



Medical Liability and Health Care Law



Extended sessions on hypoxic ischemic encephalopathy and placental pathology



Defense strategies for stroke and intubation claims



Present your case: jury selection, body language, and technology in the courtroom

Practical advice for life care plans, electronic medical records, and more



March 2-3, 2017

The Cosmopolitan of Las Vegas

Las Vegas, NV

DRI
delivers
resources
to build
your practice ■

Join your colleagues on the Las Vegas Strip for the **DRI Medical Liability and Health Care Law Seminar**, March 2–3, 2017. The seminar will offer comprehensive instruction for risk management personnel, defense attorneys, and in-house counsel alike. In this two-day program, a top-caliber faculty of attorneys, physicians, and litigation professionals will conduct insightful sessions covering every stage of a medical liability case. From investigating the case, to understanding the medicine, to developing the defense, to selecting a jury and presenting the case at trial, seminar attendees will leave with new tools for defending medical liability claims. In addition to the medical and trial strategy instruction, young lawyers will learn about medical liability litigation from the viewpoint of claims management personnel. As always, numerous fun and exciting networking opportunities will be available, including a pre-seminar golf outing, private gaming instruction, Women in the Law luncheon, and night out sponsored by the Young Lawyers Committee at Topgolf Las Vegas.



Laura D. Eschleman
Program Chair



Alex J. Hagan
Committee Chair



Jodi V. Terranova
Program Vice Chair



J. Richard Moore
Committee Vice Chair



Stephen O. Plunkett
Law Institute

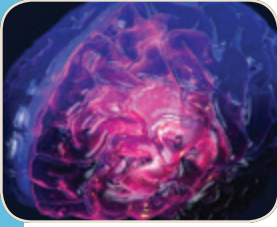


See what others have to say about DRI seminars

PRESENTED BY **DRI's Medical Liability and Health Care Law Committee**

THIS SEMINAR BROCHURE IS SPONSORED BY








What You Will Learn

- The pros and cons of tPA in defending stroke cases
- Current trends in birth injury cases with a focus on placental pathology
- The informatics of electronic health records
- Generational differences and how they impact jury selection
- Maximizing PowerPoint presentations at trial
- Tips for young lawyers on the claims adjuster relationship
- Techniques for defending life care plans for catastrophic injuries
- Protecting yourself against claims of legal malpractice when defending medical cases



Get Started

- 1 Review the brochure and identify sessions of interest to you
- 2 Share this brochure with colleagues
- 3 **Register online** or complete the **form in the back**
- 4 Download the DRI App  and  and make use of its features to get the most out of this program
- 5 Share on social media   

Maximize Your DRI Seminar Experience

No one gets you connected like DRI.

- Use the DRI App to customize your schedule, view course materials, and communicate with fellow attendees and speakers.
- Access the **DRI Medical Liability and Health Care Law Committee Community** to network with individual members. Share articles, post blogs, and connect with others on the latest trends in your area of practice.
- Discover the  **DRI Client Connection**—meet in-house registrants and speakers.

PROGRAM SCHEDULE

WEDNESDAY, MARCH 1

6:00 p.m. **Registration**

6:00 p.m. **Networking Reception**

Visit with friends and colleagues and pick up a few instructional gaming tips, too!

SPONSORED BY **Wilson Elser Moskowitz Edelman & Dicker LLP**

8:00 p.m.–10:00 p.m.

Young Lawyers Topgolf Las Vegas Event
(See more information on page 4)

THURSDAY, MARCH 2

7:00 a.m. **Registration**

7:00 a.m. **Continental Breakfast**

SPONSORED BY **Fudge & McArthur PA
Heidell Pittoni Murphy & Bach LLP**

7:00 a.m. **First-Time Attendees Breakfast**

Alex J. Hagan, *Ellis & Winters LLP*, Raleigh, NC

8:00 a.m. **Welcome and Introduction**

Stephen O. Plunkett, *Bassford Remele PA*, Minneapolis, MN

Laura D. Eschleman, *Nall & Miller LLP*, Atlanta, GA

8:10 a.m. **Songs You Know by Heart: Defending Against Life Care Plans**

Sometimes there is a song you know by heart, but when you read the words, you realize you didn't have them all right. Life care plans have long been a part of catastrophic medical liability actions, so many of us probably "know them by heart." This talk will focus on the nuts and bolts of defending against life care plans, offer some old and perhaps new ideas, and comment upon the effect (if any) of the Affordable Care Act on the projection of future losses.

