

AGENDA

THURSDAY, JUNE 27 – OPTIONAL SESSION

					EDUCATIONAL MATERIALS
1	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 1			

FRIDAY, JUNE 28

					EDUCATIONAL MATERIALS
	7:00 A	BREAKFAST BUFFET			
	8:00 A	Welcome & Introductions	Lisa Carper	<i>Preliminary introductions of our speakers, instructions for questions</i>	
2	8:15 A	Where Science Meets Settlement: Understanding Claims Evaluation Software	Aaron DeShaw	<i>70% of insurance companies use some type of bodily injury software to assess your client's injuries. DeShaw and Sinclair will review and compare the major bodily injury software products</i>	DeShaw, Aaron and Charlette Sinclair. "Where Science meets Settlement: Understanding Software Claims Evaluation." Pp 371
	10:00 A	COFFEE BREAK			
3	10:15 A	A New Method of Formatting Demands Using Colossus	Aaron DeShaw	<i>Specific information and factors are required in order to trigger claims evaluation software. DeShaw will discuss best practices for you and your staff to prepare a file for an effective demand package, starting with intake, including gathering records and preparing treatment summaries.</i>	IBID
	12:00 P	LUNCH (ON YOUR OWN)			
4	1:30 P	Demand Letter Formatting for Other Claims Software	Aaron DeShaw	<i>Tailoring your demand letter to the specific product used by the insurer is key to drafting an effective demand letter. DeShaw will discuss what you need to know about each of the top five value drivers in claims evaluation software, including Injuries/Diagnoses, Permanent Impairment, Duties Under Duress, Loss of Enjoyment of Life, and Prognosis.</i>	IBID
	3:00 P	SNACK BREAK			

5	3:30 P	Covering Other Injuries	Aaron DeShaw	<i>Of key importance is documenting every injury that your client suffers. In this section, Dr. DeShaw will discuss how best to incorporate a variety of commonly missed injuries.</i>	IBID
	4:00	An Insider's Look	Mark Romano	<i>Former insurance executive will explore how insurance companies continue to make use of these automated claims software and their future plans.</i>	IBID
6	5:00 P	END OF DAY 2			

SATURDAY, JUNE 29

	7:00 A	BREAKFAST BUFFET			EDUCATIONAL MATERIALS
7	8:00 A	Best Practices for Gathering and Organizing Information	Matt Powell	<i>Matt Powell offers practical advice to implement procedures, processes and strategies to best prepare you and your office to gather the information needed to present a demand package that maximizes settlement offers for your clients.</i>	<p>Leslie, Roger. "Clearing the Path to Patient's Medical Records." Trial Magazine (May 2016) pp 28-34</p> <p>Powell, Matt. <i>Intake Form Example</i> (2017). 7 pp</p> <p>Powell, Matt. "Best Practices for Gathering and Organizing Information." 7 pp</p> <p>U.S. Dep't of Health and Human Services, Office of Civil Rights. "Health Information Privacy Complaint" and instructions. 14 pp.</p> <p>U.S. Dep't of Health and Human Services, Office of Civil Rights, "Individuals Rights Under HIPAA to Access their Health Information." www.hhs.gov/hipaa/for-professionals/privacy/guidance/access/index.html (last accessed August 14, 2017) 35 pp.</p>
8	9:00 A	Premises Liability Cases Demand Letters	Michael Neff	<i>Michael Neff describes the differences in case selection for premises liability cases as well as the information that is most important to include in your case file and demand letter.</i>	Neff, Michael. Premises Liability: A Guides to Success excerpt chapters 4 and 5. Trial Guides. (Portland, Oregon) 2018. Pp 42
	10:15 A	COFFEE BREAK			

9	10:30 A	Writing Demand Letters in Trucking Cases	Morgan Adams	<i>With each specific practice area comes unique criteria and considerations. In this session, Morgan Adams reviews the best practices for demand letters in trucking cases.</i>	<i>Adams, Morgan. Examples of Demand Letters in Truck Accidents: time limited demand, mediation demand and spoliation of evidence demand. (2017). 55 pp</i>
	12:00 P	LUNCH (ON YOUR OWN)			
10	1:30 P	Thinking, Communicating, and Persuading Visually	Tyler Komarnycky	<i>Your demand letters should not be limited to words alone. As the saying goes, a picture is worth a thousand words. Using medical illustrations, graphics, timelines, videos and animations will more effectively impart the impact of the incident in question on your client's life.</i>	Komarnycky, Tyler. "Thinking, Communicating, and Persuading Visually" Presentation. Pp 52 Sinclair, Charlette. "Sample Demand Letter with Images." 5 pp.
	3:00 P	SNACK BREAK			
11	3:30 P	Medical Malpractice Demand Letters	Peter Gulden	<i>Medical Malpractice demand letters require a slightly different perspective. In this session, Mr. Gulden will share his strategies for effective demand letters.</i>	<i>Example Demand Letter Excerpts (14 letters)</i>
	5:00 P	END OF DAY 3			

