



APRIL 27–28, 2017 | PLYMOUTH

4TH ANNUAL

# No-Fault *summit*

## Advocate Effectively with Expert Insight

**Delve Into Key Cases**

*Covenant, Bazzi, and Bahri*

**All-New Tracks**

Medical Evidence

Third-Party Practice

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# Advocate Effectively with Expert Insight

Get practical help delivering the results your no-fault clients demand. No matter which side of the law you practice, gain new perspectives from trial court judges, insurance professionals, and plaintiff and defense lawyers. Improve your skills in challenging all types of experts and get tips for proving serious impairment. Benefit from critical updates: First-Party, Third-Party Threshold, and Coverage and Exclusions. Join 400+ members of Michigan's no-fault community—don't be left behind.

## Enjoy Expert Updates

James G. Gross, Robert E. Logeman, Daniel S. Saylor, Caryn A. Ford, George T. Sinas, and Thomas G. Sinas provide practical insight on the most important decisions and legislation.

## Delve Into Key Cases

Hear directly from plaintiff and defense lawyers for *Covenant v. State Farm*. What does the decision mean for you and your clients? The impacts of *Bazzi* and *Babri* will be discussed, too.

## Tackle Medical Evidence

Our all-new track will give you the confidence you need to expertly admit or challenge medical evidence. Traumatic brain injury, orthopedic, and musculoskeletal cases are all on the docket.

## Explore Foundational Concepts

New to no-fault or just need a refresher? There's something for everyone. Get the tips you need on third-party practice, trial fundamentals, medical causation, and provider suits.

## Handle Claims with Confidence

Explore programming specifically designed for insurance professionals. Learn to survive an adjuster deposition or trial cross-examination. Plus, identify the key factors that might justify a denial of no-fault benefits.

## Walk Away Prepared

We'll show you how to comply with Medicare requirements, hire non-medical experts, and more. Take home the tools you need to improve your practice and better serve your clients.



## Details

April 27–28, 2017

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 10*

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## Agenda

8:00am Networking Breakfast and Registration (Both Days)

### THURSDAY, APRIL 27, 2017

- 9:00am Welcome and Introductions
- 9:15am First-Party Litigation Update
- 10:00am An Inside Look at *Covenant v. State Farm*
- 10:30am Networking Break
- 10:45am Proving and Refuting Fraud in No-Fault Cases
- 11:30am Third-Party Threshold Litigation
- 12:30pm Networking Lunch

	<b>Core Concepts Track</b>	<b>Intermediate/Advanced Track</b>	<b>Medical Evidence Track</b>
1:40pm	First-Party Litigation Cases: Pretrial Fundamentals	The Non-Medical Expert—Who To Hire, When to Hire, and How to Challenge	Evidentiary Hurdles in Traumatic Brain Injury Cases
2:20pm	Networking Break	Networking Break	Networking Break
2:30pm	First-Party Litigation Cases: Trial Fundamentals	<i>Bazzi v. Sentinel</i> and Innocent Third Parties	Evidentiary Hurdles in Orthopedic Cases
3:10pm	Networking Break	Networking Break	Networking Break
3:20pm	Medical Causation Standards for First- and Third-Party Cases	Medicare Requirements and the No-Fault Claim	Evidentiary Hurdles in Musculoskeletal Cases
4:00pm	Networking Reception		

### FRIDAY, APRIL 28, 2017

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

	<b>Hot Topics Track</b>	<b>Third-Party Practice Track</b>	<b>Claims Track</b>
10:45am	Hot Topics in PIP Claims*	UM/UIM and Insurance Coverage in Third-Party Cases*	Top Tips for Surviving Deposition or Trial Cross-Examination*
11:30am	Networking Break	Networking Break	Networking Break
11:40am	Top Tips for Navigating the Michigan Catastrophic Claims Association*	Proving Serious Impairment and Damages in Third-Party Cases*	The Ultimate Rules for Adjusters*

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

## Featured Contributors



Emily L. Partridge  
Garan Lucow Miller PC,  
*Grand Rapids*

Emily L. Partridge is a partner at the firm and focuses her practice solely in the area of first- and third-party no-fault, particularly on issues that arise in catastrophic personal injury protection claims. Ms. Partridge is a member of the State Bar of Michigan and the Grand Rapids Bar Association. She has lectured on a variety of topics for a number of organizations across the state. Ms. Partridge has also been a past moderator at ICLE's *No-Fault Summit* and a presenter for ICLE's *First-Party No-Fault Update* On-Demand Seminar.