Thomas J. Hurney, Jr., *Jackson Kelly PLLC*, Charleston, WV

Click on any speaker name to view bio.

9:10 a.m. **Let Me See Your Body Talk: The Importance of Body Language in Medicine and the Law**

Body language is just as or even more important than the actual words used by a physician, lawyer, and witness. Learn about the importance of attorney-physician communications and how doctor-patient communications impact the defense of your cases. The presentation will also discuss the importance of attorneys' and physicians' body language before a jury and how to read your jurors by looking at their body language.

 **Dennis J. Boyle, MD**, *COPIC Medical Liability Company*, Denver, CO

10:10 a.m. **Refreshment Break**

SPONSORED BY **Ellis & Winters LLP**

10:30 a.m. **Hypoxic Ischemic Encephalopathy: Current Medical and Legal Trends**

Dr. D'Alton and Dr. Lee will discuss current medical trends and how malpractice cases related to Hypoxic Ischemic Encephalopathy (HIE) should be evaluated. The two will discuss the 2014 report of ACOG's and AAP's joint Task Force on Neonatal Encephalopathy, highlighting the significant changes from the initial report published in 2003. These changes include a broader knowledge of the processes that contribute to neonatal encephalopathy, advancements in neuroimaging, and the introduction of neonatal hypothermia as a therapeutic treatment.

 **Mary E. D'Alton, MD**, *Columbia University Medical Center*, New York, NY

Randolph (Randy) L. Lee, MD, JD, *Batten Lee PLLC*, Raleigh, NC

12:00 p.m. **Women in the Law Luncheon**
(See more information on page 4)

12:00 p.m. **Lunch (on your own)**

1:30 p.m. **Electronic Health Records: Beating the Odds with Informatics**

Electronic Health Records (EHR) have required defense attorneys to become knowledgeable about computers, software, data storage, and retrieval. Learn about metadata, audit trails, charting templates, missing test results, auto-

 Denotes **THE DRI CLIENT CONNECTION**: In-house and claims professional speakers

 Denotes medical professional

generated text, copy and paste and ransomware, and the strengths and weaknesses of each in the defense of physicians, health care providers, and hospitals. Learn how to defend technical discovery requests and depositions of IT personnel based on the technical knowledge of how EHR software really works.

Dean F. Sittig, PhD, *The University of Texas Health Science Center at Houston*, Houston, TX

2:30 p.m. **Doctors, Lawyers, and “The Talk”:
Emotional Impact of Being a Defendant**

The financial and professional implications are front of mind in interactions between attorneys and their clients in litigated matters. The emotional and logistical implications for a health-care provider are often elusive and avoided or addressed as an afterthought. Pick up some pointers to enhance the value of your services and ease the anxiety of litigation for your clients.

 **Morris L. Jensby**, *CHG Healthcare Services Inc.*, Salt Lake City, UT

Michelle S. Putvin, *CogentEdge Strategic Witness Preparation*, Land O Lakes, FL

3:25 p.m. **Refreshment Break**
SPONSORED BY **Burr & Forman LLP**

3:40 p.m. **Placental Pathology: A Chronicle
of Intrauterine Fetal Life**

Dr. Schwartz and Ms. Cornacchio will discuss using placental pathology to trace the nature, timing, and etiology of fetal brain damage in claims of obstetrical malpractice and coordinating pathological evidence with fetal growth and development, ultrasonography, and clinical signs of the newborn. Placental insufficiency, chorioamnionitis, vascular lesions, and other chronic and acute conditions will be reviewed along with their manifestations during labor, delivery, and neonatal life.

