

THE WESTIN VERASA, NAPA, CA

September 19-21, 2010

# The Plaintiff Practice goes **Green**

MAXIMIZING THE VALUE  
OF YOUR CASES AND  
YOUR PRACTICE

360  
ADVOCACY INSTITUTE

# The Plaintiff Practice goes **Green**

**MAXIMIZING THE VALUE  
OF YOUR CASES AND  
YOUR PRACTICE**

Tough economic times do not equate to reduced financial needs for injured clients, less pain and suffering, or lower case expenses to earn those settlements and awards. Yet, jurors, insurance companies, and defendants believe that the deserving injured parties must also take a financial hit. Therefore, it is critical to build your cases to maximize their value while simultaneously making your practice more efficient.

Michael and Peter Burg of Burg Simpson have assembled a faculty of successful trial lawyers and experts for **The Plaintiff Practice Goes Green: Maximizing the Value of Your Cases and Your Practice** to share their creative ideas, winning techniques and successes that have kept their practices successful even in challenging economic periods. You will learn:

- Creative, convincing methods to prove both physical and mental pain and suffering to increase the client's award.
- How to use experts to convince the insurance company, mediator and/or jurors of the need for the full damage estimate.
- The best way to present the plaintiff as a witness with the right message and the ability to communicate that message.
- What you need to introduce and prove to argue maximum value for brain injuries and chronic pain.
- How to maximize the award for non-economic damages.
- How negotiating medical, Medicare, Medicaid and ERISA liens will provide more money for the client.
- Everything you need to know to win over today's conservative, biased juries.
- Ways to build your cases to ensure maximum recovery.
- Methods for creating a successful, efficient practice and how to fund it.

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\* We take our pledge of excellence seriously. If the Summit does not live up to your expectations, we will refund your registration fee. Because the faculty will use real cases from their own files and share information only available at the Summit, you will be agreeing to the confidentiality of the program when you have been accepted into the program. The Summit is open to plaintiff personal injury attorneys only and anyone who represents personal injury defendants and/or insurance companies is ineligible to attend.

The confidential nature of this program does not allow for audio or video recording, and the written materials are only available to attendees.





# Faculty

**Michael S. Burg**, founder of Burg, Simpson, Eldredge, Hersh, Jardin, Denver, CO, focuses his practice on large, complex litigation, commercial cases, professional malpractice, catastrophic injuries, and mass tort litigation. Mr. Burg has tried more than 150 jury trials and his clients have received successful settlements in excess of \$50 million. He earned the rank of Advocate of the American Board of Trial Advocates and was awarded the title of Life Fellow by the American Board of Trial Advocates.

**Peter W. Burg**, Burg, Simpson, Eldredge, Hersh, Jardin, Denver, CO, has developed a national reputation handling cases involving product liability, personal injury, and mass tort litigation. Mr. Burg has been selected for both 2009 and 2010 as one of the Best Lawyers in America for Mass Tort Litigation. He was appointed as Co-chair of the Plaintiffs' Steering Committee and the Executive Committee for the Gadolinium-Based Contrast Agents Product Liability Multi-District Litigation.

**Quentin Brogdon**, The Law Offices of Frank L. Branson, Dallas, TX, after almost a decade of representing corporations, went into plaintiff's law, joining the firm in 2002, because he wanted to represent the individual. Mr. Brogdon is board certified in Personal Injury Trial Law by the Texas Board of Legal Specialization and Civil Trial Advocacy by the National Board of Trial Advocates. He was selected as Lawdragon's 500 Leading Plaintiffs' Lawyers in America.

**Thomas M. Dempsey**, Law Offices of Thomas M. Dempsey, Beverly Hills, CA, is nationally recognized, as having tried more than 100 cases, obtaining numerous million-dollar verdicts and settlements. His practice emphasizes traumatic brain injuries. He regularly accepts referrals of cases for trial at the eleventh hour. Mr. Dempsey is past President of the Trial Lawyers for Public Justice. He is on the Board of Governors and the Traumatic Brain Injury Litigation Group of the American Association for Justice. He was Vice President of Consumer Attorneys of California and received its Outstanding Chapter President Award. He is a member of the American Board of Trial Advocates and a former professor at Southwestern Law School.

**Mark A. DiCello**, The DiCello Firm, Mentor, OH, is serving as co-counsel in the VIOXX products liability litigation and successfully led a team of nationally recognized trial lawyers in one of the nation's largest trucking cases. Prior to joining The DiCello Firm, Mr. DiCello was an Assistant Prosecutor in the Felony Division for the Office of the Lake County Prosecutor. He serves as a Governing Trustee of The Ohio Association for Justice and a Member of the

## Sunday, September 19

1:00 p.m. – 5:30 p.m.

