1991
7TH ANNUAL
INTELLECTUAL PROPERTY LAW INSTITUTE
Galvez Hotel, Galveston, Texas
October 3 - 5, 1991
Sponsored by
HOUSTON INTELLECTUAL PROPERTY LAW ASSOCIATION

HIPLA

HIPLA IS PROUD TO ANNOUNCE THAT THE 1991 FALL INSTITUTE WILL FEATURE PRESENTATIONS FROM THE JUDICIARY ON EFFECTIVE ADVOCACY, INCLUDING:

Federal Judges:
Former Fifth Circuit Judge Thomas G. Gee
Former Federal Circuit Judge Howard T. Markey
Federal Circuit Judge Paul R. Michel
U.S. District Court Judge Norman W. Black
U.S. District Court Judge Kenneth M. Hoyt
U.S. District Court Judge Samuel B. Kent
U.S. District Court Judge Sim Lake

State Judges:
Texas Supreme Court Justice John Cornyn
Texas First Court of Appeals Chief Judge Alice O. Trevathan

THE INSTITUTE HAS BEEN DESIGNED TO PROVIDE:
A Day of Advocacy with the Judges and Tom Alexander, David Beck, Wayne Fisher, Bill La Fuze, John McConn, & Joe Reynolds
A Half Day on Patent Prosecution and Licensing with Margaret Anderson, Tom Arnold, Glen Self, & Bill Shull
A Half Day on Intellectual Property and the Roles of Corporate and University Attorneys with Matthew Burr, Ed Fiorito, Bruce Patterson, Guy McClung, Kim Muller, & Molly Buck Richard

INSTITUTE COMMITTEE
Jeffrey W. Tayon, Chairman ................................................................. Conley, Rose & Tayon
Michael F. Heim, Arrangements ............................................................... Conley, Rose & Tayon
Paul Van Slyke, Publicity ................................................................. Pravel, Gambrell, Hewitt, Kimball & Krieger
Ronald G. Bliss, Book Publication ....................................................... Fulbright & Jaworski
Robert M. Vargo, Recreation ................................................................. Smith International, Inc.
## PROGRAM

### THURSDAY, OCTOBER 3, 1991

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<th>Time</th>
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<th>Speaker(s)</th>
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<tr>
<td>2:30</td>
<td>Registration</td>
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<tr>
<td>3:30 - 4:30</td>
<td>Alternate Dispute Resolution</td>
<td>Tom Arnold, Arnold, White &amp; Durkee</td>
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<tr>
<td>3:30 - 4:30</td>
<td>How to Draft a Software patent and/or Copyright Application</td>
<td>Glen Self, EDS</td>
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<tr>
<td>4:30</td>
<td>Break</td>
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<tr>
<td>4:45 - 5:45</td>
<td>How to Negotiate a Litigation Settlement</td>
<td>Margaret Anderson Browning, Bushman, Anderson &amp; Brookhart</td>
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<tr>
<td>4:45 - 5:45</td>
<td>How to Negotiate and Draft a Software License</td>
<td>William E. Shull, Conley, Rose &amp; Tayon</td>
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<tr>
<td>6:00</td>
<td>Reception</td>
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### FRIDAY, OCTOBER 4, 1991

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<td>Continental Breakfast</td>
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<tr>
<td>8:15</td>
<td>Opening Remarks and Announcements</td>
<td>Jeffrey W. Tayon, Program Chairman, Lester L. Hewitt, President, HIPLA</td>
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<tr>
<td>8:30</td>
<td>How to Avoid Malpractice Claims</td>
<td>David Beck, Fulbright &amp; Jaworski</td>
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<tr>
<td>9:00</td>
<td>Making the Choice Between Judge and Jury in an IP Case</td>
<td>Bill LaFuzee, Vinson &amp; Elkins</td>
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<tr>
<td>9:30</td>
<td>How to be an Effective Advocate at Trial</td>
<td>Tom Alexander, Alexander &amp; McEvily</td>
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<tr>
<td>10:00</td>
<td>Break</td>
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<tr>
<td>10:15</td>
<td>How to Win Your Case During Voir Dire</td>
<td>Wayne Fisher, Fisher Gallagher, Perrin &amp; Lewis</td>
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<tr>
<td>10:45</td>
<td>How to Win Your Case Through the Effective Presentation of Witnesses</td>
<td>John McConn, McConnell &amp; Hardy</td>
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<tr>
<td>11:15</td>
<td>Does What the Lawyer Say Make Any Difference?</td>
<td>Joe Reynolds, Reynolds, Cunningham, Peterson &amp; Cordell</td>
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<tr>
<td>11:45 - 1:30</td>
<td>Reception &amp; Luncheon with</td>
<td>Judge Howard T.</td>
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### SATURDAY, OCTOBER 5, 1991

