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11TH ANNUAL

# No-Fault Summit

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Due to years of sellout crowds, we've expanded! Join 500+ colleagues at our new location in Novi and register early to save your spot.

Improve your advocacy with practical tips straight from circuit and appellate court judges. Effectively claim and defend against attorney fees, and avoid being penalized. Stay current with comprehensive first- and third-party litigation updates and an all-new legislative update.

Nowhere else can you get invaluable insights from so many Michigan experts—plaintiff and defense lawyers, judges, and insurance professionals.

## Views from the Bench

In one of our most popular annual sessions, two busy circuit court judges share best practices. Get their invaluable insights on recent no-fault court decisions and practical challenges facing lawyers today. And don't miss another session featuring appellate judges who explain how to properly draft and insulate your case from appeals. You can't get this kind of candid advice anywhere else.



Hon. Timothy P. Connors  
22nd Circuit Court,  
*Ann Arbor*



Hon. Catherine L. Heise  
3rd Circuit Court,  
*Detroit*



Hon. Elizabeth L. Gleicher  
Michigan Court of  
Appeals, *Detroit*



Hon. Douglas B. Shapiro  
Michigan Court of  
Appeals, *Lansing*



## Advice You Need Now

### Five Critical Update Sessions

Get your questions answered from both plaintiff and defense lawyers. Stay current with comprehensive first- and third-party updates from Michigan experts. Don't miss a new legislative update where a well-known practitioner and a state lobbyist answer questions that *Andary* did not address. Plus, keep current with sessions on coverage and exclusions and benefits, setoffs, and priorities.

### Attorney Fees

Cut through the uncertainty and effectively claim and defend against attorney fees. Avoid being penalized—and minimize penalties if awarded. Understand what's payable and when, and how fees are calculated. Take away strategies for recognizing unreasonable claims practices.

### Bad Faith Law

Be prepared for whatever becomes of the looming bad faith law in Michigan and the potential impact on insurers, adjusters, plaintiffs, and lawyers. Get up-to-the-minute insights no matter where it stands, including lessons learned about how bad faith laws have affected other states.

### Core Concepts

Need to get your newer associates up to speed? Or simply need a refresher yourself? In six sessions, plaintiff and defense lawyers break down everything from pursuing and defending medial provider claims to initiating and conducting timely settlement discussions. Walk away with strategies for winning your case with a successful pretrial blueprint, know when to conduct a remote deposition, and more.

### Featured Speakers



**Daniel S. Saylor**  
Garan Lucow Miller PC,  
*Detroit*



**Todd Tennis**  
Capitol Services,  
*Lansing*



**Wayne J. Miller**  
Miller & Tischler PC,  
*Farmington Hills*



**Kaitlyn A. Cramer**  
Novara Tesija Catenacci  
McDonald & Baas PLLC, *Troy*



**Marcy A. Tayler**  
Kitch Drutchas Wagner  
Valitutti & Sherbrook, *Detroit*

# Agenda

CLE: 9.5 | Level: Basic/Intermediate/Advanced

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

## THURSDAY, APRIL 18, 2024

9:00am Welcome and Update on Negligence Law Section Activities

9:10am First-Party Litigation Update

10:00am Third-Party Threshold Litigation

10:45am Networking Break

11:00am Post-*Andary* Legislative and Legal Update

	Core Concepts Track	Trial Track	Intermediate/Advanced Track
11:50am	Win Your Case with Strategic Pretrial Discovery and Motions	Trial Basics: Where Do You Sit?	One-Way Only: Successfully Litigate Trucking Cases
12:35pm	Networking Lunch		
1:20pm	Zen and the Art of Motorcycle PIP	Examine Liability Experts: Effective Deposition Approaches	Statutory Tolling: Updates and Changes
2:15pm	Navigating UM/UIM Motorist Claims	Handle Evidence in a PIP Case	Navigating Unpredictable Catastrophic Insurance Claims
3:00pm	Networking Break		
3:15pm	Strategies for Settlement and Negotiations	How to Win (or Lose) a Case at the Court of Appeals	Bad Faith in Other States: Can We Predict Michigan's Future?

