



Oregon Law Institute
of Lewis & Clark Law School

Litigating Auto Accident Cases



Whether you are contemplating taking your first auto accident case, or you are a seasoned practitioner wanting the most up-to-date and critical information, this program will enhance your skills to serve your clients' needs. Obtain beneficial results for your practice and your clients by participating in this seminar designed to provide you with guidance on how to effectively handle an automobile accident case.

Friday, April 13, 2012

Oregon Convention Center
777 NE Martin Luther King Jr. Blvd.
Portland, Oregon

6.5 General or Practical Skills
MCLE Credits

SCHEDULE

- 8:00 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 8:25 WELCOME AND OPENING REMARKS
- 8:30–9:15 **Discovery in Auto Injury Cases**
- What medical records are discoverable and what aren't?
 - Use of request for admissions
 - Are unrelated records discoverable or admissible? (What privileges do you waive when you file a lawsuit?)
 - Depositions—what to ask?
 - IMEs and treating physician IMEs
 - *Thomas D'Amore*
 - *Eric E. Meyer*
- 9:15–10:00 **Bio-Mechanics of Accidents and Injuries**
- How collisions cause—or don't cause—injuries
 - Expert qualifications and OEC 104 hearings
 - Junk science
 - Bolstering the testimony of the biomechanical expert
 - Cross examining the biomechanical expert
 - *Paul S. Bovarnick*
 - *Jose Cienfuegos*
- 10:00–10:15 BREAK
- 10:15–11:45 **Medical Experts**
- Does it matter if plaintiff has lots of alternative practitioners serving as their experts?
 - Do chiros and other alternative medical practitioners hold any weight with the jury? Does it depend on the county?
 - Should the plaintiff's lawyer ever use an IME doctor?
 - How do you do voir dire if plaintiff has lots of alternative medical experts?
 - As a defendant, do you need to hire a chiro to counter a chiro or do you hire an MD?
 - Should the defense lawyer ask the doctor all of the payment questions, etc., on direct?
 - What financial information can be discovered to demonstrate bias?
 - Does it matter if the medical expert has worked for the defense lawyer before? Testified for the defense lawyer before?
 - When is an expert necessary to survive directed verdict?
 - *John M. Coletti*
 - *Gretchen L. Mandekor*
 - *Richard J. Vangelisti*
 - *Richard J. Whittemore*
- 11:45–1:00 LUNCH (on your own)
- 1:00–2:00 **Dealing with Third-Party Claims to Your Recovery**
- Identifying and negotiating non-PIP liens and reimbursements
 - Your client's bankruptcy
 - Must you repay PIP?
 - Reducing (or not) the judgment by PIP
 - *Joel DeVore*
 - *Wm. Keith Dozier, Jr.*

SCHEDULE (cont.)

2:00–2:15

BREAK

2:15–3:15

Mediating and Settling Auto Injury Cases: Dos and Don'ts

- Preparing your case and client
- Stages in the process
- Ensuring a positive conclusion
 - *John R. Barker*
 - *Hon. Karsten H. Rasmussen*
 - *Richard G. Spier*

3:15–4:15

Trying Your Case—What Works and What Doesn't

- What is “fair game” and what is off limits in voir dire?
- What do judges like and dislike—dos and don'ts?
- What are the worst things you can do in an auto trial?
- What type of issues related to the lawyers do juries frequently complain about?
- What should lawyers do to effectively prepare for trial?
- Is it true that objections should only be made when you absolutely must protect the record?
- Common evidentiary mistakes or oversights
 - *Hon. Christopher J. Marshall*
 - *Hon. Adrienne C. Nelson*
 - *Hon. Karsten H. Rasmussen*
 - *Hon. Kelly Skye*

4:15 p.m.

ADJOURN

FACULTY

John R. Barker

Barker Mediation

Paul S. Bovarnick

Rose, Senders & Bovarnick, LLC

Jose Cienfuegos

*Trial Attorney and Staff Counsel,
Allstate Insurance Company*

John M. Coletti

Paulson Coletti Trial Attorneys PC

Thomas D'Amore

D'Amore Law Group

Joel DeVore

Luvaas Cobb

Wm. Keith Dozier, Jr.

Wm. Keith Dozier, LLC

Robert C. Kline, Jr.

*Program Co-Planner
Kline Law Offices PC*

Gretchen L. Mandekor

Mandekor Lewis LLC

Hon. Christopher J. Marshall

Multnomah County Circuit Court

Eric E. Meyer

Zipse Elkins & Mitchell

Hon. Adrienne C. Nelson

Multnomah County Circuit Court

Kristin L. Olson

*Program Co-Planner
Bullivant Houser Bailey PC*

Hon. Karsten H. Rasmussen

Lane County Circuit Court

Hon. Kelly Skye

Multnomah County Circuit Court

Richard G. Spier

Richard G. Spier JD, Mediator

Richard J. Vangelisti

Vangelisti Kocher LLP

Richard J. Whittemore

Bullivant Houser Bailey PC

LIVE PRESENTATION

Portland – 4/13/12

Oregon Convention Center
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VIDEO REPLAYS

Please register at least one week
prior to the replay date.

Bend – 4/27/12

Replay 8:30 a.m.

Bryant Lovlien & Jarvis
591 Mill View Way

Eugene – 4/20/12

Replay 8:30 a.m.

Harrang Long Gary & Rudnick PC
360 East 10th Avenue, Ste. 300

Portland – 5/2/12

Replay 9:00 a.m.

Oregon Law Institute
Gus J. Solomon Courthouse
620 SW Main Street, Ste. 706

MCLE CREDIT

Litigating Auto Accident Cases will
receive **6.5** General or Practical
Skills MCLE credits.

PROGRAM PRODUCTS

Even if you cannot attend, you
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QUESTIONS?

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in Portland or toll-free in Oregon at
(800) 222-8213, e-mail us at
oli@lclark.edu, or visit our web-site
at <http://go.lclark.edu/oli>.

Litigating Auto Accident Cases

Friday, April 13, 2012

Name

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Please "✓" appropriate box below:

Live presentation

Video replay. Location: _____ Date: _____

Please register at least one week prior to the replay date.

TUITION

Prices apply to live and video replays.

- \$189** Early registration (*received by April 9, 2012*)
- \$139** New attorneys (admitted 2009–2011) and legal staff (*received by April 9, 2012*)
- \$95** Legal aid attorneys (*received by April 9, 2012*)
- \$15** OLI Passholder (OLI Pass No. _____) and Oregon judges and their lawyer staff (*received by April 9, 2012*)
- \$20** **Add to above tuition if registration received after April 9, 2012**

PRODUCT ORDER

I am unable to attend. Please send me:

- \$209** Audio CDs and course book
- \$309** DVDs and course book
- \$59** Course book only
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or e-mail us at oli@lclark.edu.**

CONFIRMATION: Confirmation will be sent via e-mail.

CANCELLATION POLICY: Tuition minus a \$20 handling charge will be refunded if the cancellation request is *written and received* by Monday, April 9, 2012.

NEED ASSISTANCE: If you are a person with a disability, please let OLI know in time to make any necessary accommodations for you.

TUITION ASSISTANCE: A limited number of scholarships are available based on financial need. Contact OLI.