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<tbody>
<tr>
<td>7:15</td>
<td>Continental Breakfast</td>
<td>Jeffrey W. Tayon, Program Chairman</td>
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<tr>
<td>8:00</td>
<td>Announcements</td>
<td>Douglas Baldwin, Shell Oil Company</td>
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<tr>
<td>8:15</td>
<td>Effect of 11th Amendment on Use of Intellectual Property by Universities and State Agencies</td>
<td>Guy McClung, Pravel Gambrell, Hewitt, Kimball &amp; Krieger</td>
</tr>
<tr>
<td>8:45</td>
<td>Structuring Business Relationships to Exploit Intellectual Property Rights</td>
<td>Matthew Burr, U.T. M.D. Anderson Cancer Center</td>
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<tr>
<td>9:15</td>
<td>Controlling Intellectual Property Costs of Outside Counsel</td>
<td>Edward Fiorito, Dresser Industries</td>
</tr>
<tr>
<td>9:45 - 10:00</td>
<td>Strategic Use of Trademarks by Corporations</td>
<td>Bruce Patterson, (Speaker), Alan Thiele (co-author), Cooper Industries</td>
</tr>
</tbody>
</table>
Tom Alexander, Alexander & McEvily, received his LL.B. and LL.M. from SMU. Fellow, American Board of Trial Advocates and the International Academy of Trial Lawyers. He is a frequent lecturer on trial topics.

Margaret E. Anderson
Margaret E. Anderson, Browning, Bushman, Anderson & Brookhart, has twenty-plus years experience in I.P. practice. A frequent lecturer, with recent presentations on negotiating I.P. matters for the Southeastern Canada LES and the Southern Western Legal Foundation; she has recently taken an intensive short course in negotiation at Harvard Law School.

Tom Arnold

Douglas Baldwin
Douglas Baldwin, Assistant General Counsel, Patents and Licensing for Shell Oil Company, Houston. He received his Chemical Eng. degree from the Univ. of Florida and J.D. from the Univ. of Houston and has been a research engineer, manager of licensing and patent counsel for polymers.

David Beck
David Beck, Fulbright & Jaworski. Fellow of the American College of Trial Lawyers, and Advocate for the American board of Trial Advocates, a Fellow of the ABA, Fellow of the Texas Bar Foundation and Trustee of the Univ. of Texas Law Foundation. Former Chairman of the Board of Trustees for the Texas Bar Foundation; is on Advisory Committee for the Supreme Court of Texas and is President-Elect of the International Association of Defense Counsel.

Judge Norman Black
Judge Norman Black, United States District Court, S.D. Texas, Houston, received his B.B.A. and J.L. B degrees from the Univ. of Texas; served in U.S. Army Military Police Corps; was law clerk to U.S. District Judge Ben C. Connally, was Assistant U.S. Attorney; became U.S. Magistrate in 1976 and became U.S. District Judge in 1979.

Ronald G. Bliss
Ronald G. Bliss, Fulbright & Jaworski, received his B.S. Engineering Sciences from the Air Force Academy, his J.D. from Baylor. He was a combat fighter pilot in N. Vietnam where he was shot down and held prisoner for more than six years. He is a member of the judicially appointed Advisory Committee for the Southern District of Texas.

