



APRIL 28–29, 2016 | PLYMOUTH

3RD ANNUAL

No-Fault *summit*

Advocate Effectively with Expert Insight

Special Add-On Seminar

The Independent Medical Examiner:
Defending, Cross-Examining, and
Everything in Between

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Networking Lunch
and Reception

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Advocate Effectively with Expert Insight

Get practical help delivering the results your no-fault clients demand. Whichever side of the law you practice, join Michigan's no-fault community for two engaging days. Gain new perspectives by hearing from diverse experts: trial court judges, insurance professionals, and plaintiff and defense lawyers. Improve your skills in fighting fraudulent PIP claims, medical record review, electronic discovery, and more. And connect with 400+ professionals—a great problem-solving resource.

Critical Updates from Recognized Experts

George T. Sinas, Robert E. Logeman, James G. Gross, and Daniel S. Saylor provide practical insights into the most important no-fault decisions and legislation impacting you—like third- and first-party litigation, coverage and exclusions, and more.

New to No-Fault Practice?

Experts provide step-by-step guidance in core no-fault topics like third-party/uninsured motorist claims, working with expert witnesses, and obtaining and defending no-fault penalties.

Programming Especially for Insurance Professionals

Examine the presuit claims file from both a plaintiff and defense perspective. Implement new techniques for conducting presuit investigations and recognizing legitimate and fraudulent claims.

New This Year—Medicine Track

Tackle medical records and medical diagnoses like never before with expert insight from physicians and a former insurance claims trainer. Learn the key components of every record and where to find critical information. Plus, explore what findings are suggestive of musculoskeletal injuries or traumatic brain injuries.

Insights from Respected Judges

Whether you are arguing attorney fee sanctions under Section 3148 or appearing at a settlement conference, get tips from the bench on key aspects of your no-fault practice.

Find New Business and Get Business Done

Take advantage of the only event that brings the entire no-fault community together to provide business opportunities, unique perspectives, and a chance to discuss the toughest issues in your cases.



Judges Attend Free!
Current sitting state
court judges receive
complimentary admission

Details

April 28–29, 2016

Plymouth, Michigan
The Inn at St. John's

Level: Basic/
Intermediate/Advanced
CLE: 8

Networking Events
*Exhibit Hall Showcase
and Reception*

Thursday, April 28
See page 6

Special Add-On Seminar
*The Independent Medical
Examiner: Defending,
Cross-Examining, and
Everything in Between*
Wednesday, April 27
See page 11

Discounted rooms available
at The Inn at St. John's
See page 10

Register Today

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Agenda

8:00am Networking Breakfast and Registration *Daily*

THURSDAY, APRIL 28, 2016

- 9:00am Welcome and Introductions
- 9:15am First-Party Litigation Update
- 10:00am Releases, Agreements, and Settlements and Their Impact
- 10:45am Networking Break
- 11:00am Third-Party Threshold Litigation
- 11:45am To Deny or Not Deny Attorney Fees: What Is Reasonable?
- 12:30pm Networking Lunch

| | Core Concepts Track | Intermediate/Advanced Track | Medicine Track |
|--------|---|---|---|
| 1:40pm | No-Fault 101 | Fighting Fraudulent PIP Claims in the Courtroom; Using <i>Bahri</i> Offensively and Defensively | Navigating Medical Records in No-Fault Cases |
| 2:20pm | Networking Break | Networking Break | Networking Break |
| 2:30pm | Mechanics of a Third-Party/ Uninsured Motorist Case | Probate Issues in First- and Third-Party Cases | Navigating Musculoskeletal Injuries in No-Fault Cases |
| 3:10pm | Networking Break | Networking Break | Networking Break |
| 3:20pm | How to Do Direct and Cross-Examination (Deposition-Focused) | Housing and Transportation Benefits for Catastrophic Injuries | Signs and Symptoms of Traumatic Brain Injuries |
| 4:00pm | Exhibit Hall Showcase and Reception | | |

FRIDAY, APRIL 29, 2016

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

| | Core Concepts Track | Technology Track | Claims Start to Finish Track |
|---------|---|--|---|
| 10:45am | Choosing and Working with Experts: Defense and Plaintiff Perspectives* | What's New in Litigation Support Software* | Getting to Resolution: Presuit Tips from Plaintiff/Defense* |
| 11:30am | Networking Break | Networking Break | Networking Break |
| 11:40am | Law and Practice of Obtaining and Defending No-Fault Penalties/Fees and Interest* | Using Technology to Research Parties and Discovery Rules in the Information Age* | The Judges' Perspectives on What Adjusters Need to Know* |

* MP3 download available to all registrants after the seminar.

