



APRIL 26–27, 2018 | PLYMOUTH

5TH ANNUAL

# No-Fault *summit*

## Advocate Effectively with Expert Insight

### Cosponsor

The Negligence Law Section of  
the State Bar of Michigan

### All-New Tracks

Trial Discovery  
Litigation

### REGISTER TODAY

[www.icle.org/no-fault](http://www.icle.org/no-fault)  
877-229-4350



ICLE

**THE INSTITUTE OF CONTINUING LEGAL EDUCATION**

*The education provider of the State Bar of Michigan*

The State Bar of Michigan • The University of Michigan Law School • Wayne State  
University Law School • University of Detroit Mercy School of Law • Western Michigan  
University Thomas M. Cooley Law School • Michigan State University College of Law

# Advocate Effectively with Expert Insight

Deliver the results your clients demand. No matter which side of the law you practice, benefit from critical updates: First-Party, Third-Party Threshold, and Coverage and Exclusions. Gain new perspectives from trial court judges, insurance professionals, and plaintiff and defense lawyers. Improve your litigation skills with our new Trial Discovery and Litigation Tracks. Learn to argue damages and get tips for direct and cross examination. Join 400+ members of Michigan's no-fault community—don't be left behind.

## Stay Current with Critical Updates

Take away keen analysis of possible no-fault reforms, new legislation, and important cases such as *Covenant* and *Bazzi*.

## Improve Your Litigation Skills

Effectively argue damages claims, ask better deposition questions, and refine your approach to direct and cross-examination. Get tips for using IMEs to win your case.

## Hear Straight from the Bench

Judges from all over the state tell it like it is. Don't miss this opportunity to ask burning questions. Learn how they view no-fault cases and what they expect from you in the courtroom. Take home critical strategies to improve your advocacy.

## Analyze Expert Medical Testimony

In a two-part series, lawyers and medical experts from health systems such as St. Joseph Mercy and the DMC answer your tough questions. Examine injury proofs from both plaintiff and defense perspectives. Learn key areas for cross-examination.

## Get an Inside Look from Claims Professionals

How are claims actually handled? What does a reasonable proof of claim look like? Get answers from those in the know, including claims professionals from well-known companies such as State Farm, Auto-Owners, and more.

## Featured Contributors



Fernando G. Diaz, MD, PhD  
Michigan Head and Spine Institute, *Pontiac*

Fernando G. Diaz is a neurosurgeon at the institute, chair of neurological surgery at Beaumont Health System, and professor of neurosurgery at Oakland University William Beaumont School of Medicine. He specializes in the treatment of brain aneurysms and vascular disease of the head and neck. Dr. Diaz is skilled in Gamma Knife radiosurgery for the treatment of tumors and other abnormalities.



Emily E. Frascaroli  
Ford Motor Co., *Dearborn*

Emily E. Frascaroli serves as counsel for the company, where she advises globally on automotive safety, regulatory, and product liability issues, including a focus on autonomous vehicles, mobility, and cybersecurity. She has extensive experience handling regulatory matters with NHTSA and other governmental entities, product defect investigations, and complex product litigation cases.



Catherine Groll  
Farm Bureau Insurance, *Lansing*

Catherine Groll is lead litigation representative for the company. She is responsible for managing outside counsel assignments for Michigan no-fault lawsuits; serving as legal resource and liaison for no-fault adjusters; overseeing the legal budget and legal expenses for no-fault assignments; and developing a plan of action for litigation with outside counsel, including risk assessment and analysis of exposure.



Hon. Derek Meinecke  
44th District Court, *Royal Oak*

Hon. Derek Meinecke was elected to the 44th District Court in November 2012 and was appointed chief judge in October 2014. He has since implemented a number of initiatives, including the Justice 101 program, and expanded the Sobriety Court program. Judge Meinecke also began a DWLS (Driving While License Suspended) program to encourage defendants to actively attempt to restore their licenses.

## Details

April 26–27, 2018

Plymouth, Michigan  
The Inn at St. John's

Level: Basic/  
Intermediate/Advanced  
CLE: 8

Discounted rooms available  
at The Inn at St. John's  
*See page 4*

## Register Today

Online  
[www.icle.org/no-fault](http://www.icle.org/no-fault)

Call  
877-229-4350

Fax  
877-229-4351

Mail  
ICLE, 1020 Greene St.  
Ann Arbor, MI 48109-1444

## Agenda

8:00am Continental Breakfast, Vendor Showcase, and Registration (Both Days)