Matthew E. Burr
Matthew Burr, License Specialist, U.T. M.D. Anderson Cancer Center, received his B.A. in Biology from the Univ. of California, San Diego and his J.D. from the Univ. of Houston Law Center; worked for ten years as a laboratory research technician in biochemistry at the Salk Institute for Biological Studies, the Massachusetts Institute of Technology, and Harvard Medical School.

Ned L. Conley
Ned L. Conley, Conley, Rose & Tayon, received his B.S. Mech. Eng. from Texas A & M and his L.L.B. from South Texas School of Law; he has been a Patent Examiner, patent attorney for Sun Oil Company, former partner at Butler & Binion. He has been president of HIPLA, Chairman Intellectual Property Law Section, State Bar of Texas and is a frequent writer and speaker on Intellectual Property Law subjects.

Justice John Cornyn
Justice John Cornyn, elected to the Texas Supreme Court in November, 1990; former Judge, 37th District Court, Bexar County, Texas. B.A. Trinity University and J.D., St. Mary’s Univ. School of Law; Board Certified in Personal Injury Trial Law; Fellow of the San Antonio and Texas Bar Foundations and past Chairman of the Bexar County Juvenile Board. He is a frequent writer and speaker on legal and non-legal topics.

Edward G. Fiorito
Edward G. Fiorito, Dresser Industries, Inc., received his B.S.E.E. at Rutgers Univ. and J.D. from Georgetown University; has been Vice President, Patents and Commercial Relations at Energy Conversion Devices, Inc., Corporate Patent Manager of Burroughs Corporation, and General Patent Counsel of B.F. Goodrich Company. He has served as chairman of the IPI’s of the Texas Bar, and was Chairman of the Section of Science and Technology.

Wayne Fisher
Wayne Fisher, Fisher, Gallagher, Perrin & Lewis, received his B.B.A. and L.L. B. from Baylor University and was awarded “Lawyer of the Year” and “Distinguished Alumni Award” from Baylor; has served as President of the State Bar of Texas and President of Houston Trial Lawyers Association; is Fellow, International Academy of Trial Lawyers, Fellow, Inner Circle of Advocates; Fellow, American College of Trial Lawyers, Fellow, American Board of Trial Advocates, and Fellow, Texas Bar Foundation.

Judge Thomas G. Gee
Judge Thomas G. Gee, retired, Fifth Circuit, Baker & Botts, received his B.S. from West Point and LL.B. from Univ. of Texas School of Law; served in the U.S. Air Force; worked at Baker & Botts and at Graves, Dougherty, Gee, Hearon, Moody & Garwood; was appointed to Fifth U.S. Court of Appeals by President Nixon; is a charter member of the American Law Institute; contributor to various legal and other publications.

Michael F. Heim
Michael F. Heim, Conley, Rose & Tayon, received his J.D. from George Washington University and B.S.E.E. from Univ. of Missouri. While attending law school, he served three years as a Patent Examiner specializing in the electrical communications art and currently specializes in intellectual property litigation and protection of inventions in high-technology electrical arts.

Judge Kenneth M. Hoyt
Judge Kenneth M. Hoyt, U.S. District Court, S.D. Texas, Houston. He has also served as Judge of the 125th District Court and as a justice of the First Court of Appeals. He serves on a State Bar Committee as well as committees for both the Houston Bar and the State Bar of Texas.

Judge Samuel B. Kent
Judge Samuel B. Kent, U.S. District Court, S.D. Texas, serving in Galveston.

William LAFuze
William LAFuze, Vinson & Elkins, received his B.S. in Physics from Univ. of Texas,
M.S. in Systems Engineering from SMU and J.D. from the Univ. of Texas; he is past chairman of IPLS of the State Bar of Texas, past president of HIPLA and current First Vice-President of AIPLA; is Fellow of the Texas and Houston Bar Associations; serves on the Board of Directors of the MIT Enterprise Forum of Texas; is a frequent lecturer and author of numerous articles dealing with IP law and commercial litigation.

**JUDGE SIM LAKE**
Judge Sim Lake, U.S. District Court, S.D. Texas, Houston, graduated with honors from Texas A&M and received his J.D. with high honors from the Univ. of Texas School of Law; has served with the U.S. Army as a prosecutor with the 23rd Infantry Division in Vietnam; was a partner with Fulbright & Jaworski at the time of his appointment.