Featured Contributors



David E. Christensen
Christensen Law, *Southfield*

David E. Christensen focuses his practice on car, truck, boat, and motorcycle accidents and has represented thousands of individuals against many of the largest insurance companies and corporations in America. An

authority on Michigan's no-fault law, he chairs the Michigan Association for Justice's no-fault committee and promotes legislation to improve the no-fault system to help accident victims. He has presented a large number of seminars and workshops for lawyers and has been appointed to key positions that directly affect the development of Michigan's no-fault law.



Hon. Bridget M. McCormack

Michigan Supreme Court, *Lansing*

Justice Bridget M. McCormack was elected to the Michigan Supreme Court on January 1, 2013. Prior to her election, she was associate dean for clinical affairs and a clinical professor

with the Michigan Clinical Law Program, teaching both a criminal defense clinic and a domestic violence clinic. Before joining the faculty, she was a Robert M. Cover fellow at Yale Law School. As a Cover fellow, she taught and supervised students in the Community Legal Services Clinic and the Prison Litigation Clinic.



Todd W. Millar
Swogger Bruce & Millar Law Firm PC, *Traverse City*

Todd W. Millar is an experienced trial lawyer and business counselor. He focuses his practice on settling and resolving disputes involving agriculture law, commercial disputes, insurance

coverage and defense, construction, tort litigation, governmental law, and mediation. He has extensive trial and litigation experience in both federal and state courts across Michigan. He has tried over 20 cases to verdict and has also helped clients resolve disputes through mediation and arbitration proceedings.



Sarah L. Walburn
Secrest Wardle, *Grand Rapids*

Sarah L. Walburn is an experienced civil litigation defense lawyer with a focus on first-party and third-party no-fault law and premises liability claims. She has represented several nationally

known auto insurance companies. In addition, she has represented clients in matters involving the Federal Employers Liability Act.

Hot Topics

Latest Developments with PIP Releases
and Settlement Agreements

Using Technology to Research
Parties and Witnesses

Attorney Fee Sanctions
Under Section 3148

Understanding Signs and Symptoms
of Traumatic Brain Injuries

Tracks



Moderator
Thursday Plenary

Robert E. Logeman
Logeman Iafate & Logeman PC,
Ann Arbor



Moderator
Friday Plenary

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

Plenary Sessions

9:00am/Thursday

Welcome and Introductions

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 Iafate & Logeman PC, *Ann Arbor*

10:00am/Thursday

Releases, Agreements, and Settlements and Their Impact

Memorializing a settlement in a release or settlement agreement can be wrought with pitfalls and unexpected issues. In this overview of typical agreement terms in first-party settlements, get tips for dealing with settlements that go awry over release language, and learn strategies and methods to avoid problems and help you successfully close your case.

Maureen Hannon Kinsella, Miller & Tischler PC, *Farmington Hills*; Ronald M. Sangster, Jr., Law Offices of Ronald M. Sangster PLLC, *Troy*

11:00am/Thursday

Third-Party Threshold Litigation

Stay current on the latest 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 tort issues.

George T. Sinas, Sinas Dramis Law Firm, *Lansing*

11:45am/Thursday

To Deny or Not Deny Attorney Fees: What Is Reasonable?

Watch, participate, and learn as opposing counsel argue different scenarios involving whether or not attorney fee sanctions under Section 3148 of the No-Fault Act should be awarded. Get keen analysis of each argument from the expert judicial panel, and find out which arguments are persuasive and which fall flat.

Hon. Timothy P. Connors, 22nd Circuit Court, *Ann Arbor*; Diane L. Hewson, Hewson & Van Hellemont PC, *Oak Park*; Hon. Bridget M. McCormack, Michigan Supreme Court, *Lansing*; Stephen H. Sinas, Sinas Dramis Law Firm, *Lansing*

4:00pm/Thursday

Exhibit Hall Showcase and Reception

Network with colleagues, sponsors, and exhibitors while you enjoy light snacks and complimentary 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.

