

AGENDA

WEDNESDAY, JUNE 26

	7:00 A	BREAKFAST BUFFET			EDUCATIONAL MATERIALS
1	8:00 A	Welcome & Introductions	Aaron DeShaw	<i>Introducing Dr. Croft</i>	
2	8:15 A	Auto Crash Reconstruction for Lawyers	Dr. Arthur Croft	<i>Dr. Croft provides a brief primer on auto crash reconstruction to help attorneys understand the data available and used as well as how the expert reports may be presented.</i>	Croft, Arthur C. Presentation, "Auto Crash Reconstruction for Lawyers." pp 58
	10:00 A	COFFEE BREAK			
3	10:15 A	Myths and Legends that Never Die: Cross-examination ideas for defense ACRs and biomechanical experts	Dr. Arthur Croft	<i>Dr. Croft provides the facts needed to dispel commonly held beliefs that may harm your case.</i>	Croft, Arthur C. Presentation, "Myths and Legends that Never Die." pp 74
	12:00 P	LUNCH (ON YOUR OWN)			
4	1:30 P	Whiplash and Mild Traumatic Brain Injuries Part 1	Dr. Arthur Croft	<i>Dr. Croft will briefly explain this broad topic that every PI lawyer should know and suggest methods to cross-examine auto crash reconstruction and biomechanics experts on this topic.</i>	Croft, Arthur C. Presentation, "Whiplash and Mild Traumatic Brain Injuries." pp 123
	3:00 P	SNACK BREAK			
5	3:30 P	Whiplash and Mild Traumatic Brain Injuries part 2	Dr. Arthur Croft	<i>Dr. Croft will briefly explain this broad topic that every PI lawyer should know and suggest methods to cross-examine auto crash reconstruction and biomechanics experts.</i>	Croft, Arthur C. Presentation, "Whiplash and Mild Traumatic Brain Injuries." pp 123
	5:00 P	END OF DAY 1			

THURSDAY, JUNE 27				
	7:00 A	BREAKFAST BUFFET		EDUCATIONAL MATERIALS
6	8:00 A	Overcoming Minor Impact Defenses in Auto Cases	Aaron DeShaw	<i>Dr. DeShaw will describe effective strategies to overcome the common defense assertion that minor damage on a vehicle means little or no damage to its occupants.</i> DeShaw, Aaron. Presentation: "Overcoming Minor Impact Defenses in Auto Cases." pp 23
	10:00 A	COFFEE BREAK		
7	10:15 A	Causation in Auto Injury and Death Litigation	Dr. Michael Freeman	<i>Epidemiologic issues are raised often in crash-related litigation—usually in reference to injury causation. Dr. Freeman will lead the attendees through the complicating factors involved in crash related injuries.</i> Freeman, Michael. "Chapter 11: Traffic Injury Investigation" Forensic Epidemiology: Principles and Practice . Elsevier, 2016. pp 287 -314 (28 pages)
	12:00 P	LUNCH (ON YOUR OWN)		
8	1:30 P	Dismantling Defense Doctors and Neuropsychologists in Car Crash Cases	Dorothy Clay Sims	<i>Ms. Sims will present the four things that you should do when cross-examining defense doctors.</i> Sims, Dorothy Clay. "Chapter: Polarization, Probabilities and Reptiles." Settling and Trying Minor Impact Cases . Trial Guides, 2019. Pp 31
	3:00 P	SNACK BREAK		
9	3:30 P	Putting an End to Belittling Pain You Cannot See	Keith Mitnik	<i>Mr. Mitnik will share effective strategies for countering the common defensive claim that pain must somehow be visible and that your client is malingering.</i> Mitnik, Keith. "Chapter: You Can't Judge a Book by Its Cover." Settling and Trying Minor Impact Cases . Trial Guides, 2019. pp 13
	5:00 P	DINNER BREAK (ON YOUR OWN)		
10	7:00 P	Writing Demand Letters in Brain Injury Cases	Aaron DeShaw	<i>Demand letters for TBI and mTBI cases also vary from traditional demand letters. In this session, DeShaw helps you learn the best practices for drafting a TBI demand letter.</i> DeShaw, Aaron. Presentation. "Demand Letters for TBI." pp 47
	9:00 P	END OF DAY 2		

CLE ACCREDITATION

TOTAL MINUTES: 780 MINUTES (NO EVENING SESSION); 900 MINUTES WITH 2 HOUR EVENING SESSION

ACCREDITATION IS IN THE APPLICATION PROCESS. The program is planned for 780 minutes (60 minute states = 13 credits; 50 minute states = 15.6 credits). Actual credits vary by jurisdiction in accordance with their respective rules and procedures. Trial Guides applies for accreditation from the jurisdictions in which our attendees are licensed. If you register now for this event, and your state is not already listed, we will seek accreditation in your state.

