

## AGENDA

### SATURDAY, JUNE 22

	7:00 A	<b>BREAKFAST BUFFET</b>			<b>EDUCATIONAL MATERIALS</b>
<b>1</b>	8:00 A	Welcome & Introductions	Lisa Carper	<i>Preliminary introductions of our speakers and instructions for questions</i>	
<b>2</b>	8:15 A	Mastering Personal Injury Cases	Aaron DeShaw	<i>In this introductory session, you'll learn how physician notes are used in a PI case, what your patient/client should do immediately following a crash, and to identify all potential insurance claims.</i>	Presentation, "Records in Motor Vehicle Cases." pp 95
	10:00 A	<b>COFFEE BREAK</b>			
<b>3</b>	10:15 A	Insurance Issues and Common Defenses	Peter Anderson	<i>Through analysis of an insurance company's typical tactics, Mr. Anderson will share strategies to overcome common defense claims.</i>	Presentation, "Insurance Issues and Common Defenses." pp 69
	12:00 P	<b>LUNCH (ON YOUR OWN)</b>			
<b>4</b>	1:30 P	Records in Motor Vehicle Cases	Aaron DeShaw	<i>An exploration of the factors required by Colossus and other insurance software packages, and how to incorporate those factors into medical records.</i>	Presentation, "Records in Motor Vehicle Cases." pp 95
	3:00 P	<b>SNACK BREAK</b>			
<b>5</b>	3:30 P	Narrative and Demand Letters	Peter Anderson Aaron DeShaw	<i>Mr. Anderson and Dr. DeShaw will demonstrate how to construct effective narratives and demand letters.</i>	Sample narrative reports, sample narrative request questions, Colossus narrative report (short and complex) pp 50
	5:00 P	<b>END OF DAY 1</b>			

**SUNDAY, JUNE 23**

		<b>BREAKFAST BUFFET</b>		<b>EDUCATIONAL MATERIALS</b>		
	7:00 A					
<b>6</b>	8:00 A	Commonly Missed Traumatic Injuries	Aaron DeShaw	<i>Dr. DeShaw reviews commonly missed traumatic injuries and shares best practices to avoid missing those critical diagnoses.</i>	Presentation, "Traumatic Brain Injuries." Pp 39  Presentation, "Understanding Spinal Injury Cases." pp 16	
	10:00 A	<b>COFFEE BREAK</b>				
<b>7</b>	10:15 A	Permanent Impairment	Aaron DeShaw	<i>Dr. DeShaw discusses the benefits of digital motion x-ray and differences in quality of MRI imaging. He then examines the problems with the AMA Guides to the Evaluation of Permanent Impairment as well as the important legal difference in the words "possible," "probable," and "certain."</i>	Presentation, "Traumatic Brain Injuries." Pp 39  Presentation, "Understanding Spinal Injury Cases." pp 16	
	12:00 P	<b>LUNCH (ON YOUR OWN)</b>				
<b>8</b>	1:30 P	From Crash Through Trial Part 1	Peter Anderson Aaron DeShaw	<i>In this session, the faculty share an overview of the claim and litigation timeline, including how to determine whether to go to trial, the treating doctor's specific role in litigation and giving your deposition as a doctor.</i>	See list on final pages. pp 404	
	3:00 P	<b>SNACK BREAK</b>				
<b>9</b>	3:30 P	From Crash Through Trial Part 2	Peter Anderson Aaron DeShaw Sean McElligot	<b>Joint Session</b> <i>Motions in Limine, Cross Examination</i>  <b>Breakout Session - doctors</b> <i>Trial Testimony</i>  <b>Breakout Session - lawyers</b> <i>Jury Selection, Opening Statement, Direct Examination, Closing Statement</i>		
	5:00 P	<b>END OF DAY 2</b>				

**TOTAL MINUTES:** 795 MINUTES

60 MINUTE STATES: 13.25 GENERAL CREDITS

50 MINUTE STATES: 15.9 GENERAL CREDITS

*Actual credits vary by jurisdiction according to their specific rules and policies.*

## PRESENTERS

### PETER ANDERSON

- Principal, Law Offices of Peter M. Anderson
- Author and Presenter, *Creating Magic in Trial* video
- J.D, New England School of Law
- B.A., West Chester University

**Admissions:** Colorado

Peter M. Anderson is a highly respected Colorado trial attorney with an extensive history of six- and seven-figure outcomes in common spinal injury claims that resulted in chronic pain. Mr. Anderson is a former claims adjuster, current national trial tactics lecturer and holds yearly medical seminars teaching doctors about insurance claims practices and their role in litigation and trial. He has tried jury trials every year for well over a decade, and during this time, he was won over 93% of his cases, while other cases have resulted in seven-figure settlements. Attorney Anderson received money in 14 straight jury trials, ranging from 5 to 12 day jury trials and consistently beats the insurance corporation's offers by 6 to 24 times.