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



Moderator
Thursday Core
Concepts Track

David R. Dyki
Law Offices of
Dyki Williams &
Baranski, *Troy*



Moderator
Friday Core
Concepts Track

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

Core Concepts Track

1:40pm/Thursday

No-Fault 101

Learn the basics of no-fault law, from formation of an insurance contract to coordination of coverage. Gain a better understanding of brokers' duties and liability coverage for motor vehicles. Interpret common exclusions and conditions effectively.

Jody B. Lipton, Lipton Law, *Southfield*

2:30pm/Thursday

Mechanics of a Third-Party/Uninsured Motorist Case

Explore the "nuts and bolts" of third-party and uninsured motorist litigation. This interactive discussion will track automobile negligence litigation from the filing of the complaint all the way to resolution.

David R. Dyki, Law Offices of Dyki Williams & Baranski, *Troy*

3:20pm/Thursday

How to Do Direct and Cross-Examination (Deposition-Focused)

Improve one of the most critical skills in your no-fault toolbox. Learn techniques for direct and cross examination, gain better tactics to get candid answers, and sharpen your witness evaluation skills. Ensure critical information gets into evidence during direct plus effectively control the adverse witness on cross-examination.

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

10:45am/Friday

Choosing and Working with Experts: Defense and Plaintiff Perspectives

Experts frequently make or break your case. It is essential to choose the right experts and to prepare them for the factual realities and complexities of your case. 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.

Todd W. Millar, Swogger Bruce & Millar Law Firm PC, *Traverse City*;
George R. Thompson, Thompson & O'Neil PC, *Traverse City*

11:40am/Friday

Law and Practice of Obtaining and Defending No-Fault Penalties/Fees and Interest

No-fault insurance litigation is not only about the benefits owed. Experienced practitioners realize that no-fault litigation may result in penalties that may sometimes exceed the value of the benefits at issue. A "small" case can become a "big" case as a result. This talk is for plaintiff lawyers: how to make your small case into a big case. This talk is also for defense lawyers: how to keep your small case small.

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

Intermediate/Advanced Track

1:40pm/Thursday

Fighting Fraudulent PIP Claims in the Courtroom; Using *Bahri* Offensively and Defensively

Take an in-depth look at the *Bahri* decision and its key components from both the plaintiff and defense perspectives. Understand how defendants can use it to dismiss fraudulent PIP claims and how plaintiffs can use it to thwart insurance company arguments of fraud and to get their case to a jury.

Carrie A. Kennedy, Plunkett Cooney PC, *Bloomfield Hills*

2:30pm/Thursday

Probate Issues in First- and Third-Party Cases

Understanding the law when your case involves a minor or an incapacitated ward is essential. Learn the pitfalls and legal requirements from the plaintiff, defense, and adjuster standpoint. Walk through the basics of probate court procedure and the law on PIP guardianship expense (*Carroll v ACIA*). Plus get tips for entering into an agreement when the person has a guardian/conservator per MCR 2.420.

Adrienne D. Logeman, Logeman Iafate & Logeman PC, *Ann Arbor*

Tracks



Moderator
Intermediate/
Advanced Track

**Adrienne D.
Logeman**

Logeman Iafate &
Logeman PC,
Ann Arbor



Moderator
Medicine Track

**James F.
Hewson**

Hewson & Van
Hellemont PC,
Oak Park

3:20pm/Thursday

Housing and Transportation Benefits for Catastrophic Injuries

Questions as to what constitutes an allowable expense arise frequently in catastrophic injury cases—particularly when dealing with home modifications or transportation costs. While *Admire* provided guidance, lawyers still struggle with determining and proving allowable expenses or calculating reasonable compensation. Get the tools you need to expertly handle your next catastrophic injury claim—from both a plaintiff and defense perspective.

Thomas W. James, Michigan Auto Law, *Farmington Hills*;
Sarah L. Walburn, Secrest Wardle, *Grand Rapids*

3:20pm/Thursday

Signs and Symptoms of Traumatic Brain Injuries

Delve into a traumatic brain injury case from the plaintiff, defense, and physician perspectives. Understand the signs and symptoms of TBI and how and where those are documented in the medical records. Overcome common hurdles for both sides when facing these difficult cases, and learn how to use medical records persuasively in making or defending these claims.