Using Experts to Argue for the Large Damage Awards: Let the Experts Show Need and Necessity

*Mark DiCello, Mentor, OH*

10 Critical Steps to Structure a Case to Ensure Maximum Recovery

*Holly Baer Kammerer, Denver, CO*

Building a Financially Successful Practice: The Good and the Bad

*Michael Burg, Denver, CO*

Expanding Your Practice: What Resources are Available to Develop the Best Case Possible or Expand Your Caseload

*Joe DiNardo, Williamsville, NY*

## Monday, September 20

8:00 a.m. – 3:30 p.m.

*Breakfast & Lunch Included*

Enhance the Client as a Witness: Developing the Right Message and Communication Skills of the Client

*Katherine James, Culver City, CA*

Board of Trustees for the Mental Health Services for Homeless Persons (MHS) of Cuyahoga County, Ohio. He has assisted that agency in creating the most comprehensive, single-agency continuum of care and services for homeless and disabled individuals in Ohio with stable funding.

**Joseph DiNardo**, founded Counsel Financial Services and Plaintiff Support Services in Amherst, New York in 1998. Counsel Financial provides attorneys with flexible revolving credit using the value of contingent lawsuits as collateral, loaning more than \$290 million in the past 4 years. Dr. DiNardo recognized the need for this type of financing during his more than 26 years as a personal injury attorney. During his career he was a pioneer in asbestosis litigation along with Weitz & Luxenberg in NY. He still represents more than 3500 asbestosis plaintiffs. He was involved in the breast implant litigation with more than 800 clients as well as other mass torts. In the 80's he developed a Traumatic Brain Injury specialty and tried many cases to successful verdict.

**Robert T. Eglet** is the senior partner with Mainor Eglet, Las Vegas, NV. Trying more than 80 civil jury trials, Mr. Eglet focuses his practice on wrongful death and serious complex injury cases. In the past five years alone, Mr. Eglet has obtained verdicts and settlements totaling more than \$85,000,000, with the last 11 verdicts in excess of \$1,000,000. In 2004, Mr. Eglet was the recipient of the "Badger Award," the Nevada Trial Lawyers Association's most honored award.

**Tracy A. Eglet** is the managing partner at Mainor Eglet, Las Vegas, NV. She is the Chairman of NTLA's Speaker's Bureau, Colleague of the Nevada Law Foundation, member of the Nevada Supreme Court Committee on Lawyer Advertising, and is a recipient of The Pillar of Justice. Ms. Eglet is a member of The Million Dollar Advocates Forum, The Nevada District Court Civil Bench/Bar Committee, and The American Trial Lawyers Association.

**Matthew L. Garretson** is the founding partner of The Garretson Firm Resolution Group, Cincinnati, OH. The firm handles medicare/medicaid reimbursement claims, government benefit strategies, and probate administration for individual and mass tort plaintiffs. He received his BA from Yale University and his law degree at Kentucky's Salmon P. Chase College of Law. Mr. Garretson has spoken at more than 100 seminars; authored *Negotiating and Settling Tort Cases*, published by West Publishing; and serves as an adjunct professor at Salmon P. Chase College of Law.

**Katherine James**, Act of Communication, Consultants in the Art of Advocacy, Culver City, CA, has taken her extensive film, television and theatre experience along with her study of learning and education theory to create a premier trial consulting firm that specializes in live communication. Ms. James has taught the skills of verbal and non-verbal communication to more than 30,000 trial lawyers and witnesses, assisting them in winning more cases, creating better settlements and communicating their case themes, ideas and positions to jurors, judges

# Program September

Proving the Physical and Mental Pain and Suffering to Receive Maximum Value for the Client

*Quentin Brogdon, Dallas, TX*

Proven Keys to Big Verdicts: Winning Opening and Closing Statements

*Peter Burg, Denver, CO*

The Ethical Method of Helping the Client Receive More of the Award by Reducing the Medical, Medicare, Medicaid and ERISA Liens

*Matt Garretson, Cincinnati, OH*

**Tuesday, September 21**

**8:00 a.m. – 2:00 p.m.**

*Breakfast & Lunch Included*

Arguing the Brain Injury and Chronic Pain Cases

*Thomas Dempsey, Beverly Hills, CA and  
James Vitioe, Westlake Village, CA*

Juries: Determining Bias during Voir Dire and Winning with the Jury Finally Selected

*Robert Eglet and Tracy Eglet,  
Las Vegas, NV*

Turning Non-Economic Damages into Money with a Conservative Jury

*Robert Johnson, Los Altos, CA*



and clients. Her work has allowed the lawyers and clients to better communicate their story in a manner that will resonate with the jury.