**GUY McCUNO**
Guy McClung, Pravel, Gambrell, Hewitt, Kimball & Krieger, received his B.S. in Chemistry from St. Mary's Univ., his J.D. from the Univ. of Texas Law School and his Ph.D. in the Philosophy of Law from Rice University.

**JOHN L. McCORN, JR.**
John L. McConnell, Jr., McConnell & Hardy, graduated from Rice University and received his LL.B. from University of Texas; has served as a president of the HBA, Chairman, Energy Litigation Committee, Litigation Section of the ABA; Director of the State Bar of Texas; Vice-President of the Texas Association of Defense Counsel and President of Houston Association of Defense Counsel; he is a Fellow of the American College of Trial Lawyers.

**JUDGE PAUL R. MICHEL**
Judge Paul R. Michel, Circuit Judge, U.S. Court of Appeals for the Federal Circuit, graduated from Williams college and the Univ. of Virginia Law School. He served seven years as a criminal prosecutor in Philadelphia and as an assistant Watergate Special Prosecutor. He was selected to be Deputy Chief of the New Public Integrity Section in the Dept. of Justice. There he directed the "Koreagate" investigation. He served as counsel and administrative assistant to Senator Arlen Specter, and was appointed to the Federal Circuit in March, 1988.

**KIM MULLER**
Kim Muller, Shell Oil Company, received his J.D. from John Marshall Law School and his LLM in Patent and Trade Regulations from George Washington National Law Center; currently specializes in procurement and protection of Shell's trademarks.

**W.B. PATTERSON**
W.B. Patterson, Cooper Industries, Inc., received his B.S. and Master's Degrees in Industrial Technology from Texas A&M; attended South Texas College of Law; served as briefing attorney with the 14th Court of Appeals in Houston.

**JOE H. REYNOLDS**
Joe H. Reynolds, Reynolds, Cunningham, Peterson & Cordell, received his LL.B. from Baylor University; was Assistant Attorney General of Texas, Special Assistant Attorney General, Antitrust Matters and has tried over 200 jury cases. He is a Fellow, American College of Trial Lawyers.

**MOLLY BUCK RICHARD**
Molly Buck Richard, Locke, Purnell, Rain & Harrell, received her B.A. from Austin College and her J.D. from SMU; her practice is primarily in trademark and copyright protection and litigation. She is a frequent author and speaker on trademark and copyright issues.

**GLEN D. SELF**
Glen D. Sefl, Vice President for Research and Development, EDS; member Texas Bar, ABA, AIPLA, registered Professional Engineer. He created and published the Software Patent Index for the Computer Software Section of the State Bar. Conducts research in automatic patent categorization and generation.

**WILLIAM E. SHULL**
William E. Shull, Conley, Rose & Tayon; holds B.S. and M.Eng. degrees from Cornell Univ. and a J.D. from the Univ. of Houston Law Center. He has been active for many years in HIPLA, serving on the Board of Governors and as a committee chairman. He has been a speaker at previous HIPLA and State Bar Intellectual Property Law Section sponsored CLE events.

**JENNIFER S. SICKLER**
Jennifer S. Sickler, Vedder Eickenroth, Thompson & Boulware; joined the firm in 1989 after completing a one year term as Law Clerk for the Honorable Sim Lake. Ms. Sickler holds a B.A. in Biochemistry from Rice University and received her Juris Doctor in 1988 from Tulane University School of Law.

**JEFFREY W. TAYON**
Jeffrey W. Tayon, Director of Conley, Rose & Tayon, specializing in intellectual property litigation; former partner with Butler & Binion; former Patent Examiner in the medical arts and former Technical Advisor and Law Clerk to Judge Jack R. Miller, Senior Judge at the U.S. Court of Claims for the Federal Circuit.

**ALAN R. THIELE**
Alan R. Thiele, Cooper Industries, received his Mechanical Engineering degree from Lehigh University and J.D. from Ohio Northern University, L.M. from John Marshall Law School and MBA from University of Houston; he has practiced patent law at Abbott Laboratories and Cooper Industries.