TOTAL MINUTES: 900 MINUTES WITH 2 HOUR EVENING SESSION

PRESENTERS



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)



MATT POWELL

- Principal, MattLaw
- Board Certified Civil Trial Lawyer, Florida (since 2007)
- Board Certified Civil Trial Lawyer, National Board of Trial Advocacy (2010)
- Author, *Motorcycle Riders Guide*
- J.D., Florida State University College of Law
- B.S., Criminal Justice, University of Central Florida
- A.A, University of Florida

Admissions: Florida, Missouri, US District Court for the Middle District of Florida, United States Court of Appeals for 11th Circuit, and the Supreme Court of the United States

Matt first practiced law with a prominent insurance defense firm in Tallahassee, Florida. The firm represented over 20 insurance companies and defended negligent drivers and doctors. During that time, he learned the methods, techniques and strategies that insurance companies use to reduce the amount of money they pay to people and families who have been injured or killed in accidents or by neglect.

After learning these methods and techniques, he decided to stop representing insurance companies. He left the insurance defense law firm and opened his own law firm to represent individuals. Matt has practiced in the historic landmark building known as the Hutchinson Mansion on Plant Avenue in Tampa since 1989.

Matt primarily represents people with catastrophic injuries and wrongful death cases, but he also continues to be involved in smaller litigation cases as co-counsel with young lawyers. He is regularly in trial representing people injured in auto, truck, medical malpractice, defective products, birth injury, negligent security and other types of cases. He is known for using innovative methods for demonstrating injuries, including in “minor impact” cases.

WEBSITES

<http://mattlaw.com/attorneys/matt-powell/>

LINKEDIN

<https://www.linkedin.com/in/mattlawtampa/>

ACHIEVEMENTS

- AV rated by Martindale-Hubbell
- Florida Super Lawyers

NOTABLE PUBLISHED WORKS

- *Motorcycle Riders Guide*



MORGAN ADAMS

- Principal, Law Offices of Morgan Adams and Seattle Truck Law, PLLC
- Board Certified in Trial Advocacy (Tennessee, Georgia, and Washington)
- Lieutenant Colonel, United States Marine Corps (Retired)
- J.D., Georgia State University College of Law
- B.S., Bowdoin College

Admissions: Georgia, Tennessee and Washington

Morgan Adams earned his reputation as “The Truck Accident Lawyer” by successfully taking on the nation’s biggest trucking, bus, and insurance companies. The firm’s expertise in truck accident litigation is well known and the firm is frequently hired by other lawyers to maximize results for clients in these tragic cases. He has represented clients in these tragic wrecks in 34 states. Over the years Adams’ truck accident firm has grown to include a west coast office in Seattle, WA and east coast office in Chattanooga, TN. The firm typically represents clients in cases involving spinal injuries, brain injuries, amputations and wrongful death.

Morgan Adams is a past chair of the American Association for Justice’s Trucking Litigation Group (TLG) and the first and only recipient of the TLG Lifetime Achievement Award. He has repeatedly been selected as a Mid-South and Top 100 Super Lawyer; is a member of the Belli Society, Taos Group, Multi-Million Dollar Advocates Forum; and is AV rated by Martindale-Hubbell.

WEBSITES

<https://www.truckwreckjustice.com/about-morgan-adams/>

LINKEDIN

<https://www.linkedin.com/in/morgan-adams-82983750/>

ACHIEVEMENTS

- AV rated by Martindale-Hubbell
- Member, Multi-Million Dollar Advocates Forum
- Mid-South Super Lawyers, Top 100 Tennessee multiple years
- Lifetime Achievement Award, American Association for Justice Truck Litigation Group
- Largest Verdict Against an Individual DUI Defendant (Tennessee) \$9.25 Million, Volz v. Davis (2012)

NOTABLE PUBLISHED WORKS

- Author, Chapter: “Negligence Per Se” in Truck Accident Litigation in **Truck Accident Litigation**, 3rd Edition (ABA)



PETER GULDEN

- Partner, Faiella & Gulden, P.A.
- J.D., Vanderbilt University Law School
- M.A., Duke University, Theological Studies
- B.A., Washington and Jefferson College, History

Admissions: Florida, District of Columbia, United States District Court for the Middle District of Florida

Peter J. "Tres" Gulden, III, (B.A., Washington & Jefferson College, M.T.S., Duke University, J.D., Vanderbilt Law School) is a partner at Faiella & Gulden, P.A., where he specializes almost exclusively in medical malpractice, with particular focus on the misdiagnosis of cancer (breast, prostate, colon, lung, cervical, skin, and uterine), cardiac cases, cardiothoracic and vascular surgery cases, emergency room negligence, infectious disease failure to diagnose cases, neurological injuries, birth injuries, medication errors, surgical errors, and hospital and surgery center administrative negligence. He holds an AV Preeminent rating from Martindale-Hubbell, and is a member of the Million Dollar Advocates Forum, Multi-million Dollar Advocates Forum, The National Trial Lawyers, Top 100 Civil Plaintiff Attorneys and Top 25 Medical Malpractice Attorneys (Florida) as well as the American Society of Law, Medicine and Ethics, and the American Society of Bioethics and Humanities. He is the co-author of *Battling Ageism in Cancer Negligence Cases*, published in the May, 2007, issue of *Trial Magazine*. He practices in Winter Park, FL, with his mother, Elizabeth H. Faiella, and wife, Rebecca E. Gulden.

