



Oregon Law Institute
of Lewis & Clark Law School

Trying a Medical Negligence Case:

Tips from the Masters

Medical negligence cases can be the most complex and expensive of cases and successfully trying these cases requires a unique set of skills. Attend this program to learn from and interact with the most experienced attorneys in the field. This program offers strategies and techniques from our distinguished faculty who will share their knowledge and experience to assist not only the more experienced medical negligence practitioners, but also those working on their first medical negligence case.

FRIDAY, DECEMBER 14, 2012

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

6.75 General MCLE Credits

SCHEDULE

- 8:00 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 8:25 WELCOME AND INTRODUCTORY REMARKS
– *Thomas D'Amore*
- 8:30–9:30 **What Every Plaintiff and Defense Lawyer Must Know Before Accepting a Medical Negligence Case**
- Three things newer or inexperienced lawyers must know when entering the field of medical negligence litigation
 - Three things lawyers must know when evaluating medical negligence cases
 - How the masters prepare their cases
– *William A. Barton*
– *Keith J. Bauer*
- 9:30–10:30 **Essential Pre-Trial Issues**
- Pleading a medical negligence case
 - Pre-trial contact and depositions of treating physicians
 - Summary judgment motions
 - Motions in limine
– *Robert M. Keating*
– *Elden M. Rosenthal*
- 10:30–10:45 BREAK
- 10:45–11:30 **Discovery in Medical Negligence Cases**
- Digital medical records
 - “Informal” discovery
 - Preparing for and doing depositions
 - Finding and use of medical experts
– *Troy S. Bundy*
– *Jane Paulson*
- 11:30–12:15 **Making Your Record: Appellate Perspectives on Effective Preservation**
- Pre-trial motions
 - Objections to the evidence and offers of proof
 - Instructions and exceptions
 - Motions for directed verdict
 - Verdicts
 - Post-trial motions
– *Kathryn H. Clarke*
– *Lindsey H. Hughes*
- 12:15–1:15 LUNCH (on your own)
- 1:15–2:15 **Going To Trial vs. Alternative Dispute Resolution**
- Mediation, arbitration, and judicial settlement conferences
 - What works and what does not at trial and ADR
 - The medical malpractice dockets in Multnomah and Lane Counties
– *Hon. Henry Kantor*
– *Hon. Karsten R. Rasmussen*
- 2:15–2:30 BREAK

SCHEDULE (cont.)

2:30–3:30

Trial Strategies: Essential Elements of a Medical Negligence Case

- Opening statement—what is the objective?
- Direct examination and cross-examination
- Closing statement—what is the objective?
 - *Judy Danelle Snyder*
 - *Jeffrey R. Street*

3:30–4:15

New Developments: How Has Medical Negligence Litigation Evolved?

- New and affordable technology
- Case presentation with technology
- Using the iPad pre-trial and for courtroom presentations
 - *Kelly L. Andersen*
 - *Ralph Spooner*

4:15 p.m.

ADJOURN

Program Faculty

Kelly L. Andersen

Kelly L Andersen PC

William A. Barton

Barton Law Firm PC

Keith J. Bauer

*Parks Bauer Sime Winkler
& Fernety LLP*

Troy S. Bundy

Hart Wagner LLP

Kathryn H. Clarke

Attorney at Law

Thomas D'Amore

*Program Planner
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Lindsey H. Hughes

Keating Jones Hughes PC

Hon. Henry Kantor

Multnomah County Circuit Court

Robert M. Keating

Keating Jones Hughes PC

Jane Paulson

Paulson Coletti

Hon. Karsten H. Rasmussen

Lane County Circuit Court

Elden M. Rosenthal

Rosenthal Greene & Devlin PC

Judy Danelle Snyder

Law Offices of Judy Snyder

Ralph C. Spooner

Spooner & Much PC

Jeffrey R. Street

Hodgkinson Street LLC

LIVE PRESENTATION

Portland – 12/14/12

Oregon Convention Center
777 NE MLK Jr. Blvd.

MCLE CREDIT

*Trying a Medical Negligence Case:
Tips from the Masters* will receive
6.75 General MCLE credits.

PROGRAM PRODUCTS

Even if you cannot attend, you can still get the program on CDs or DVDs. Use the order form in this brochure to order your set today! OLI Annual Passholders may purchase OLI program products at 50% off the full retail price.

VIDEO REPLAYS

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

Bend – 1/11/13

Replay 8:30 a.m.

Bryant Lovlien & Jarvis
591 Mill View Way

Eugene – 1/4/13

Replay 8:30 a.m.

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

Portland – 1/16/13

Replay 9:00 a.m.

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

QUESTIONS?

Call (503) 768-6580 or (800) 222-8213.

Check out our website at www.lclark.edu/org/oli
or e-mail us at oli@lclark.edu.

Trying a Medical Negligence Case: *Tips from the Masters*

Friday, December 14, 2012

Name	OSB No. or Profession
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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 December 10, 2012*)
- \$139 New attorneys (admitted 2010–2012) and legal staff (*received by December 10, 2012*)
- \$95 Legal aid attorneys (*received by December 10, 2012*)
- \$15 OLI Passholder (OLI Pass No. _____) and Oregon judges and their lawyer staff (*received by December 10, 2012*)
- \$20 **Add to above tuition if registration received after December 10, 2012**

COURSE MATERIALS *Included with registration. Please select one:*

- Electronic course book (*a link to a PDF of the materials will be emailed no later than 48 hours prior to the seminar date*)
- Print version

LIVE WEBCAST REGISTRATION

This program will be broadcast LIVE over the internet on Friday, December 14, 2012, starting 8:30 a.m. Pacific Time. You may access this event from anywhere with an established internet connection. The webcast will include video and audio of the speakers and seminar handout materials — all on your computer! To register for the live webcast, please click [here](#) or go to our website at <http://go.lclark.edu/oli> and click on "Webcasts."

PRODUCT ORDER *I am unable to attend. Please send me:*

- \$209 Audio CDs and print course book
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- \$59 Print course book only
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...or fax (503-768-6585) or e-mail
(oli@lclark.edu) this registration form to
OLI, including credit card information.

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, December 10, 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.

QUESTIONS? Call (503) 768-6580 or (800) 222-8213. Check out our website at <http://go.lclark.edu/oli> or e-mail us at oli@lclark.edu.