property Insurance Law Committee Regional Meeting (6/97)]
 - * *Point-Counterpoint on Managed-care Liability - the Plaintiff's Perspective* [National Health Care Association Seminar Syllabus (5/97)]
 - * *HMOS and Preemption Issues* [CAOC Convention seminar materials, (4/97)]
 - * *Emerging Areas of Insurance Bad Faith* [Montana Trial Lawyers Association Insurance Bad Faith Seminar Syllabus, (4/97)]
 - * *Recent Developments Affecting Workers' Compensation Insurance Premium Dispute Resolution - Judicial and Administrative Remedies - An Employers' Perspective* [California Insurance Regulation Conference, (4/97)]
 - * *Bad Faith from the Plaintiff's Perspective: Special Issues in Large Catastrophe Cases* [American Conference Institute Syllabus, (3/97)]
 - * *Plaintiff Strategies to Make the Most of Managed Care Claims* [RDI Insurance Bad Faith Conference Syllabus, (2/97)]
 - * *Focusing on Insurance Bad Faith* [Trial, ATLA, 12/96]
 - * *Preparing the First-Party Bad Faith Case* [Trial, ATLA, (9/95)]
 - * *Bad Faith, Erisa & Moradi-Shalal: Issue Spotting* [LATLA, MCLE Fair Syllabus, (5/93)]

- * *New Horizons in Insurance Bad Faith & Carrier Fraud: Medical, Life & Disability Marketing Schemes* [ATLA (1991)]
- *Insurance for Business Torts* [Business Torts, Matthew Bender (1991)]
- *The Tragedies of ERISA: How the Supreme Court Turned ERISA on Its Head* [Western State University Law Review (1990)]
- *Pitfalls in Contractor's Insurance* [Inland Empire Business Journal (1990)]; *New Congressional Report Urges Federal Courts to Fashion Remedies for ERISA Victims* [CTLA Forum (1990)]