Elizabeth Cornacchio, *Heidell Pittoni Murphy & Bach LLP*, New York, NY

 **David A. Schwartz, MD**, *Medical College of Georgia at Augusta University*, Augusta, GA

5:00 p.m. **Adjourn**

5:10 p.m. **Medical Liability and Health Care Law
Committee Meeting (open to all)**

6:00 p.m. **Networking Reception**

7:00 p.m. **Dine-Arounds** | Join colleagues and friends at selected restaurants for dinner (*on your own*). More details to follow.

FRIDAY, MARCH 3

7:00 a.m. **Registration**

7:00 a.m. **Continental Breakfast**
SPONSORED BY **Hospital Experts
Wiggin and Dana LLP**

7:00 a.m. **Young Lawyers Breakout: A Claims
Adjuster’s Point of View**

Defending a medical malpractice claim requires collaboration and a strong partnership between the claims adjuster and defense counsel. This session will help the young lawyer understand the role of the carrier, the claims adjuster, the carrier-assigned defense counsel, and personal counsel. You will gain an understanding of the process and terminology and better appreciate what the claims adjuster needs from defense counsel to achieve the best results.

Debbie Riley, *Quintairos Prieto Wood & Boyer PA*, Chicago, IL

 **Jody J. Smith**, *ProAssurance*, Madison, WI

8:00 a.m. **Announcements**

Jodi V. Terranova, *Wilson Elser Moskowitz Edelman & Dicker LLP*, Washington, D.C.

8:05 a.m. **The Multigenerational Juror: How Generational
Differences Affect Jury Selection from
the Plaintiff and Defense Perspectives**

Mr. Gonzalez will explore the differences among Generation X, Generation Y, and Millennials. Learn about jury selection, presentation methods, and arguments to each generational group, including how to tailor each to the different groups based on their views, thinking, and processes.


Ervin A. Gonzalez, *Colson Hicks Eidson*, Coral Gables, FL

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9:05 a.m. **Stroke Intervention: The Pros and Cons of tPa**

The criteria for when initiation of thrombolytics to treat a suspected stroke is appropriate are not always clear cut. This session will address the classic symptoms and typical patient history suggestive of ischemic stroke, how an ischemic stroke develops, and how thrombolytic therapy can inhibit ischemia or improve a patient's stroke outcomes. Gain a historical perspective on thrombolytic therapy and controversy regarding its efficacy, safety, and approval, and the inclusion criteria for thrombolytics under various intersecting guidelines.

 **Andrew W. Asimos, MD**, *Neurosciences Institute, Carolinas HealthCare System*, Charlotte, NC

10:00 a.m. **Refreshment Break**

10:15 a.m. **Winning Defense Verdicts with PowerPoint**

Research has proved that if one side uses even basic PowerPoint slides, a jury is more likely not only to find for the party using the slides but also to think better of the lawyer using the slides and to blunt the impact of damages evidence of the side not using PowerPoint. This presentation will provide examples taken from slide presentations in actual cases tried by Mr. Gass, with a focus on challenging medical issues.

J. Ric Gass, *Gass Weber Mullins LLC*, Milwaukee, WI

11:40 a.m. **Legal and Medical Strategies for Defending Airway Management Cases**

Successful defense of an airway management case depends on the integration of legal strategy and medical knowledge. Dr. Panger will present powerful visuals and live demonstrations to explain intubation techniques and related medical issues, and Ms. Leasure will shed some light on plaintiffs' tactics and other aspects of these cases, using pertinent examples from her own recent practice.