APPROVALS:

TBD

ELIGIBLE FOR CREDIT UNDER RECIPROCITY OR OUT-OF-STATE RULES:

Alaska, Alberta, Arizona, Connecticut, California, Hawaii, Maine, New Hampshire, New Jersey, New York

APPLICATIONS IN PROCESS:

CO, FL, GA, NC, OH, OR, TN, TX, WA, VA,

NON-MCLE JURISDICTIONS:

Maryland, Massachusetts, Michigan, South Dakota and Washington, D.C

PRESENTERS

DR. ARTHUR C. CROFT, PH.D, D.C., M.SC., M.P.H., F.A.C.O.

- Director, Spine Research Institute of San Diego
- Grant Proposal Reviewer, National Institutes of Health
- Co-Author, **Whiplash Injuries: The Cervical Acceleration/Deceleration Syndrome**
- Board Certified, American Board of Chiropractic Orthopaedists
- Certified in Traffic Accident Reconstruction, Northwestern University's Traffic Institute
- Former Medical Officer and underwater search and recovery diver for San Diego Sheriff's office

Dr. Arthur Croft coauthored the first textbook on whiplash, *Whiplash Injuries: The Cervical Acceleration/Deceleration Syndrome*. He has written or contributed to sixteen textbooks, and he is the author or co-author of more than 350 professional papers on whiplash and other medical topics. He is a Doctor of Chiropractic, is board certified in orthopaedics (American Board of Chiropractic Orthopaedists), and is certified in traffic accident reconstruction (Northwestern University's Traffic Institute).

Dr. Croft is a grant proposal reviewer at the National Institutes of Health (NIH), and has worked on several research projects at the RAND Corporation. Dr. Croft serves in an editorial and/or manuscript reviewer capacity for the *Society of Automotive Engineers (SAE)*; *Journal of Forensic and Legal Medicine*; *Journal of Chiropractic Medicine*; *Journal of Whiplash Related Disorders*; *Journal of Manipulative and Physiological Therapeutics*; *Journal of Musculoskeletal Pain*; *Journal of the American Chiropractic Association*; and the journals *Spine*, *Accident Analysis & Prevention*, and *Archives of Physical Medicine & Rehabilitation*.

He received an Emmy nomination in 1991 from the National Academy of Television Arts and Sciences for his role in the production Whiplash.

He lectures extensively in the United States and abroad and teaches an award-winning four-module program on traumatic injuries caused by auto accidents.



WEBSITES

<http://www.srisd.com/speakers.htm>

LINKEDIN

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TRIAL GUIDES

<https://www.trialguides.com/blogs/authors/arthur-c-croft>

NOTABLE AWARDS/HONORS

- Chiropractor of the Century, 1895–1995, San Diego Society of the California Chiropractic Association
- Distinguished Service Award, Pennsylvania Chiropractic Society (1992)
- Educational Excellence Award, Florida Chiropractic Association (1992)
- Emmy Nomination, 1991 for *Whiplash*
- Third Place, Scientific Papers Award (1987)
- First place, Scientific Papers Award (1984)

DR. MICHAEL FREEMAN, M.D., PH.D, M.P.H, AND F.A.A.F. S.

- Forensic Epidemiologist, Forensic Research and Analysis
- Associate Professor of Forensic Medicine, Maastricht University Medical Center
- Co-Author, *From Good Hands to Boxing Gloves: How Allstate Changed Casualty Insurance in America* (Trial Guides, 2008)
- Presenter, *Defeating the MIST Defense* (video)
- Presenter, *Damages: Correctly Determining Life Expectancy* (video)
- Ph.D., Public Health/Epidemiology, Oregon State University
- Master of Public Health, Oregon State University
- Doctor of Chiropractic, University of Western States
- B.S., General Science, University of Oregon



Michael D. Freeman MD PhD MPH FAAS is a forensic epidemiologist and consultant in forensic medicine, working in civil, criminal, and academic venues. He has provided expert testimony more than 1,000 times in a wide variety of civil cases, including injury and death litigation, automotive and other product liability, toxic tort litigation, life expectancy, and medical negligence cases, as well as in homicide and other criminal matters.

Dr. Freeman has published around 200 scientific papers, books, and book chapters, primarily focusing on issues relating to forensic applications of epidemiology and general and specific causation. He has published research on the topics of traffic crash-related injury and death, injury biomechanics and injury causation, genocide, cancer epidemiology, chronic pain mechanisms, and adult autologous stem cell therapy, among others. Dr. Freeman is the co-editor and co-author of the authoritative text on forensic applications of epidemiology; *Forensic Epidemiology: Principles and Practice*, published in 2016.

His three-step approach to injury causation investigation has been adopted by U.S. courts as the generally accepted methodology, as described in the 2016 10th circuit US DCA Etherton decision.

Dr. Freeman holds academic appointments at Maastricht University Medical Center and Oregon Health & Science University School of Medicine. He serves as an Affiliate Medical Examiner with the Allegheny County Medical Examiner's office in Pittsburg, PA, and is a fellow of the American Academy of Forensic Sciences. Dr. Freeman is currently a Fulbright Fellow with the U.S. Department of State, in the area of forensic medicine.

Dr. Freeman holds a doctor of medicine degree from Umeå University in Sweden and a Ph.D. and master's degree in epidemiology from Oregon State University. He completed a two-year fellowship in forensic pathology through Umeå University and the Allegheny County Office of the Medical Examiner.