#### WEBSITES

<http://www.coloradopersonalinjury.com/>

#### LINKEDIN

<https://www.linkedin.com/in/peter-anderson-5542a760/>

#### TRIAL GUIDES

<https://www.trialguides.com/blogs/authors/peter-m-anderson>

#### NOTABLE AWARDS/HONORS

- Young Lawyer of the Year (Colorado Bar Association, 2005)



## AARON DESHAW

- Principal, DeShaw Trial Lawyers
- CEO and Owner, Trial Guides LLC
- Executive Board Member, Brain Injury Alliance of Oregon
- Author, *Colossus: What Every Trial Lawyer Needs to Know* (out of print)
- Author, *Colossus: What Every Physician Needs to Know* (out of print)
- J.D., Willamette University College of Law
- Pepperdine University College of Law (London, England)
- D.C., Western States Chiropractic College
- B.S., Willamette University

**Admissions:** Oregon, Washington

Dr. Aaron DeShaw, Esq. has individually, and in cooperation with other law firms, obtained settlements and verdicts for his clients in excess of \$1 Billion. He is the leading author in the U.S. about Colossus, the computer assessment program used by most auto insurance companies for evaluating personal injury claims. DeShaw is author of three books, and is featured in multiple professional education videos on the topics of traumatic injuries and insurance.

Presently, more than 90% of Aaron's cases involve traumatic brain injuries, with the remainder of his personal injury cases being catastrophic injuries such as quadriplegia, spinal cord injuries, amputation, and wrongful death cases. He has extensive experience doing jury trials on complex medical injury cases. Known for his unusual frontal attack of defense medical witnesses' opinions, his cross-examination of one witness uncovered the "doctor's" lack of an M.D. degree. Other defense doctors simply refuse to show up to testify against his clients.

He is also a father, musician, and photographer.

### WEBSITES

<http://deshawlaw.com/>

### LINKEDIN

<https://www.linkedin.com/in/aaron-deshaw-9a901975/>

### TRIAL GUIDES

<https://www.trialguides.com/authors/aaron-deshaw/>

### NOTABLE PUBLISHED WORKS

- Mastering Motor Vehicle Cases (DVD and CD sets)
- Mastering Personal Injury Cases (Physician DVD set)
- Anatomy of a Personal Injury Lawsuit, 4th Ed. (Multi-book set)
- Traumatic Injuries (DVD set)
- Working with Chiropractors on Auto Cases (CD/DVD set)
- Colossus: Understanding Auto Insurance Claims (Physician DVD)
- Colossus: Maximizing Auto Settlement Values (Legal DVD)
- Colossus: The Legal Forms CD
- Colossus: The Physician Forms CD
- Increasing Value on Neck Injury Cases (CD/DVD set)
- Overcoming "Minor Impact" Defenses in Auto Cases (CD/DVD set)
- Procedure & Billing Denials: What Every Physician Needs to Know (out of print)

## SEAN MCELLIGOTT

- Partner, Koskoff Koskoff & Bieder PC Attorneys at Law
- Co-Author, **The Medical Malpractice Trial**, 2019, Trial Guides, pp 330
- J.D, Yale Law School
- B.A., Trinity College

**Admissions:** Massachusetts; New York; Connecticut, US District Courts for Massachusetts, Southern District of New York, Eastern District of New York, and Connecticut; and US Court of Appeals for the 2<sup>nd</sup> Circuit

Sean K. McElligott, a graduate of Yale Law School, is an experienced trial lawyer who has obtained numerous record-setting medical malpractice verdicts. He recently obtained a \$12 million verdict in a medical malpractice case involving negligent surgical technique leading to a perforated bowel and catastrophic sepsis. In 2011, he obtained a \$10.5 million verdict in a medical malpractice case involving a patient who was rendered comatose by negligent anesthesia care. This verdict remains the highest recorded personal injury verdict in the history of New London County, Connecticut. Mr. McElligott has obtained numerous other multimillion-dollar medical malpractice jury verdicts, including: a \$6.5 million verdict in a medical malpractice case involving the death of a forty-four-year-old man from improper sodium treatment, a \$4.35 million verdict on behalf of a woman who suffered spinal cord damage from a negligently placed epidural needle, a \$4.25 million verdict on behalf of a man who suffered a nerve injury to his neck during lymph node removal surgery, \$2.45 million verdict on behalf of a same sex couple where one spouse died as a result of negligent cancer treatment, and numerous other medical malpractice verdicts in excess of one million dollars.

Mr. McElligott also maintains an active appellate practice in both state and federal court. He won an important appeal before the Connecticut Supreme Court involving the rights of same sex couples to the loss of consortium remedy in Connecticut. Mr. McElligott was part of a team of lawyers that appeared before the United States Supreme Court in a case raising important issues of appellate jurisdiction. Mr. McElligott has published numerous articles on various legal topics and is regularly consulted by the media to explain legal matters of public concern. Mr. McElligott has given interviews about topics as varied as the landmark United States Supreme Court case striking down the Defense of Marriage Act and the National Football League concussion settlement. Mr. McElligott also appeared on



### WEBSITES

<https://www.koskoff.com/Lawyers-Staff/Sean-McElligott.shtml>

### LINKEDIN

<https://www.linkedin.com/in/sean-mcelligott-0b611078/>

### TRIAL GUIDES

<https://www.trialguides.com/blogs/authors/sean-mcelligott>

the nationally-televised Early Show discussing his lawsuit against a Connecticut hospital regarding the actions of a drug-addicted plastic surgeon.