Lisanne N. Leasure, *Faraci Leasure LLC*, Glendale, CO

 **Michael R. Panger, MD**, *General Anesthesia Services Inc.*, Charleston, WV

12:35 p.m. **Ethics Presentation: Avoiding a Legal Malpractice Claim When Defending a Medical Provider**

This presentation will utilize fact patterns extracted from actual legal malpractice claims in an effort to assist defense attorneys to protect themselves from legal malpractice and ethical violations during the defense of the medical practitioner or corporation. Learn about common missteps and red flags so you can proactively navigate during the defense to ensure both you and the client are protected.

Amir R. Tahmassebi, *Konicek & Dillon PC*, Geneva, IL

1:35 p.m. **Adjourn**

NETWORKING EVENTS

Wednesday, March 1

Golf Tournament

Registration Deadline: **February 10, 2017**

Note: All players must be registered to attend the Medical Liability and Health Care Law Seminar to participate in the golf tournament.

Experience desert golf at its finest at the Royal Links Golf Club by joining friends, colleagues, and peers for a challenging round of golf on Wednesday morning, 8:00 a.m. shotgun start. Moderately priced at \$200 per player and \$800 per team (foursome), the registration fee includes greens fees, cart, practice balls, continental breakfast, lunch, taxes, and gratuities. Club rental is available for \$55 including shoes, balls not included. Shuttle service to/from the course will be provided.

Cancellations made after January 25, 2017, are non-refundable. This event will be held in conjunction with the DRI Construction Law Seminar. To enter, please check the boxes on the registration form. *For more information please contact Barclay Wong at bwong@dsvlaw.com.*

Young Lawyers Topgolf Las Vegas

8:00 p.m.–10:00 p.m.

Come unwind at an event presented by DRI's Young Lawyers Committee. Topgolf Las Vegas includes 108 hitting bays, six flashing, multi-colored targets, four levels with five fully stocked bars and multiple large screen TV's designed to showcase every significant sporting event. All are welcome. Advanced registration required. *To register and for additional information, please contact David Hayes at dhayes@og-law.com.*

Thursday, March 2

Women in the Law Luncheon 12:00 p.m.

Join DRI's Women in the Law Committee for a networking luncheon at Estiatorio Milos, located in The Cosmopolitan of Las Vegas, recognized as one of the finest Mediterranean seafood restaurants in the world. Enjoy lunch while sharing tips for networking successes in an informal forum designed to advance women lawyers' professional goals. All are welcome. *For more information and to sign-up, please contact Roya Vasseghi at roya.vasseghi@wilsonelser.com.*

GENERAL INFORMATION

In-House Counsel

In-house counsel are eligible for free registration to DRI seminars. In-house counsel are defined as licensed attorneys, who are employed exclusively by a corporation or other private sector organization for the purpose of providing legal representation and counsel only to that corporation, its affiliates and subsidiaries. In order to qualify for free registration, the individual must also be a DRI member and a member of DRI's Corporate Counsel Committee. Offer excludes the DRI Annual Meeting.

Claims Executives

Any member of DRI employed as a claims professional by a corporation or insurance company, who spends a substantial portion of his or her professional time hiring or supervising outside counsel in the representation of business, insurance companies or their insureds, associations or governmental entities in civil litigation, will be entitled to free attendance at any DRI program. **Limited to one seminar per calendar year.** Offer excludes DRI Annual Meeting.

CLE/Claims Adjusters Accreditation

This seminar has been approved for MCLE credit by the State Bar of California for up to **13** hours, including **1** hour of ethics credit. Accreditation has been requested from every state with mandatory continuing legal education (CLE) requirements. Certificates of attendance will be provided to each attendee. Attendees are responsible for obtaining CLE credits from their respective states. **Application has been made for continuing education for claims adjusters.** Credit availability and requirements vary from state to state; please check the DRI website at dri.org for the latest information for your state.



A limited number of discounted hotel rooms have been made available at **The Cosmopolitan of Las Vegas, 3708 S. Las Vegas Blvd, Las Vegas, NV 89109** ([click here](#) to view hotel photos).