### THURSDAY, APRIL 26, 2018

- 9:00am Welcome and Introductions
- 9:15am First-Party Litigation Update
- 10:00am Post-Covenant: Assignments and Provider Issues
- 10:30am Networking Break
- 10:45am Judges Panel: Do's and Don'ts for No-Fault Practice
- 11:30am Third-Party Threshold Litigation
- 12:30pm Networking Lunch

|        | <b>Core Concepts Track</b>                                   | <b>Intermediate/Advanced Track</b>                             | <b>Trial Discovery Track</b>                   |
|--------|--------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------|
| 1:40pm | Strategic Motion Use in No-Fault Cases                       | <i>Bazzi v Sentinel Insurance Company</i> Update               | How to Request and Obtain Medical Records      |
| 2:20pm | Networking Break                                             | Networking Break                                               | Networking Break                               |
| 2:30pm | Dissecting the No-Fault Claims File                          | Parked Vehicle Exception Update                                | The Role of the Independent Medical Evaluation |
| 3:10pm | Networking Break                                             | Networking Break                                               | Networking Break                               |
| 3:20pm | Using the Claims File to Prove and Disprove Damages at Trial | New Frontiers in Personal Injury Auto Law: Autonomous Vehicles | Top Deposition Strategies                      |
| 4:00pm | Networking Reception                                         |                                                                |                                                |

### FRIDAY, APRIL 27, 2018

- 9:00am Coverage and Exclusions Update
- 9:45am No-Fault Benefits, Setoffs, and Priorities Update
- 10:30am Networking Break

|         | <b>Claims Professionals Track</b>                                              | <b>Litigation Track</b>                                                                 | <b>Medical-Legal Track</b>                                                              |
|---------|--------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 10:45am | What Adjusters Wish Lawyers Knew*                                              | Arguing Economic and Non-Economic Damages: Seeking Large Verdicts and Defending Claims* | Medical Testimony in Legal Controversies—Neuroradiology and Orthopedic Injury Proofs*   |
| 11:30am | Networking Break                                                               | Networking Break                                                                        | Networking Break                                                                        |
| 11:40am | Mixing Work and PIP: The Interplay Between No-Fault and Workers' Compensation* | Top Tips for Direct and Cross Examination*                                              | Medical Testimony in Legal Controversies—Neuropsychology and Other Brain Injury Proofs* |

\*MP3 download available to all registrants after the seminar.

## Accommodations

**The Inn at St. John's**  
 44045 Five Mile Road  
 Plymouth, MI 48170

A block of rooms has been reserved at The Inn at St. John's, Plymouth, under ICLE for 04/25–26/18. The room rate is \$152/night. Please call 734-414-0600 to reserve a room.

Reservations must be made by 04/03/18. Registrants are responsible for their own hotel expenses.

## Plenary Sessions

9:00am/Thursday

### Welcome and Introductions

Robert M. Raitt, Michigan Auto Law,  
*Farmington Hills*

9:15am/Thursday

### First-Party Litigation Update

Stay up to date on essential first-party no-fault cases. Confidently advise your clients about issues such as litigating attendant care, home modifications, and transportation issues. Explore no-fault attorney fees and using evidence and trial proofs effectively.

Robert E. Logeman, Logeman Iafraate & Logeman PC, *Ann Arbor*

10:00am/Thursday

### Post-Covenant: Assignments and Provider Issues

In the aftermath of the *Covenant* case get the clarity you need. Understand what theories medical providers can still use to maintain suit against a no-fault insurer and what does and doesn't constitute a valid assignment. Plus, identify the rights injured claimants have with respect to both disputed and undisputed medical expenses.

Ronald M. Sangster, Jr., Law Offices of Ronald M. Sangster PLLC, *Troy*; Milea M. Vislosky, Miller & Tischler PC, *Farmington Hills*

10:45am/Thursday

### Judges Panel: Do's and Don'ts for No-Fault Practice

Learn how each judge views no-fault cases and what they expect during the litigation. From specific judicial protocols to motion practice to trial, take away tips to improve your advocacy.

Hon. David J. Allen, 3rd Circuit Court, *Detroit*; Hon. James S. Jamo, 30th Circuit Court, *Lansing*; Hon. Derek Meinecke, 44th District Court, *Royal Oak*; Hon. George J. Quist, 17th Circuit Court, *Grand Rapids*

11:30am/Thursday

### Third-Party Threshold Litigation

Stay current on the latest legal and medical developments in this crucial area of no-fault practice. Get up-to-the-minute analysis of recent caselaw regarding serious impairment of a body function; permanent, serious disfigurement; and related medical and evidentiary issues.