David E. Christensen, Christensen Law, Southfield; Dr. Aashish A. Deshpande, Wayne State University—PM&R Oakwood, *Novi*;
James F. Hewson, Hewson & Van Hellemont PC, *Oak Park*

Medicine Track

1:40pm/Thursday

Navigating Medical Records in No-Fault Cases

Whether you're new to no-fault practice or experienced, reviewing medical records can be challenging . . . until now. Get expert advice from a former insurance claims trainer on the key components of a hospital medical record, and understand the relationship between them. Find out where to glean evidence of injury or lack thereof from nurses' and physicians' notes, X-rays, and even lab records. Plus, take away written materials that define common medical terms and acronyms.

MaryCarole B. Perry, *Dearborn Heights*

2:30pm/Thursday

Navigating Musculoskeletal Injuries in No-Fault Cases

Examine the most common injuries occurring in motor vehicle accidents from a plaintiff, defense and physician perspective. Understand which areas of the body are likely involved and how objective signs and symptoms of injury are documented in the medical records. Plus, get best practice recommendations for proving and defending these kinds of claims.

Rik O. Mazzeo, Landry Mazzeo & Dembinski PC, *Farmington Hills*;
Richard L. Ruby, Richard L. Ruby PC, *Bingham Farms*

Technology Track

10:45am/Friday

What's New in Litigation Support Software?

Get a roundup of the latest tools and software designed to aid you in document review, organizing and searching discovery, and more. From case management software to cloud computing, find out which software is worth the investment and which to avoid.

Abe Barlaskar, Plunkett Cooney PC, *Bloomfield Hills*;
Megan P. McKnight, Plunkett Cooney PC, *Bloomfield Hills*;
Beth Trudell, Plunkett Cooney PC, *Bloomfield Hills*

11:40am/Friday

Using Technology to Research Parties and Discovery Rules in the Information Age

Social media websites can undermine lawsuits, so tracking the digital footprint of your client, witness, or opposing party is critical. Learn how to use technological tools to investigate key players in your lawsuit and get strategies for getting it into evidence and ultimately using it at trial.

Karen W. Magdich, Magdich & Associates, *Livonia*



Moderator
Technology Track

Karen W. Magdich
Magdich & Associates, *Livonia*



Moderator
Claims Start to Finish Track

Sarah Stempky Kime
Christensen Law, *Southfield*

Claims Start to Finish Track

10:45am/Friday

Getting to Resolution: Presuit Tips from Plaintiff/Defense

From presuit investigation to medical record review to sworn statements and liability issues too, get insider tips from both plaintiff and defense counsel on ways to get to resolution quicker. Learn strategies to recognize legitimate and fraudulent claims, identify places to search to obtain accurate information, and understand how to streamline the issues that need to be litigated if full resolution cannot be accomplished.

Susan Leigh Brown, Schwartz Law Firm PC, *Farmington Hills*;
Sarah Stempky Kime, Christensen Law, *Southfield*

11:40am/Friday

The Judges' Perspectives on What Adjusters Need to Know

Think you know what these three experienced no-fault judges are going to say? Think again. It goes way beyond just showing up in court and having the authority to settle. Get a firm understanding of how judges view the different types of no-fault cases, what they expect during each stage of the court process, and their recommendations for claims handlers to ensure fairness and efficiency when dealing with the courts.

John C. Boufford, Law Offices of Dyki Williams & Baranski, *Troy*;
Hon. Muriel D. Hughes, Third Circuit Court, *Detroit*; Hon. Shalina D. Kumar, Sixth Circuit Court, *Pontiac*; Hon. George J. Quist, 17th Circuit Court Kent County, *Grand Rapids*

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“ I walked away a better lawyer.

Katherine Frances Mortensen,
Church Wyble PC, *Lansing*

“ Stay current and on the cutting edge of no-fault.

Renee MacRitchie, Garan Lucow Miller PC, *Ann Arbor*



“ From both sides of the aisle, a great perspective of no-fault today.