**Robert W. Johnson**, Robert W. Johnson & Associates, Forensic Economists, Los Altos, CA, has more than 20 years of experience as a court-qualified economic expert, and more than 30 years of experience in financial and economic analysis. Mr. Johnson has qualified as an economic expert, at the state and federal level, in more than 30 states. He has a MBA from Stanford University and a Bachelor's in Economics from Baruch College.

**Holly Baer Kammerer**, Burg, Simpson, Eldredge, Hersh, Jardin, Denver, CO, focuses her practice on personal injury and commercial litigation, managing the firm's multi-state single event personal injury department. Ms. Kammerer has successfully tried numerous cases to a jury in personal injury matters and business disputes, including multiple million dollar jury verdicts and settlements. She was listed as a 2010 Super Lawyer and recognized as a Woman of Accomplishment by Colorado Law Week, 2009.

**James W. Vititoe**, Masry & Vititoe, Westlake Village, CA has received the U.S. Congressional Award for Trial Lawyer of the Year in 1990, 1991 and 1992;

Consumer Attorneys of California's Trench Soldier of the Year in 1996, Presidential Recognition for Exceptional Contribution in 1996, Outstanding Consumer Advocate in 1997, and the President's Award of Merit in 2000. Trial Lawyers for Public Justice (TLPJ) awarded Mr. Vititoe the President's Award in July 2001 in recognition of his extraordinary work and success in building membership support. He serves on the Board of Governors for the Consumer Attorney Association of Los Angeles, the American Trial Lawyers Association, Trial Lawyers for Public Justice, and Consumers Attorneys of California.

**CLE** – A uniform application for accreditation for continuing legal education credit including ethics (approximately 16 general credits including 15.5 ethics credits for 60 minute states and approximately 18.6 general credits including 18.6 ethics credits for 50 minute states) has been submitted to all mandatory CLE states. Number of credits awarded will vary based on state regulations. Please bring your license and/or bar information with you to the program.

# ber 19-21, 2010

## SPECIAL EVENT

### SUNDAY NIGHT WINE TASTING DINNER

Monty and Sara Preiser, principal wine writers for Sallys-Place.com, one of the largest online travel sites with 5.5 million readers, will be hosting a wine tasting dinner for conference attendees and friends at the La Toque restaurant, named one of the "Best Restaurants in America" by The Wine Spectator and recipient of a prestigious Michelin Star with its award winning chef Ken Frank. The dinner, Sunday evening from 7 to 10:30 p.m., will feature a four course dinner featuring fine French service and wine pairings with the three savory courses. Dinner is \$150 per person and you and anyone traveling with you is invited to attend. Register for the dinner when you register for the conference.

**PARTNERS**

**THE WESTIN VERASA, NAPA CALIFORNIA** – Revel in the joy of renewal at The Westin Verasa and wake up refreshed, rejuvenated and ready to discover California's wine country. Located in the heart of downtown Napa, experience the cultural revolution of Napa's transformation back into the dynamic center of the valley and take in the nearby attractions like The Napa Valley Opera House, The Napa Valley Wine Train and the Oxbow Public Market.



**CONFERENCE ROOM RATES** — 360 Advocacy Institute has secured a limited block of rooms on a first-come, first-serve basis at the group rate of \$199 (Sunday - Tuesday) \$269 (Saturday) single/double room per night. Our room block will be held until September 1 or until the room block is sold out. After the room block is filled, rooms will be on a space and rate available basis only. For reservations call 707.257.1800 and ask for the 360 Advocacy Room Block to receive the group rate.



**CONTACT**

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Fed ID # 20-4042771

I and my firm represent only plaintiffs in personal injury litigation and do not represent any insurance companies in any type of litigation. \_\_\_\_\_ (Initials Required)  
 \$ 1395 per person  
 \$ 1245 per person early registration if registering prior to August 18, 2010  
 \$ 1195 per person for the second+ person from the same firm.

Also, \_\_\_\_\_ individuals will be attending the Wine Tasting Dinner on Sunday, September 19 at \$150 per person.

Name \_\_\_\_\_  
Firm \_\_\_\_\_  
Business Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Email Address: \_\_\_\_\_

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