Thomas G. Sinas, Sinas Dramis Law Firm, *Grand Rapids*

12:30pm/Thursday

### Networking Lunch

Relax and join faculty, sponsors, exhibitors, and fellow registrants for a leisurely lunch.

4:00pm/Thursday

### Networking Reception

Relax and join faculty, sponsors, exhibitors, and fellow registrants for light hors d'oeuvres and cocktails.

9:00am/Friday

### Coverage and Exclusions Update

In this essential update, hear a discussion of the latest cases applying and interpreting the No-Fault Act's coverage provisions, MCL 500.3101, .3105(1), .3111, .3121(1), and exclusion provisions, MCL 500.3105(4), .3106, .3113, .3123, with commentary on their impact for plaintiff and defense practitioners.

James G. Gross, James G. Gross PLC, *Detroit*

9:45am/Friday

### No-Fault Benefits, Setoffs, and Priorities Update

Explore the year's most significant decisions affecting benefits, setoffs, and priorities. This comprehensive update will provide the tools you need to address issues such as attendant care rates, order of priority, governmental setoffs, and coordination of benefits.

Caryn A. Ford, Garan Lucow Miller PC, *Detroit*; Daniel S. Saylor, Garan Lucow Miller PC, *Detroit*

## Moderators



Thursday Plenary

**Robert E. Logeman**

Logeman Iafraate & Logeman PC, *Ann Arbor*



Friday Plenary and Medical-Legal Track

**Wayne J. Miller**

Miller & Tischler PC, *Farmington Hills*



Core Concepts Track

**Adrienne D. Logeman**

Logeman Iafraate & Logeman PC, *Ann Arbor*



Intermediate/Advanced Track

**Gary R. Blumberg**

Gary R. Blumberg PC, *Dearborn*



Trial Discovery Track

**Robert M. Raitt**

Michigan Auto Law, *Farmington Hills*



Claims Professionals Track

**Marcy A. Tayler**

Kitch Drutchas Wagner Valitutti & Sherbrook PC, *Detroit*



Litigation Track

**Nathan J. Edmonds**

Secrest Wardle PC, *Troy*

PLATINUM SPONSOR



## Tracks

### Core Concepts Track

1:40pm/Thursday

#### Strategic Motion Use in No-Fault Cases

Filing countless motions doesn't ensure a victory and it won't impress the judge either. Make the most of your motion practice with advice from experienced plaintiff and defense counsel. From compelling an adjuster deposition to use of *Babri* motions and everything in-between, you'll learn sound strategies for what to file and when.

Sarah Stempky Kime, Christensen Law, *Southfield*; David M. Pierangeli, McDonald Pierangeli MacFarlane PLLC, *Grand Rapids*

2:30pm/Thursday

#### Dissecting the No-Fault Claims File

Not sure what the claims file consists of? This segment is for you. Understand the puzzle that is the claims file and where each piece fits. Pinpoint what documents establish A) an accident happened; B) injuries arose from that accident; C) the treatment provided was necessary; and D) the services billed for were reasonable and customary.

Diane L. Hewson, Hewson & Van Hellemont PC, *Oak Park*; Jennifer Humphrey, LPCS

3:20pm/Thursday

#### Using the Claims File to Prove and Disprove Damages at Trial

The claims file contains a treasure trove of information that can help you depending on who you represent. Hear from both sides about what proofs are required for different types of claims. Learn to both trigger and avoid interest and attorney fees and get tips for submitting timely proofs.

Matthew S. LaBeau, Collins Einhorn Farrell PC, *Southfield*; Adrienne D. Logeman, Logeman Iafate & Logeman PC, *Ann Arbor*

### Intermediate/Advanced Track

1:40pm/Thursday

#### *Bazzi v Sentinel Insurance Company* Update

Get up-to-the-minute coverage on this important case. Find out if the Supreme Court will affirm the decision of no innocent third-party rule with a claim for PIP benefits. Develop strategies for continued handling of claims and/or litigated cases and identify instances where policy rescission is proper due to fraud. Plus, understand the increased obligation of plaintiff lawyers in these kinds of cases.

Gary R. Blumberg, Gary R. Blumberg PC, *Dearborn*; Amanda S. Kakos, Kitch Drutchas Wagner Valitutti & Sherbrook PC, *Detroit*

2:30pm/Thursday

#### Parked Vehicle Exception Update

Identify the basic tenants of the parked vehicle exception (MCL 500.3106) and analyze important caselaw from each part of that section. Understand the Michigan Supreme Court's recent decision in *Kemp v Farm Bureau* and its applicability in future litigation.