4:10pm Claiming and Defending Attorney Fee Claims

5:10pm Networking Reception

## FRIDAY, APRIL 19, 2024

9:00am Coverage and Exclusions Update

9:30am No-Fault Benefits, Setoffs, and Priorities Update

10:15am Networking Break

	Core Concepts Track*	Damages Track*	Claims Handling Track*
10:30am	Pursue and Defend Medical Provider Litigation After Reform	Economic Damages in First-Party Cases	Navigate Claim Management for Defensibility in Litigation
11:15am	Depositions: To Zoom or Not to Zoom	Presenting Economic Damages in Third-Party Auto Negligence and UM/UIM Cases	How Do I Survive an Adjuster Deposition?

12:00pm Views from the Bench on No-Fault Litigation

\*MP3 download available for all sessions of this track to all registrants after the seminar

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## Tracks

### Plenary Sessions

9:00am/Thursday

#### Welcome and Update on Negligence Law Section Activities

Hear from the current chair of the Negligence Law Section of the State Bar of Michigan.

Timothy A. Diemer, Jacobs and Diemer PC, *Detroit*

9:10am/Thursday

#### First-Party Litigation Update

Stay up to date on essential first-party no-fault cases. Confidently advise your clients about issues in the aftermath of *Andary*, such as what is adjudicated and what to watch out for this year. Navigating tolling, MACP, assignments and the mixed application of reform issues, and other new developments.

Adrienne D. Logeman, Logeman Iafate & Logeman PC, *Ann Arbor*; John W. Whitman, Garan Lucow Miller PC, *Ann Arbor*

10:00am/Thursday

#### Third-Party Threshold Litigation

Stay current on the latest legal and medical developments. 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*

11:00am/Thursday

#### Post-*Andary* Legislative and Legal Update

Get an update on potential legislative reforms impacting the no-fault system in response to the *Andary* opinion. Get the latest on caselaw interpreting and implementing the Michigan Supreme Court's *Andary* decision and identify the loose ends and legal questions the opinion did not address.

Timothy A. Diemer, Jacobs and Diemer PC, *Detroit*; Todd Tennis, Capitol Services, *Lansing*

4:10pm/Thursday

#### Claiming and Defending Attorney Fee Claims

How do you make small PIP cases into big cases? How do you make big PIP cases into REALLY big cases? By recognizing that unreasonable claims practices are subject to substantial no-fault interest and attorney fees penalties. Review common insurance claims practices that have led to these penalties, and the caselaw supporting same. Get tips on how to avoid being penalized, and to minimize penalties if awarded.

Hon. Carol Anne Kuhnke, 22nd Circuit Court, *Ann Arbor*; Wayne J. Miller, Miller & Tischler PC, *Farmington Hills*; Ronald M. Sangster, Jr., Law Offices of Ronald M. Sangster PLLC, *Troy*

9:00am/Friday

#### Coverage and Exclusions 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*

9:30am/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 navigate these critical issues when they arise.

Daniel S. Saylor, Garan Lucow Miller PC, *Detroit*

12:00pm/Friday

#### Views from the Bench on No-Fault Litigation

Get a view from the bench on the impact of reform and recent supreme court decisions. Get helpful insights on the practical challenges facing practitioners. Learn what's happening on the dockets of busy circuit court judges and take away best practices.

David E. Christensen, Christensen Law, *Southfield*; Hon. Timothy P. Connors, 22nd Circuit Court, *Ann Arbor*; Hon. Catherine L. Heise, 3rd Circuit Court, *Detroit*

### Core Concepts Track

11:50am/Thursday

#### Win Your Case with Strategic Pretrial Discovery and Motions

Position your case and your client for success through discovery and pretrial motions. Both sides identify what documents and information you should seek through discovery and the various ways to obtain it (without getting stonewalled). Get motion practice tips to advance your claims or defenses. Follow a successful blueprint for handling the pretrial phase of litigation.

Brandon Scott Heintzelman, Zausmer PC, *Farmington Hills*; Katie Tucker, Sinas Dramis Law Firm PC, *Lansing*

1:20pm/Thursday

#### Zen and the Art of Motorcycle PIP

Lawyers from both sides of the v explain PIP priority and commencing a no-fault action involving motorcycles. Additionally, special topics regarding "unusual" vehicle involvement and allowable expense caps will be covered.