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

Robert M. Raitt, a partner in the firm, has been a trial lawyer with Michigan Auto Law since 1992. He is past president of the Michigan Association for Justice and an officer of the Negligence Section of the State Bar of Michigan. Mr. Raitt has presented before the Michigan Legislature as a no-fault advocate and has been a speaker and moderator at various legal seminars. Recently, he received the top brain injury verdict in Michigan, according to *Michigan Lawyers Weekly*. The publication also named Mr. Raitt a 2016 Leader in the Law.



Ronald M. Sangster, Jr.  
Law Offices of Ronald M.  
Sangster PLLC, *Troy*

Ronald M. Sangster, Jr., is the managing member of his firm, which focuses its practice on personal injury protection claims, for both claimant and medical provider suits. Before opening his own law firm in 2005, he practiced for 17 years with the Law Office of Barry F. LaKritz, first representing injured plaintiffs and then insurance companies. Mr. Sangster has litigated many cases in trial courts, appellate court, and the Michigan Supreme Court that impact no-fault insurance issues under the No-Fault Act.



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

Marcy A. Tayler brings a wealth of litigation experience to the firm. She has devoted her practice to the defense of complex, first-party no-fault litigation and a wide variety of other insurance defense matters. She has extensive trial experience, having served as first chair trial counsel in well over 100 trials, which have gone to verdict in favor of her clients. Ms. Tayler is licensed to practice in all Michigan trial courts as well as the U.S. District Court for the Eastern District of Michigan. She is often appointed to serve as an arbitrator in insurance-related matters.

## Hot Topics

Evidentiary Hurdles in Traumatic  
Brain Injury Cases

Medicare Requirements and  
the No-Fault Claim

Hot Topics in  
PIP Claims

Top Tips for Navigating the Michigan  
Catastrophic Claims Association



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

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



“ This seminar is great for keeping me and my claims professionals informed and knowledgeable of the newest developments in no-fault.

Sarah Gale-Barbantini, Meemic Insurance Company, *Auburn Hills*



**Judges Attend Free!**

Current sitting state court judges receive complimentary admission (Limit 40)

Plenary Sessions



**Moderator  
Thursday Plenary  
Sessions**  
  
**Robert E.  
Logeman**  
Logeman Iafrate  
& Logeman PC,  
*Ann Arbor*



**Moderator  
Friday Plenary  
Sessions**  
  
**James G.  
Gross**  
James G. Gross  
PLC, *Detroit*

9:00am/Thursday  
**Welcome and Introductions**

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

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 Iafrate & Logeman PC, *Ann Arbor*

10:00am/Thursday  
**An Inside Look at *Covenant v. State Farm***

Take a deep dive into this case from the lawyers directly involved in it. What does it mean for medical providers if the Michigan Supreme Court ultimately rules in favor of *Covenant*, or, on the other hand, *State Farm*? As important, what will become of prior “full and final” settlements where no motion to allocate was filed? Get answers to these and other questions as this decision impacts insureds, medical providers, and insurance companies alike.

Richard E. Hillary II, Miller Johnson, *Grand Rapids*; Jill M. Wheaton, Dykema, *Ann Arbor*

10:45am/Thursday  
**Proving and Refuting Fraud in No-Fault Cases**

Get the best practice tips and strategies you need—from both plaintiff and defense perspectives. Understand the contractual and statutory basis for fraud arguments; develop legal arguments to defend against fraud allegations; protect your clients; and prepare for a trial. Plus, we’ll further discuss *Babri* and what it currently means for you.

James A. Iafrate, Logeman Iafrate & Logeman PC, *Ann Arbor*;  
Ronald M. Sangster, Jr., Law Offices of Ronald M. Sangster PLLC, *Troy*

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.