**JUDGE ALICE O. TREVATHAN**
Judge Alice Oliver Trevathan, First Court of Appeals. She was formerly Judge of the 131st District Court and a trial lawyer with Burrow, Trevathan and Williams and Fulbright & Jaworski. A frequent lecturer and legal writer, Chief Justice Trevathan was awarded Outstanding Young Lawyer of Texas in 1987, and Outstanding Civil Trial Judge (1989) and Outstanding Judge in the Houston Bar Poll (1989-1991).

**PAUL C. VAN SLYKE**
Paul C. Van Slyke, Pravel, Gambrell, Hewitt, Kimball & Krieger, received a B.S. E.E. from the Univ. of Texas at Austin and his J.D. from SMU. He is a former patent attorney for Mobil Oil Corporation and former partner with Arnold, White & Durkee. He specializes in intellectual property litigation.

**ROBERT M. VARGO**
REGISTRATION INFORMATION

REGISTER IN ADVANCE

Fees:
$225.00 ........................................ HIPLA members prior to September 15
$250.00 ........................................ Non-HIPLA members prior to September 15
$275.00 ........................................ After September 15 for all registrants

REFUNDS

Refunds will be granted only if they are requested in writing and postmarked no later than September 22, 1991. If you do not attend the program and do not request a refund, you will be mailed the written materials.

QUESTIONS?

If you have any questions about the Institute, please call the Program Chairman, Jeffrey W. Tayon, at (713) 238-8000.

REGISTRATION FORM

INTELLECTUAL PROPERTY LAW INSTITUTE • OCTOBER 3 - 5, 1991

Galvez Hotel, Galveston, Texas

MAIL REGISTRATION FORM or INSTITUTE BOOK REQUEST TO:
Mr. Jeffrey W. Tayon, c/o Conley, Rose & Tayon • Texas Commerce Tower, 600 Travis, Suite 1850 • Houston, TX 77002

I. REGISTRATION FEES (CHECK ONE)

- $225.00 HIPLA members prior to Sept. 15 (book incl.)
- $250.00 Non-HIPLA members prior to Sept. 15 (book incl.)
- $275.00 After Sept. 15, all registrants (book incl.)
- $65 Institute Book only (will not attend seminar)

II. Other Expenses (Check all that apply)

- Friday night Reception, Dinner and Entertainment $35.00 ea. x (# of reservations)
- Golf Saturday Afternoon (24 person limit) $60.00 ea. x (# of reservations)
- Please indicate handicap ( )
- Tennis Saturday Afternoon $20.00 ea. x (# of reservations)
- Beach Party & Volleyball Saturday Afternoon $15.00 ea. x (# of reservations)
- Saturday Evening Cruise $35.00 ea. x (# of reservations)
- Spouse Activities (Fri. - Galveston Home Tour & Lunch) $25.00 ea. x (# of reservations)
- (Sat. - NASA Tour) $15.00 ea. x (# of reservations)

TOTAL =

(Make Check Payable to Houston Intellectual Property Law Association)

Hotel Registration Form

7TH ANNUAL INTELLECTUAL PROPERTY LAW INSTITUTE

Mail Hotel Registration to:
Galvez Hotel
2024 Seawall Blvd.
Galveston Island, Texas 77550

Registrations Must Be Received By September 15, 1991
(409) 765-7721
(713) 480-2640
(800) 392-4285

- Single or Double: $82 night (ocean view) $72 night (city view)
- VISA American Express MasterCard Other Card Number: Exp. Date:
Cardholder's Name: ____________________________
Arrival Date: ____________________________ Departure Date: ____________________________
Name: ____________________________ Roommate: ____________________________
Company/Organization: ____________________________ Phone: ____________________________
Address: ____________________________ City/State/Zip: ____________________________

ANY CANCELLATIONS MUST BE RECEIVED AT LEAST 24 HRS PRIOR TO ARRIVAL DATE
All requests subject to availability. Reservations will be considered tentative unless guaranteed by first night's deposit or major credit card.
Summary of the Institute

Casual Attire is encouraged for all aspects of the Institute.