Michael Sangster, Law Offices of Ronald M. Sangster PLLC, *Troy*; Dondi R. Vesprini, Buckfire Law Firm, *Southfield*

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# Tracks

2:15pm/Thursday

## Navigating UM/UIM Motorist Claims

Get a plaintiff and defense perspective on uninsured and underinsured motorist claims. Read and clarify policy language and interpret contractual provisions outside of the no-fault text. Examine reporting duties, insurance coverage issues, and settlement land mines.

Michael Jon Olcese, II, Weber & Olcese PLC, *Birmingham*;  
Drew A. Ruby, Raitt Law PLLC, *Southfield*

3:15pm/Thursday

## Strategies for Settlement and Negotiations

Initiate and conduct timely settlement discussions between counsel. Gain knowledge of effective strategies and when to incorporate ADR, mediation, and arbitration into the process. Ensure that necessary settlement terms are included and unwanted consequences are avoided.

Matthew S. LaBeau, Collins Einhorn Farrell PC, *Southfield*; Robert M. Raitt, Raitt Law PLLC, *Southfield*

10:30am/Friday

## Pursue and Defend Medical Provider Litigation After Reform

Medical provider lawsuits have substantially increased over the last few years. Learn the nuts and bolts of preparing, pursuing, and defending medical provider claims from two practitioners with a combined four decades of experience. Review procedural and substantive areas unique to medical provider lawsuits such as choosing a venue, conducting discovery, dealing with the fee schedule, and ultimately resolving the case.

Joseph J. Gavin, Miller Johnson, *Grand Rapids*; David M. Pierangeli, McDonald Pierangeli Macfarlane PLLC, *Grand Rapids*

11:15am/Friday

## Depositions: To Zoom or Not to Zoom

Review the pros and cons of conducting remote depositions. Get best practices and tips for getting the information you need either remotely or in person.

Marcy A. Tayler, Kitch Drutchas Wagner Valitutti & Sherbrook, *Detroit*

## Trial Track

11:50am/Thursday

### Trial Basics: Where Do You Sit?

Get an overview of a trial. Handle when you need jury instructions. Develop a witness list. Evaluate what you need to know about your judge. Draft effective opening statements.

Ali A. Ajrouch, Law Offices of Joumana Kayrouz, *Southfield*; Thomas J. Dombrowski, Kramer Corbett Harding & Dombrowski, *Royal Oak*

1:20pm/Thursday

### Examine Liability Experts: Effective Deposition Approaches

Experienced plaintiff and defense counsel share their strategies for using sympathetic experts effectively and for addressing the adversary's experts: two sides of the same coin.

Ayanna D. Hatchett, Mike Morse Law Firm, *Southfield*; Boyd White, III, Dykema, *Detroit*

2:15pm/Thursday

### Handle Evidence in a PIP Case

Follow a nuts-and-bolts approach to trying a PIP case. Gain the plaintiff and defense perspectives on admitting and objecting to evidence. Successfully prove claims and defense in trial.

Frederick V. Livingston, Novara Tesija Catenacci McDonald & Baas PLLC, *Troy*; Milea M. Vislosky, Miller & Tischler PC, *Farmington Hills*

3:15pm/Thursday

### How to Win (or Lose) a Case at the Court of Appeals

Two recently retired judges offer tips and answer questions about insulating cases from appeals; secrets of court of appeals motion practice; dealing effectively with unpreserved issues; using the record to your advantage; challenging old precedent; and making your case stand out from the rest in briefing and oral argument.

Hon. Elizabeth L. Gleicher, Michigan Court of Appeals, *Detroit*;  
Hon. Douglas B. Shapiro, Michigan Court of Appeals, *Lansing*

## Intermediate/Advanced Trial Track

11:50am/Thursday

### One-Way Only: Successfully Litigate Trucking Cases

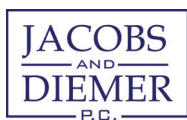
Get strategic insights on the right and wrong way to handle commercial vehicle cases. Both sides show how to maneuver from the immediate aftermath of the accident all the way through trial and appeal. Avoid dead ends and implement the tactics used by seasoned professionals.