WEBSITES

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ACHIEVEMENTS

- AV rated by Martindale-Hubbell
- Multiple Million-dollar verdicts



MICHAEL NEFF

- Principal, Law Offices of Michael Neff
- Author, **Premises Liability: A Guide to Success**, Trial Guides, 2018, pp 342
- J.D., Dickinson Law
- B.S., The George Washington University, Finance

Admissions: Georgia

Michael Lawson Neff has been practicing law since 1994. He leads his own law firm, Neff Law, with four attorneys, handling catastrophic personal injury and wrongful death cases. He and his team specialize in premises liability, trucking, and products liability cases.

Mike has been lead counsel in jury trials which total verdicts of over \$100 million, including jury verdicts of \$47M, \$35M, \$9M, and \$7M. Recently, Trial Guides published his first book, "Premises Liability: A Guide to Success."

Mike is on the Executive Board of the Georgia Trial Lawyers where he is currently Co-Chair of GTLA's education section. He is also on the Executive Board of AAJ's Traumatic Brain Injury Litigation Group and is the Secretary of the Inadequate Security Litigation Group. He is the past chair of AAJ's Complex Regional Pain Syndrome Litigation Group.

Mike has spoken across the country and internationally on premises liability and trial tactics including Florida, Ohio, Oregon, California, Massachusetts, Nevada, Colorado, Washington D.C., Maryland, Illinois, and Montreal.

WEBSITES

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

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TRIAL GUIDES

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

ACHIEVEMENTS

- Selected to Super Lawyers: 2013 - 2018
- The National Trial Lawyers, Top 100 Trial Lawyers – Georgia Member



TYLER KOMARNYCKY

Visual Litigation Strategist, High Impact

<https://highimpact.com/>

<https://www.linkedin.com/in/tyler-komarnycky-29726726/>

With over seven years of experience as a Visual Litigation Strategist for High Impact, the industry leader in providing innovative visual solutions and litigation support to attorneys worldwide, Tyler has personally consulted on 200-350 cases per year ranging in value from five to eight figures. He's provided top-notch service developing case themes and visual strategies that have helped secure millions of dollars for his customers and their injured client's. It's safe to say Tyler has seen (and strategized) every case type from auto injury, medical malpractice and products liability, to intellectual property and securities fraud; if there is a story to be told, Tyler will help realize the vision.

With that said, Tyler knows that no two cases are exactly the same and what proved successful in one may not be the right recipe for the next. With each day it is exactly this attitude Tyler employs on each and every case, building on past experiences and results while not losing sight of the details that make each case unique in its own right. It's no surprise his regular client's enjoy picking his brain and collaborating with him on every case, not just the ones they need exhibits for.

High Impact is a visual media firm operating in Centennial, CO for over twenty years. Its extensive portfolio of offerings (media types) has proven successful in every stage of litigation (and pre-lit) in all shapes and sizes of cases across the country.

Employing visuals as communication tools makes your arguments stronger and increases the value of your cases – this has been proven at every stage of litigation, with any case-type or venue, no matter what you might think your case is worth.

Tyler can be reached at 800-749-2184 or via email at tk@highimpact.com



MARK ROMANO

- Principal, Romano Claims Consulting
- B.S., Florida State University, Risk Management and Insurance

<https://romanoclaimsconsulting.com/>

Mark Romano is an expert in claims' injury evaluation software systems. He served as the top expert in the home office of Allstate and was responsible for the management, oversight and results of the Colossus evaluation software. He has been involved with the implementation of new claims handling systems, hiring, training and managing adjusters for key roles in claims handling, authored claims best practice manuals, managed litigation staff adjusters and attorneys, and set countrywide claim evaluation standards. Mark has extensive experience in insurance claims working for over 28 years with various companies, including Allstate, CNA, Hanover, and American States.

For the past 10 years, Mark has consulted and testified for plaintiff attorneys around the country on insurance bad faith cases. He was also appointed a Director with the Consumer Federation of America in Washington, D.C. Mark has been featured in USA Today, The New York Times, Money Magazine, Consumer Reports and other publications. Mark received a Bachelor of Science degree in Risk Management and Insurance from Florida State University.