Take advantage of the group rate of **\$249 Single/Double** in one of two ways:

- 1) Reserve online: [Click here](#) or visit [dri.org](#) and go to the **DRI Medical Liability and Health Care Law Seminar page** and click on the "Book hotel" button.
- 2) Or **contact the hotel directly at 702.698.7000** and mention the **DRI Medical Liability and Health Care Law Seminar**.

The hotel block is limited and rooms and rates are available on a first-come, first-served basis. You must make reservations by **January 31, 2017**, to be eligible for the group rate. Requests for reservations made after **January 31, 2017** are subject to room and rate availability.

Registration Policy

Save \$100 when you register by January 31, 2017. (See the registration form for pricing.) The registration fee includes course materials, continental breakfasts, refreshment breaks, networking receptions, and access to the DRI App. If you wish to have your name appear on the registration list distributed at the conference and receive the course materials in advance, DRI must receive your registration by **February 10, 2017** (*please allow 10 days for processing*). Registrations received after **February 10, 2017**, will be processed on-site.

Refund Policy

The registration fee is fully refundable for cancellations received on or before **February 10, 2017**. Cancellations received after **February 10** and on or before **February 17, 2017**, will receive a refund, less a \$100 processing fee. Cancellations made after **February 17** will not receive a refund, but a \$100 certificate good for any DRI seminar within the next 12 months will be issued. All cancellations and requests for refunds must be made in writing. Fax (312.795.0747) or email (seminars@dri.org) to DRI's Accounting Department. Processing of refunds will occur within four weeks after the date of the seminar. All refunds will be processed in the same method that the payment was received. Substitutions may be made at any time without charge and must be submitted in writing.

Discounts

Group Discount The first and second registrations from the same firm or company are subject to the fees outlined previously. The registration fee for additional registrants from the same firm or company is **\$735 until January 31, 2017. After January 31, the registration fee is \$835**, regardless of membership status. All registrations must be received at the same time to receive the discount.

Travel Discounts DRI offers discounted meeting fares on various major air carriers for **DRI Medical Liability and Healthcare Law Seminar** attendees. To receive these discounts, please contact Direct Travel, DRI's official travel provider, at 800.840.0908. As always, to obtain the lowest available fares, early booking is recommended.

- The taping or recording of DRI seminars is prohibited without the written permission of DRI.
- Speakers and times may be subject to last-minute changes.
- A small portion of your room rate offsets the costs of the seminar.
- DRI policy provides there will be no group functions sponsored by others in connection with its seminars.

Hotel Accommodations

FACULTY *Click on any name to view bio.*

Andrew W. Asimos, MD, Neurosciences Institute, Carolinas HealthCare System, Charlotte, NC

Dennis J. Boyle, MD, COPIC Medical Liability Company, Denver, CO

Elizabeth Cornacchio, Heidell Pittoni Murphy & Bach LLP, New York, NY

Mary E. D'Alton, MD, Columbia University Medical Center, New York, NY

Laura D. Eschleman, Nall & Miller LLP, Atlanta, GA

J. Ric Gass, Gass Weber Mullins LLC, Milwaukee, WI

Ervin A. Gonzalez, Colson Hicks Eidson, Coral Gables, FL

Alex J. Hagan, Ellis & Winters LLP, Raleigh, NC

Thomas J. Hurney, Jr., Jackson Kelly PLLC, Charleston, WV

Morris L. Jensby, CHG Healthcare Services Inc., Salt Lake City, UT

Lisanne N. Leasure, Faraci Leasure LLC, Glendale, CO

Randolph (Randy) L. Lee, MD, JD, Batten Lee PLLC, Raleigh, NC

J. Richard Moore, Bleeke Dillon Crandall, Indianapolis, IN

Michael R. Panger, MD, General Anesthesia Services Inc., Charleston, WV

Stephen O. Plunkett, Bassford Remele PA, Minneapolis, MN

Michelle S. Putvin, CogentEdge Strategic Witness Preparation, Land O Lakes, FL

Debbie Riley, Quintairos Prieto Wood & Boyer PA, Chicago, IL

David A. Schwartz, MD, Medical College of Georgia at Augusta University, Augusta, GA

Dean F. Sittig, PhD, The University of Texas Health Science Center at Houston, Houston, TX

Jody J. Smith, ProAssurance, Madison, WI

Amir R. Tahmassebi, Konicek & Dillon PC, Geneva, IL

Jodi V. Terranova, Wilson Elser Moskowitz Edelman & Dicker LLP, Washington, D.C.