Eric S. Steinberg, Lee B Steinberg PC, *Southfield*

3:20pm/Thursday

#### New Frontiers in Personal Injury Auto Law: Autonomous Vehicles

Do self-driving cars shift the liability from car driver to carmaker? Who is at fault when two autonomous vehicles, functioning exactly as intended, collide? Take a look at the autonomous car industry and the technology powering these vehicles. Identify the applicable laws pertaining to driverless cars and explore the legal uncertainties of this evolving industry and what it may mean for no-fault insurance carriers.

Emily E. Frascaroli, Ford Motor Co., *Dearborn*; Stephen H. Sinas, Sinas Dramis Law Firm, *Lansing*

### Trial Discovery Track

1:40pm/Thursday

#### How to Request and Obtain Medical Records

Medical records play a key role in no-fault cases, but are you sure you are properly requesting and receiving all the pertinent records? Get tips from two health system insiders on the do's and don'ts of medical records requests. Learn what needs to be in a proper request and ways to tailor the request for your client's purpose.

Ralph Sitler III, Trinity Health, *Livonia*; Emilie Sturm, MA, RHIA, CHPS, Trinity Health, *Livonia*

2:30pm/Thursday

#### The Role of the Independent Medical Evaluation

Determining when and if to request an IME can be tricky. Get the plaintiff and defense perspective on all things IME. Learn new approaches to setting up the IME at the outset and discover which medical specialties are best for an IME. Plus, get tips for effectively using the IME regardless of who you represent.

Karen W. Magdich, Magdich Law PC, *Livonia*; Robert M. Raitt, Michigan Auto Law, *Farmington Hills*

3:20pm/Thursday

#### Top Deposition Strategies

Gain insight into the who, when, and why of taking no-fault depositions. Understand the difference between trial and discovery depositions and how to use each to your advantage. Get tips for structuring effective outlines and learn techniques to employ depending on the witness.

Brian E. Fischer, Brian E. Fischer PLLC, *Grosse Pointe Farms*; Anthony D. Shapero, Liss & Shapero, *Berkley*

## Tracks

## Claims Professionals Track

10:45am/Friday

### What Adjusters Wish Lawyers Knew

Breaking their silence, claims professionals finally tell all. Get an inside look at how claims are handled and what a reasonable proof of claim looks like. Understand what constitutes compliance and non-compliance with the policy and No-Fault Statute. Identify what actions virtually guarantee a claim will not be paid and discover the kinds of submissions that ensure likely payment as well.

Chuck Bloomfield, AINS, AIC, AIM, Auto Owners Insurance Company, *Lansing*; Betty Brown, State Farm Mutual Automobile Insurance Company, *Michigan*; Catherine Groll, Farm Bureau Insurance, *Lansing*; Patricia R. Stoll, Esurance Insurance Company, *Michigan*; Marcy A. Tayler, Kitch Drutchas Wagner Valitutti & Sherbrook PC, *Detroit*

11:40am/Friday

### Mixing Work and PIP: The Interplay Between No-Fault and Workers' Compensation

No-fault and workers' comp have similar, yet different, statutory schemes. Identify when your case has elements of both and get a thorough understanding of how the claims interact. Evaluate potential arguments, determine the claims value, and take proper steps to prosecute or defend these cases no matter your role.

Mark M. Sesi, Kitch Drutchas Wagner Valitutti & Sherbrook PC, *Mt Clemens*

## Litigation Track

10:45am/Friday

### Arguing Economic and Non-Economic Damages: Seeking Large Verdicts and Defending Claims

Impress the trier of fact by effectively presenting and defending damage claims. Take away best practice tips from both sides on how to anticipate opposing counsel arguments and how to use experts and non-experts in your arguments. Gain new techniques for presenting evidence in both first- and third-party cases and how to calmly and confidently handle the unexpected.

Ali A. Ajrouh, Law Offices of Joumana Kayrouz PLLC, *Southfield*; Nathan J. Edmonds, Secrest Wardle PC, *Troy*

11:40am/Friday

### Top Tips for Direct and Cross Examination

Gain skills in the art and science of asking questions—from techniques that let your witness shine to talking in plain English and simplifying your approach. Learn to identify what the jury wants to hear from each witness for more effective examinations.

John C. Boufford, Law Offices of Dyki, Saba, Latra, Williams & Baranski, *Troy*

## Medical-Legal Track

10:45am/Friday and 11:40am/Friday

### Medical Testimony in Legal Controversies—Neuroradiology and Orthopedic Injury Proofs

Neuroradiologists and orthopedic surgeons are called upon to evaluate the effects and existence or absence of an alleged orthopedic injury, and to supply testimony explaining that evaluation and treatment. These opinions may be subject to challenge in a variety of ways. Be front and center for the debate as experts and plaintiff and defense litigators analyze neuroradiology assessments, medical testimony, and other proofs. Identify cross-examination strategies and new ways to establish your proofs.