Thursday Workshops

• Four (4) separate workshops are provided on Thursday afternoon starting at 3:30 directed to current issues for the practitioner of intellectual property law.

Friday & Saturday Sessions

• Twenty (20) separate lectures, and two (2) separate panel discussions with the judiciary will be presented, starting Friday morning.

• Special Features:
  2. Panel Discussion with four (4) U.S. District Judges from the Southern District including Judges Black, Hoyt, Kent and Lake.

Recreational and Social Activities

• Lawn Party Friday Night: Enjoy soft drinks or cocktails and a seafood buffet by the pool overlooking the Gulf of Mexico. Entertainment will also be provided.

• Reception for the Judiciary: Immediately following the Lawn Party Friday night, please join with HIPLA in a reception honoring the judiciary featuring dessert, coffee and drinks.

• Golf Saturday Afternoon: Play the Galveston Country Club behind Pirate’s Beach. A scramble with prizes. Golf chairman is Jim Riley of Pravel, Gambrell (850-0909). Entry fee is $60, which includes lunch, drinks, green fee and cart. Tee-off is scheduled for 12:30 p.m.

• Tennis Saturday Afternoon: Play in a fun tournament at the Galveston Racquet Club that allows players of all abilities to compete. Beverages and prizes provided. Tennis chairman is Al Harrison of Harrison & Egbert (232-4034). Cost for the tournament is $20. Play begins at 1:30 p.m.

• Beach Party and Volleyball Tournament Saturday Afternoon: Jo Katherine Schneider of Kirk, Bissex & Lindsay, (621-2021), is organizing a beach party and volleyball tournament on the beach in Galveston. Firms and companies are urged to put together a team to compete in the volleyball tournament. Food and drinks will be provided. Cost per person is $15. The beach party will start at 12:30 p.m. and tournament play will begin at 1:00 p.m.

Make plans to spend Saturday evening aboard the Pride of Galveston, the gambling ship out of Galveston. Cost is $35 per person, which includes dinner on board the ship.

Boarding starts at 5:15 p.m. and dinner is served between 5:30 and 9:00 p.m. The ship departs from the Port of Galveston, Pier 21, at 7:00 p.m. and returns at 2:00 a.m.

Spouse Activities: Anne Rose, special assistant to Conley, Rose & Tayon (238-8000) has organized a variety of spousal activities including: A tour of historic Galveston Homes and Lunch on Friday: Discover the world of Victorian Galveston with a visit and talk at two homes not open to the public. Our motorcoach will depart at 9:30 a.m. and after the tour will transport us to the famed Wentletrap Restaurant for a delicious buffet with a Cajun theme at noon. Immediately after lunch, we will be entertained with a style show featuring models from our group. After you have been put in the mood, the rest of the afternoon is free to do your own shopping on the Strand. The trolley can drop you off at the Galvez Hotel at your convenience.

A VIP tour of NASA on Saturday: The sky’s the limit with this outing! We will travel to NASA and have our very own VIP tour behind the scenes. A special thanks to Mr. Ed Fein, Patent Counsel to NASA, for helping arrange this tour! The bus will depart at 9:30 a.m. and after the tour will take us back to the hotel in time for the afternoon sporting activities. Or, if there are enough who wish to do so, we can be dropped off for shopping at the off-price mall and return later after exhausting ourselves with physical activities of a different nature.

Bridge Anyone? If anyone is interested in organizing a group to play bridge Thursday or Friday afternoon, please call Anne.

Minimum Continuing Legal Education

This program has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas. The Friday and Saturday portions will be 10.0 hours with an additional 2.0 hours for the Thursday workshops. One-half hour credit for legal ethics will be provided by the speech by Judge Markey and one-half hour credit for the speech by David Beck.

Location

The Galvez Hotel is located in Galveston, Texas, on Seawall Boulevard. From Houston, take I-45 South to the Seawall. Proceed south (turn right) on Seawall Boulevard to 2024 Seawall Boulevard. Telephone numbers are 1 - 800 - 392-4285; 409 - 765-7721; Houston 713 - 480-2640.