George T. Sinas, Sinas Dramis Law Firm, *Lansing*; Thomas G. Sinas, Sinas Dramis Law Firm, *Grand Rapids*

12:30pm/Thursday  
**Networking Lunch**

4:00pm/Thursday  
**Networking Reception**

Catch up with friends and colleagues and make new connections over 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*

## Tracks



**Moderator**  
Core Concepts Track

**Brian A. Robillard**  
The Law Offices  
of Brian A.  
Robillard PLLC,  
*Wyandotte*



**Moderator**  
Intermediate/  
Advanced Track

**Richard J. Joppich**  
Kitch Drutchas  
Wagner Valitutti  
& Sherbrook PC,  
*Okemos*

## Core Concepts Track

1:40pm/Thursday

### First-Party Litigation Cases: Pretrial Fundamentals

This is the perfect place to start if you're new to no-fault. Learn the benefit of specifically tailored written discovery requests and gain deposition strategies that will enhance the prosecution or defense of your case. Understand how to work with opposing counsel during discovery in order to maximize your discovery time and reduce stress (without compromising the duty to your client). Walk away with the most efficient and effective ways to get the best case evaluation award on behalf of your client.

Brian A. Robillard, The Law Offices of Brian A. Robillard PLLC, *Wyandotte*

2:30pm/Thursday

### First-Party Litigation Cases: Trial Fundamentals

We cover everything you need to consider, from understanding procedures used in different venues to identifying relevant jury instructions. Also understand jury selection and its impact on your case, and effectively prepare for direct and cross-examination of witnesses and presentation of evidence.

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

3:20pm/Thursday

### Medical Causation Standards for First- and Third-Party Cases

Medical causation starts with the treating physician—and identifying which of your client's doctors to contact is the first step. Learn to maximize every precious minute with the physician in case the meeting is cut short. Ask the right questions and determine the best way to present the physician's opinion (whether it's in a report, affidavit, or deposition).

Brian J. Bourbeau, Bone Bourbeau Lizza & Spagnoulo PLLC, *Clinton Township*

## Intermediate/Advanced Track

1:40pm/Thursday

### The Non-Medical Expert—Who To Hire, When to Hire, and How to Challenge

Take a look at common non-medical experts such as accident reconstructionists, life care planners, economists, and more. Learn what factors to consider when hiring an expert and whether your case even needs one. Identify the most effective ways to challenge non-medical experts and pitfalls to avoid as well.

Steven E. Goren, Goren Goren & Harris PC, *Bingham Farms*

2:30pm/Thursday

### *Bazzi v. Sentinel* and Innocent Third Parties

How does this opinion affect first-party claims in cases of rescinded and nonrescinded insurance policies? We dissect what it means for insurance companies, innocent third-party claimants, insurance agents, and the party that misrepresented. Get the latest details on this and other related cases on appeal in the Supreme Court.

Michael D. Phillips, Anselmi Mierzejewski Ruth & Soble PC, *Bloomfield Hills*

3:20pm/Thursday

### Medicare Requirements and the No-Fault Claim

The Medicare Secondary Payer (MSP) Act can be fraught with pitfalls. Get the tools you need to ensure compliance in cases where Medicare payments were made for injuries covered by Michigan's No-Fault Insurance. Understand the statutory and regulatory provisions of the MSP Act and get practical tips for both reporting to and reimbursing Medicare.

Richard J. Joppich, Kitch Drutchas Wagner Valitutti & Sherbrook PC, *Okemos*



**Moderator**  
Medical Evidence  
Track

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



**Moderator**  
Hot Topics Track

Maureen H.  
Kinsella  
Miller &  
Tischler PC,  
*Farmington Hills*

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## Medical Evidence Track

1:40pm/Thursday

### Evidentiary Hurdles in Traumatic Brain Injury Cases

What needs to be proven in a traumatic brain injury case? Learn to recognize the evidentiary and medical issues involved in TBI cases. Understand the types of expert testimony needed to prove or defend TBI cases and how to apply medical literature based on the Michigan rules of evidence.

David E. Christensen, Christensen Law, *Southfield*; Stephen H. Sinas, Sinus Dramis Law Firm, *Lansing*

2:30pm/Thursday

### Evidentiary Hurdles in Orthopedic Cases

What needs to be proven in an orthopedic injury case? Learn to recognize the evidentiary and medical issues involved. Identify the types of expert testimony needed to prove or defend orthopedic cases and how to apply medical literature based on the Michigan rules of evidence.

Michael L. Battersby, The Sam Bernstein Law Firm PLLC, *Farmington Hills*; Sarah J. Lyons, The Hanover Law Group, *Southfield*

3:20pm/Thursday

### Evidentiary Hurdles in Musculoskeletal Cases

What needs to be proven in a musculoskeletal injury case? Learn to recognize the evidentiary and medical issues involved. Determine the types of expert testimony needed to prove or defend musculoskeletal cases and how to apply medical literature based on the Michigan rules of evidence.