Michael Thomas Fox, Law Offices of Valentine Temrowski Geico Staff Counsel, *Saint Clair Shores*



Don't Miss the Reception: Network with colleagues, sponsors, and exhibitors while enjoying light snacks and complimentary cocktails

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/No-Fault for April 27–28, 2016. The room rate is \$139/night. Please call 734-414-0600 to reserve a room.

Reservations must be made by April 13, 2016. Registrants are responsible for their own hotel expenses.

The Independent Medical Examiner: Defending, Cross-Examining, and Everything in Between

Special Add-On Seminar

Level: Basic/Intermediate CLE: 3.25

April 27, 2016 | 1:30pm–5:00pm | The Inn at St. John's, Plymouth

Understand the Role of the Independent Medical Examiner

Although common, independent medical examinations (IME) in no-fault cases can be fraught with pitfalls for both plaintiff and defense counsel. Hear best practices from leading experts in this perfect companion to the *No-Fault Summit*. Learn everything from selection of the medical examiner and scope of the exam, to handling the deposition of the medical examiner and cross-examination.

Attend and Learn to:

- Identify injuries that can trigger the need for an IME
- Work with opposing counsel in selecting the medical examiner
- Discover the components of the IME report and what is being tested
- Implement strategies for cross-examining the medical examiner in deposition and at trial

Save \$30 When You Register for the No-Fault Summit

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Moderator/Contributor



John P.
Nicolucci
Foster Swift
Collins & Smith
PC, *Lansing*

Featured Contributors



Thomas R.
Bowen
Bowen Radabaugh &
Milton PC, *Troy*



Joseph J.
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Farmington Hills



Bryan J.
Waldman
Sinus Dramis Brake
Boughton & McIntyre
PC, *Lansing*

3RD ANNUAL

No-Fault *summit*

APRIL 28–29, 2016

The Inn at St. John's, Plymouth



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B. Summit Registration | Pick One

No-Fault Summit

- \$395 General
- \$345 ICLE Partner
- \$295 per Lawyer (4+ Lawyers from the Same Firm)¹
- \$195 New Lawyer (0–3 Years in Practice P76760+)
- FREE Judges²

16CI-6310

C. Materials Format | Summit Registrants Pick One

- FREE Print Handbook and Electronic Materials
- Save \$25 Electronic Materials Only³

Prices guaranteed until 04/28/16. ¹Please attach additional sheet listing lawyers attending. ²Current sitting state court judges (limit 40) attend free and must complete order form or call ICLE to register. ³Registrants will receive the print handbook and electronic materials if no format is specified. Select "electronic materials only" discount or enter SAVE25 online to save \$25 off registration fee. Materials will be posted online before the seminar. **Persons with disabilities or dietary restrictions:** For special arrangements please contact ICLE no later than seven days before the seminar. **Walk-in Registrations:** Permitted on a space-available basis or if registrants fail to claim their seat in the first 15 minutes of the seminar. **Summit Cancellation Policy:** In order to receive a full refund, you must notify ICLE by April 14, 2016. After April 14, a \$45 handling fee will be assessed. No refunds will be issued after April 21, 2016. **Special Add-On Seminar Cancellation Policy:** In order to receive a full refund, you must notify ICLE by April 13, 2016. After April 13, a \$45 handling fee will be assessed. No refunds will be issued after April 20, 2016.

D. Special Add-On Seminar Registration | Optional

The Independent Medical Examiner: Defending, Cross-Examining, and Everything in Between

- \$165 No-Fault Summit Registrant
- \$195 General (Not Attending the No-Fault Summit)
- \$165 ICLE Partner
- \$165 per Lawyer (4+ Lawyers from the Same Firm)¹
- \$95 New Lawyer (0–3 Years in Practice P76760+)

16CH-6213

E. Summit Materials for Non-Registrants | Optional

Can't attend? Purchase the electronic materials and select recordings.

- \$195 Non-ICLE Partners (No Summit Admission)
- \$136.50 ICLE Partners (No Summit Admission)

F. Payment Info | Calculate Total and Select Check/CC

Summit Registration (Box B) \$ _____

Electronic Materials Only Discount³ (Box C) \$ (-\$25)

Special Add-On Seminar Registration (Box D) \$ _____

Summit Materials for Non-Registrants (Box E) \$ _____

Add 6% MI Sales Tax (on Summit Materials for Non-Registrants only) \$ _____

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