## EDUCATIONAL MATERIALS FOR SESSIONS 8 & 9

Author	Title	Pages	Number
Bunkertorp, L et al	A Descriptive analysis of disorders in patients 17 years follow motor vehicle accidents	7	22e
Croft, Arthur C., DC, MS, MPH, FACO, FACFE et al	CAD Guidelines: We Have Them; Let's Use Them Results of a Preliminary Practice Survey	7	21
DeShaw & Anderson	Medical Journal Article Listing	14	2
DeShaw, Aaron, D.C., Esq., & Sinclair, Charlette	Inside Colossus	11	7
District Court, Broomfield County, State of Colorado	Proposed Verdict Court's Order Re: Findings of Fact and Conclusions of Law Case No. 2012CV13	23	9a
District Court, Broomfield County, State of Colorado	(After Trial) Court's Order Re: Findings of Fact and Conclusions of Law Case No. 2012CV12	23	9b
Freeman, Michael D., PhD, DC, MPH et al	Significant Spinal Injury Resulting from Low-Level Accelerations: A Case Series of Roller Coaster Injuries	5	32
Gargan, M. F. et al	Long-Term Prognosis of Soft-Tissue Injuries of the Neck	3	22d
Giza, Christopher C. et al	Summary of evidence-based guideline update: Evaluation and management of concussion in sports: Report of the Guideline Development Subcommittee of the American Academy of Neurology	10	4
Haas, Jason W., DC, et al	Modeling of the Sagittal Cervical Spine as a Method to Discriminate Hypolordosis	8	22a
Integrated Health Systems	TBI Signs and Symptoms	1	5
Integrated Health Systems	Traumatic Brain Injury	1	6
Ivancic, Paul, PhD	Human Injury Biomechanics	88	3
Ivancic, Paul, PhD et al	Injury of the anterior longitudinal ligament during whiplash simulation	8	25
Ivancic, Paul, PhD et al	Injury Mechanisms of the Cervical Intervertebral Disc During Simulated Whiplash	9	26
Ivancic, Paul, PhD et al	Face Joint Kinematics and Injury Mechanisms During Simulated Whiplash	9	27
Ivancic, Paul, PhD et al	Spinal Canal Narrowing During Simulated Whiplash	10	28
Ivancic, Paul, PhD et al	Neck Ligament strength is decreased following whiplash trauma	9	29
Ivancic, Paul, PhD et al	Soft Tissue Injury Threshold During Simulated Whiplash	9	33

**OPTIMIZING PERSONAL INJURY OUTCOMES**  
**THE ROLES OF THE DOCTOR AND LAWYER IN MOTOR VEHICLE CASES**

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Orlando, Florida

Katz, Evan, D.C.	Front Range Digital Motion X-ray	5	8
Kong, Dechao et al	Apoptosis of endplate chondrocytes in post-laminectomy cervical kyphotic deformity	7	23
Krafft, M. et al	How crash severity in rear impacts influences short- and long-term consequences to the neck	9	22c
Panjabi, Manohar M. et al	Mechanism of whiplash injury	11	22b
Panjabi, Manohar M. et al	Cervical Spin Ligament Injury during Simulated Frontal Impact	9	24
Richter, M. et al	Whiplash-type neck distortion in restrained car drivers: frequency, causes, and long-term results	9	34
Slosberg, Malik, D.C., M.S.	Cutting Edge Research to Improve Patient Outcomes 2013: Chiropractic, the Cervical Spine and Exercise	24	1
Squires, B. et al	Soft-Tissue Injuries of the Cervical Spine	3	31
State of Colorado	Law Re: Cost of Copying Chiropractic Records	1	12
Viano, David C.	Seat Influences on Female Neck Responses in Rear Crashes: A Reason Why Women Have Higher Whiplash Rates	12	30
	Sample Litigation Rule 26 form for Chiropractors	3	10
	Three Legal Buckets of Damages, Jury Instructions	1	11a
	Susceptibility - Predisposition - Thin Skull, Jury Instructions	1	11b
	Insurance Affirmative Defense - Failure to Mitigate, Jury Instructions	1	11c
	Aggravation of Preexisting Condition, Jury Instructions	1	11d
	More Likely Than Not - Burden of Proof, Jury Instructions	1	11e
	Damages Cause by Unrelated Second Event , Jury Instructions	1	11f
	Lien Agreement	2	13a
	Sample Letter: Allow lawyer to sign lien agreement	1	13b
	Sample Medpay letter to client's insurance company	1	13c
	Example Biomechanical Analysis and Report	7	14
	Example: Auto Crash Intake Form	8	15
	Example: Release of prior medical records	1	16
	Example: Loss of Enjoyment of Life Index	8	17
	Example: Duties Under Duress Index	4	18
	Example: Professional Fee Schedule	1	19
	CAD Guidelines	2	20



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	Example: mTBI checklist	3	35
	Normal Lordosis Xray	1	36
	Example: Rebuttal Report	11	37