L. Page Graves, Smith & Johnson PC, *Traverse City*; William E. McDonald, Jr., McDonald Pierangeli MacFarlane PLLC, *Grand Rapids*

## Hot Topics Track

10:45am/Friday

### Hot Topics in PIP Claims

Personal injury protection insurance continues to make headlines in Michigan. Whether it's the latest reform efforts, recent practice trends, or current court decisions impacting your cases, you'll get the news and practical advice you need to represent your clients effectively.

Jennifer K. Green, Clark Hill PLC, *Birmingham*; David M. Pierangeli, McDonald Pierangeli MacFarlane PLLC, *Grand Rapids*

11:40am/Friday

### Top Tips for Navigating the Michigan Catastrophic Claims Association

Whether you're a fan of the MCCA or opposed to it, understanding how to work within its parameters is critical. Get best practice tips from both sides of the aisle and walk away prepared to help your clients.

Maureen H. Kinsella, Miller & Tischler PC, *Farmington Hills*; Kyle D. Logue, The University of Michigan Law School, *Ann Arbor*; Emily L. Partridge, Garan Lucow Miller PC, *Grand Rapids*

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## PLATINUM SPONSOR



## Tracks



**Moderator**  
**Third-Party**  
**Practice Track**

**John W.**  
**Whitman**

Garan Lucow  
Miller PC, *Ann*  
*Arbor*



**Moderator**  
**Claims Track**

**Robert M.**  
**Raitt**

Michigan Auto  
Law, *Farmington*  
*Hills*

## Third-Party Practice Track

10:45am/Friday

### UM/UIM and Insurance Coverage in Third-Party Cases

Whether you're building a third-party practice or just need a refresher, the details you need are covered here. Learn to gather, read, and implement all applicable insurance policies. Grasp the practical interrelationships of liability coverage, UM/UIM coverage, and their impact on your litigation. Develop creative negotiation strategies that take advantage of layered coverage and understand the issues involved in litigation and trial of a combined tort and UIM case.

John W. Whitman, Garan Lucow Miller PC, *Ann Arbor*

11:40am/Friday

### Proving Serious Impairment and Damages in Third-Party Cases

Learn the techniques you need to establish—and rebut—damages testimony at trial. Develop creative strategies for navigating common issues surrounding damages, and effectively prepare for the plaintiff and lay witness testimony.

Sarah Stempky Kime, Christensen Law, *Southfield*

## Claims Track

10:45am/Friday

### Top Tips for Surviving Deposition or Trial Cross-Examination

Be prepared no matter what comes your way. Identify and understand common areas of attack for adjuster depositions; implement case review protocols designed to pinpoint specific vulnerabilities; and effectively prepare for and practice cross-examination scenarios. You'll walk away more confident than ever before.

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

11:40am/Friday

### The Ultimate Rules for Adjusters

When adjusting a claim, what are the most common pitfalls you'll face? Can inaccurate assumptions cloud the way a claim is adjusted? Our experts answer these questions and also help you identify key elements to focus on from both the plaintiff and defense perspective. Learn important factors to consider when deciding to file a *Covenant* motion and under what circumstances a denial of no-fault benefits is justified.

John B. Geen, Scarfone & Geen PC, *Madison Heights*; Robert M. Raitt, Michigan Auto Law, *Farmington Hills*



## 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 April 26–27, 2017. The room rate is \$149/night. Please call 734-414-0600 to reserve a room.

Reservations must be made by April 12, 2017. Registrants are responsible for their own hotel expenses.

“ A great opportunity to catch up on changes to the law and hear a variety of presentations on pending issues.

Melanie Francoise Fradette,  
Hom Killeen Arene Hoehn &  
Bachrach, *Detroit*



“ I walked away a better lawyer.

Katherine Frances Mortensen,  
Street Democracy, *Detroit*



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# No-Fault *summit*

APRIL 27–28, 2017

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**3**  
**Fax** (form with credit card)  
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Prices guaranteed until 04/28/17. <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>Registrants 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. **Complete seminar policy:** [www.icle.org/info/seminarpolicies](http://www.icle.org/info/seminarpolicies). **Cancellation policy:** For a full refund, notify ICLE by 04/13/17. Registrants who cancel after that date will be charged a \$60 cancellation fee. No refunds will be issued after 04/20/17. **Persons with disabilities or dietary restrictions:** For special arrangements, please contact ICLE no later than seven days before the seminar.