Eric P. Conn, Jacobs and Diemer PC, *Detroit*; Sarah Stempky-Kime, Christensen Law, *Southfield*

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1:20pm/Thursday

## Statutory Tolling: Updates and Changes

Time limitations are critical to the recovery of PIP and PPI benefits. Gain keen insight from recent caselaw and statutory changes post-reform as to what constitutes proper notice and the mechanics of the one-year-back limitation on damages under MCL 500.3145. Examine the time limitations for insurers seeking reimbursement from another no-fault insurer, the limitations applicable to UM/UIM claims, and issues surrounding the tolling of the statute of limitations.

Danielle M. Bozich, Kramer Corbett Harding & Dombrowski, *Royal Oak*

2:15pm/Thursday

## Navigating Unpredictable Catastrophic Insurance Claims

Explore real-world case studies, identify emerging trends, and get proactive strategies to better understand, evaluate, and manage atypical claims that defy convention. Get a strategic perspective on understanding and mitigating risks associated with unusual catastrophic claims. Gain tools to respond with confidence.

Michael J. Jolet, Hewson & Van Hellemont PC, *Oak Park*

3:15pm/Thursday

## Bad Faith in Other States: Can We Predict Michigan's Future?

Get a look at the looming bad faith legislation pending in Michigan. Assess what the impact could be for Michigan insurers, adjusters, plaintiffs, and lawyers. Explore statutes and policies, trends, and developments in other states.

Kaitlyn A. Cramer, Novara Tesija Catenacci McDonald & Baas PLLC, *Troy*

## Damages Track

10:30am/Friday

### Economic Damages in First-Party Cases

Analyze the interrelationship between concepts and principles applicable to economic damages for no-fault PIP claims such as reasonable proof and overdue standards, reasonable charges, and work loss and survivor's loss benefits. Discuss practical ways to present allowable expense and work loss benefit claims at trial.

Richard E. Hillary, II, Miller Johnson, *Grand Rapids*

11:15am/Friday

### Presenting Economic Damages in Third-Party Auto Negligence and UM/UIM Cases

Review principles applicable to the pursuit of economic damages in auto tort cases through trial, including excess allowable expense principles and standards and excess work loss and survivor's loss benefits. Discuss ways to present excess allowable claims, excess work loss, and excess survivor's loss benefits at trial.

Kellie L. Howard, Collins Einhorn Farrell PC, *Southfield*; Stephen H. Sinas, Sinas Dramis Law Firm, *Lansing*

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## Moderators



### Thursday Trial Track

Ali A. Ajrouch  
Law Offices of Joumana Kayrouz,  
*Southfield*



### Thursday & Friday Plenary Sessions

Timothy A. Diemer  
Jacobs and Diemer PC, *Detroit*



### Friday Claims Handling Track

Karen W. Magdich  
Magdich Law PC, *Livonia*



### Friday Core Concepts Track

David M. Pierangeli  
McDonald Pierangeli Macfarlane  
PLLC, *Grand Rapids*



### Thursday Core Concepts Track

Drew A. Ruby  
Raitt Law PLLC, *Southfield*



### Friday Damages Track

Stephen H. Sinas  
Sinus Dramis Law Firm, *Lansing*



### Thursday Intermediate/Advanced Track

Sarah Stempky-Kime  
Christensen Law, *Southfield*

## Claims Handling Track

10:30am/Friday

### Navigate Claim Management for Defensibility in Litigation

Get a GPS for managing a claim. Avoid potential claim jeopardy, claim defenses in litigation, and other pitfalls.

Cinnamon A. Plonka, Zausmer PC, *Farmington Hills*

11:15am/Friday

### How Do I Survive an Adjuster Deposition?

Gain insights on what works (and what doesn't) when taking or defending adjuster depositions in PIP cases--from preparation as plaintiff or defense counsel, preparation of the adjuster prior to the deposition, to how to strategically use the claim file. Employ best practices and identify pitfalls to avoid. Set expectations and enhance the effectiveness of your next adjuster deposition.

Heather Joy Atnip, Atnip & Associates PLLC, *Rochester*;  
Karen W. Magdich, Magdich Law PC, *Livonia*

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**Accommodations:** A discounted block of rooms has been reserved at the Hyatt Place Detroit in Novi under group code G-ICAA. Visit [www.icle.org/no-fault/hotel](http://www.icle.org/no-fault/hotel) or call 248-513-4111 to reserve a room. Reservations must be made by 03/17/24. Registrants are responsible for their own hotel expenses.