David E. Christensen, Christensen Law, *Southfield*; Fernando G. Diaz, MD, PhD, Michigan Head and Spine Institute, *Pontiac*; Paul R. Knight, Cory Knight & Bennett, *Troy*

10:45am/Friday and 11:40am/Friday

### Medical Testimony in Legal Controversies—Neuropsychology and Other Brain Injury Proofs

Now look at the testimony of neuropsychologists who evaluate the level, effects, and existence or absence of alleged traumatic brain injuries. Neuropsychological assessment is but one of a number of methods to establish or challenge a TBI diagnosis. The debate continues as experts and plaintiff and defense litigators analyze these assessments, medical testimony, and other proofs. Identify cross-examination strategies and new ways to establish your proofs.

Robin A. Hanks, PhD, ABPP, Detroit Medical Center—Rehabilitation Institute, *Detroit*; James F. Hewson, Hewson & Van Hellemont PC, *Oak Park*; Wayne J. Miller, Miller & Tischler PC, *Farmington Hills*; Owen Z. Perlman, MD, St. Joseph Mercy Health System, *Ypsilanti*

## GOLD SPONSOR



## SILVER SPONSORS



5TH ANNUAL

# No-Fault *summit*

APRIL 26–27, 2018

The Inn at St. John's, Plymouth

Level: Basic/Intermediate/Advanced

CLE: 8



THE UNIVERSITY OF MICHIGAN  
INSTITUTE OF CONTINUING LEGAL EDUCATION

1020 Greene Street  
Ann Arbor, MI 48109-1444

NONPROFIT ORG  
U.S. POSTAGE  
PAID  
ANN ARBOR, MI  
PERMIT NO. 106

ADDRESS SERVICE REQUESTED

## 4 Ways to Register

**1**  
**Online** (with credit card)  
[www.icle.org/no-fault](http://www.icle.org/no-fault)

**2**  
**Call** (with credit card)  
877-229-4350

**3**  
**Fax** (form with credit card)  
877-229-4351

**4**  
**Mail** (form with payment)  
ICLE, 1020 Greene St.  
Ann Arbor, MI 48109-1444

### A. Personal Info

Name \_\_\_\_\_

MI Bar# \_\_\_\_\_ ICLE P'ship# \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

### B. Summit Registration | Pick One

#### No-Fault Summit

- \$395 General
- \$365 Section Members
- \$345 ICLE Partner
- \$195 New Lawyer (0–3 Years in Practice P78600+)
- \$295 per Lawyer (4+ Lawyers from the Same Firm)<sup>1</sup>
- FREE Judges (Limit 40)<sup>2</sup>

18CI-6310

### C. Materials Format | Summit Registrants Pick One

- FREE Electronic Materials<sup>3</sup>
- \$25 Print Handbook and Electronic Materials<sup>3</sup>

### D. Can't Attend the Summit?

Non-Registrants—Purchase the Electronic Materials and Select Recordings.

- \$195 Non-ICLE Partners
- \$136.50 ICLE Partners

### E. Payment Info | Calculate Total and Select Check/CC

Summit Registration (Box B) \$ \_\_\_\_\_

Materials Format (Box C) \$ \_\_\_\_\_

Summit Materials for Non-Registrants (Box D) \$ \_\_\_\_\_

(Add 6% MI Sales Tax to This Line Only)

**Total Amount Due** \$ \_\_\_\_\_

**Check** Check No. \_\_\_\_\_ Payable to: ICLE

**Visa**  **Mastercard**  **Amex**  **Discover**

CC No. \_\_\_\_\_ Exp. Date \_\_\_\_\_

Signature for CC \_\_\_\_\_

Prices guaranteed until 04/27/18. <sup>1</sup>Please attach additional sheet listing lawyers attending. <sup>2</sup>Current sitting state court judges (limit 40) attend free and must complete order form or call ICLE to register. <sup>3</sup>Electronic materials will be posted online before the seminar. **Complete Seminar Policy:** [www.icle.org/info/seminarpolicies](http://www.icle.org/info/seminarpolicies). **Cancellation Policy:** For a full refund, notify ICLE by 04/12/18. Registrants who cancel after that date will be charged a \$60 cancellation fee. No refunds will be issued after 04/19/18. **Persons with Disabilities or Dietary Restrictions:** For special arrangements, please contact ICLE no later than seven days before the seminar.