View faculty bios on the Medical Liability and Health Care Law Seminar webpage; click on "View speakers" button.

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See what others have to say about the DRI Membership advantage

<http://www.youtube.com/user/DefenseBar>

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January 26-27
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February 1-3
Women in the Law
*Omni Scottsdale Resort
at Montelucia, Scottsdale, AZ*

February 8-10
Product Liability Conference
*The Cosmopolitan of
Las Vegas, Las Vegas, NV*

March 15-17, 2017
Trial Tactics
*The Venetian Palazzo Resort,
Las Vegas, NV*

March 23-24, 2017
Toxic Torts and Environmental Law
*Sheraton New Orleans,
New Orleans, LA*

April 5-7, 2017
**Insurance Coverage and
Claims Institute**
Loews Chicago, Chicago, IL

April 26-28, 2017
Life, Health, Disability and ERISA
Swissôtel Chicago, Chicago, IL

May 17-19, 2017
Employment and Labor Law
Hilton Nashville, Nashville, TN

Publications for Your Practice

Members can access committee newsletters and seminar course materials via **DRI Online** at dri.org.

Newsletter *The Medlaw Update* (4 times a year)

Visit the **Medical Liability and Health Care Law Committee page** on dri.org for information about the committee and related resources.

Medical Liability and Health Care Law focus in *For The Defense*

May 2017 (*upcoming*)

August 2016

August 2015

Defense Library Series

The Deposition Manual

A Young Lawyer's Guide to Defense Practice



Diversity and Inclusion in DRI: A Statement of Principle

DRI is the largest international membership organization of attorneys defending the interests of business and individuals in civil litigation.

Diversity is a core value at DRI. Indeed, diversity, which includes sexual orientation, is fundamental to the success of the organization, and we seek out and embrace the innumerable benefits and contributions that the perspectives, backgrounds, cultures, and life experiences a diverse membership provides.

Inclusiveness is the chief means to increase the diversity of DRI's membership and leadership positions. DRI's members and potential leaders are often also members and leaders of other defense organizations. Accordingly, DRI encourages all national, state, and local defense organizations to promote diversity and inclusion in their membership and leadership.

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Medical Liability and Health Care Law Seminar

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Are you a first-time attendee at this DRI seminar? Yes No

How many attorneys _____ What is your primary
are in your firm? _____ area of practice? _____

REGISTRATION FEE

Registration fee includes seminar attendance, networking events, course materials, and access to the DRI App. DRI will email a link to download the course materials to all registrants two weeks in advance of the seminar.

	On or before Jan. 31, 2017	After Jan. 31, 2017
<input type="checkbox"/> Member	\$835	\$935
<input type="checkbox"/> Nonmember	\$1,065	\$1,165
<input type="checkbox"/> Government Member	\$540	
<input type="checkbox"/> Law Student Member	FREE	
<input type="checkbox"/> In-House Counsel Member*	FREE	
<input type="checkbox"/> Claims Executive Member*	FREE	
<input type="checkbox"/> Group Discount*	\$735	\$835

For inclusion on the preregistration list and to receive course materials in advance, **register by February 10, 2017.**

Golf Tournament Registration (details on page 4)

- Individual player registration \$200
- Team registration** \$800
- Golf club and shoes rental \$55

* As defined on page 5.

** Team registration option designates you as team captain. Submit names of the four team members to bwong@dsvlaw.com no later than February 10.

PAYMENT METHOD

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