WEBSITES

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<https://www.trialguides.com/blogs/authors/michael-d-freeman>

DOROTHY CLAY SIMS

- Principal, Law Offices of Dorothy Clay Sims
- Author, *Exposing Deceptive Defense Doctors*
- J.D., University of Florida
- B.S., University of Florida

Admissions: Florida, United States District Courts for the Northern and Middle District of Florida



Dorothy consults with attorneys throughout the U.S., to provide methods of expert testimony cross-examination and also to conduct cross-examinations of expert witnesses.

Dorothy's practice includes numerous other projects and philanthropic work. She is frequently invited to in-house seminars for lawyers and law firms on researching and cross-examining. She has given over 350 speeches internationally on medical/legal issues throughout the world and is often invited as the state keynote speaker. She has spoken in almost every state in the United States including Hawaii and Alaska. She has also been a featured speaker in Paris, France; Jaipur, India; and twice in Kyoto, Japan.

She has authored chapters in books with individuals such as David Ball and Don Keenan as well as Dr. Michael Freeman. Dorothy donates a percentage of her book profits various organizations including the American Association for Justice and the International Federation for Human Rights. Her book, *Exposing Deceptive Defense Doctors* was a best seller for three years in a row and went into reprint status soon after publication, unheard of in the industry. She has also authored two children's books for parents who are injured. The books are available for free upon request. She has also authored articles in national publications to include the *Champion Magazine*, *Trial Magazine* (The American Association for Justice Journal) most recently on the cover of the December, 2015 issue, and *Brain Injury Professional*.

Dorothy initially represented miners in Kentucky who were denied black lung benefits. Going down into the bowels of a mine in Eastern Kentucky, she felt vibrations as the miners "shot coal" (exploded portions of the face to loosen the coal). Despite wearing a mask, her trip left her coughing and sneezing coal dust for days; leading to a newfound respect for the dreaded pneumoconiosis suffered by miners who had spent decades in the mines.

After representing coal miners, Dorothy began representing workers who were injured and denied medical care. She co-founded the Florida Workers' Advocates—the state's first watchdog over the insurance industry devoted to serving injured—and eventually served as president.

For over a decade, Sims volunteered time to lobby on behalf of the injured and was the first woman to be elected Chair of the Florida Bar Worker's Compensation Section in its twenty-two-year history. She also served as President of the Marion County Bar Association.

WEBSITES

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KEITH MITNIK

- Senior Trial Counsel, Morgan and Morgan
- Author, *Don't Eat the Bruises: Foil Their Plans to Spoil Your Case*
- Author and Presenter, *The Power of Analogy* video
- Author and Presenter, *Winning at the Beginning: The Untapped Power of Voir Dire, Opening and Beyond* video
- J.D., Florida State University Law School, *with honors*
- B.S., Allied Legal Services, University of Central Florida, *magna cum laude*

Admissions: Florida, Tennessee, Middle District and Northern District for the United States District Courts of Florida, Federal Court of Claim – D.C., and 11th Circuit Court of Appeals.

Keith R. Mitnik was born in Eustis, Florida in 1959. He graduated from Eustis High School in 1977. He graduated from UCF Magna Cum Laude in 1981 with a degree in Allied Legal Services. He graduated from FSU Law School with honors 1984. Upon graduation he was selected to train under one of the premier Trial Attorneys in Central Florida. Within two years he was named a partner by his mentor. He remained in the firm of Robertson, Williams, Mitnik and McDonald until 1992, when he formed The Law Firm of Peed and Mitnik. In 1997 he joined the Law Firm of Morgan & Morgan and is now one of the owners.

Keith Mitnik is Senior Trial Lawyer for Morgan & Morgan. He is designated to assist other members of the firm on their trials; as a result, he tries a large number of cases a year.

He has handled many high-profile cases and has been interviewed by Mike Wallace on *60 Minutes*. Over the years, his list of clients included judges, elected officials, law firms, and world-famous musicians. He has handled such high profile cases as the suit against Brittany Spears by her former manager, the suit by the Backstreet Boys against their former manager, the suit by Harlem Globetrotters legends including Curly Neal and Meadowlark Lemon against The Harlem Globetrotters, the civil suit against Casey Anthony, and the "Tailwind" case against CNN and Time Magazine (one of the leading defamation cases of the last decade). He has been honored as a member of the Florida Legal Elite, Florida's "Super Lawyers", Best Lawyers in America (2013 Lawyers of the Year), and Martindale's Bar Registry of Preeminent Lawyers.

Mr. Mitnik has obtained a long list of verdicts in excess of a \$1 million. In the last few years, he has jury verdicts of \$1 million, \$1.35 million, \$2.4 million, \$2.7 million, \$5.1 million, \$18.1 million, \$27 million, \$40 million, and a \$90 million (which was the seventh largest verdict in America for 2010).

He is a frequent seminar presenter for plaintiff's lawyers in Florida and across the country sharing his cutting-edge lawsuit strategies.



WEBSITES

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<https://www.trialguides.com/product/dont-eat-the-bruises/>



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 go percent of DeShaw'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

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TRIAL GUIDES

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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. (Contributor to a 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)