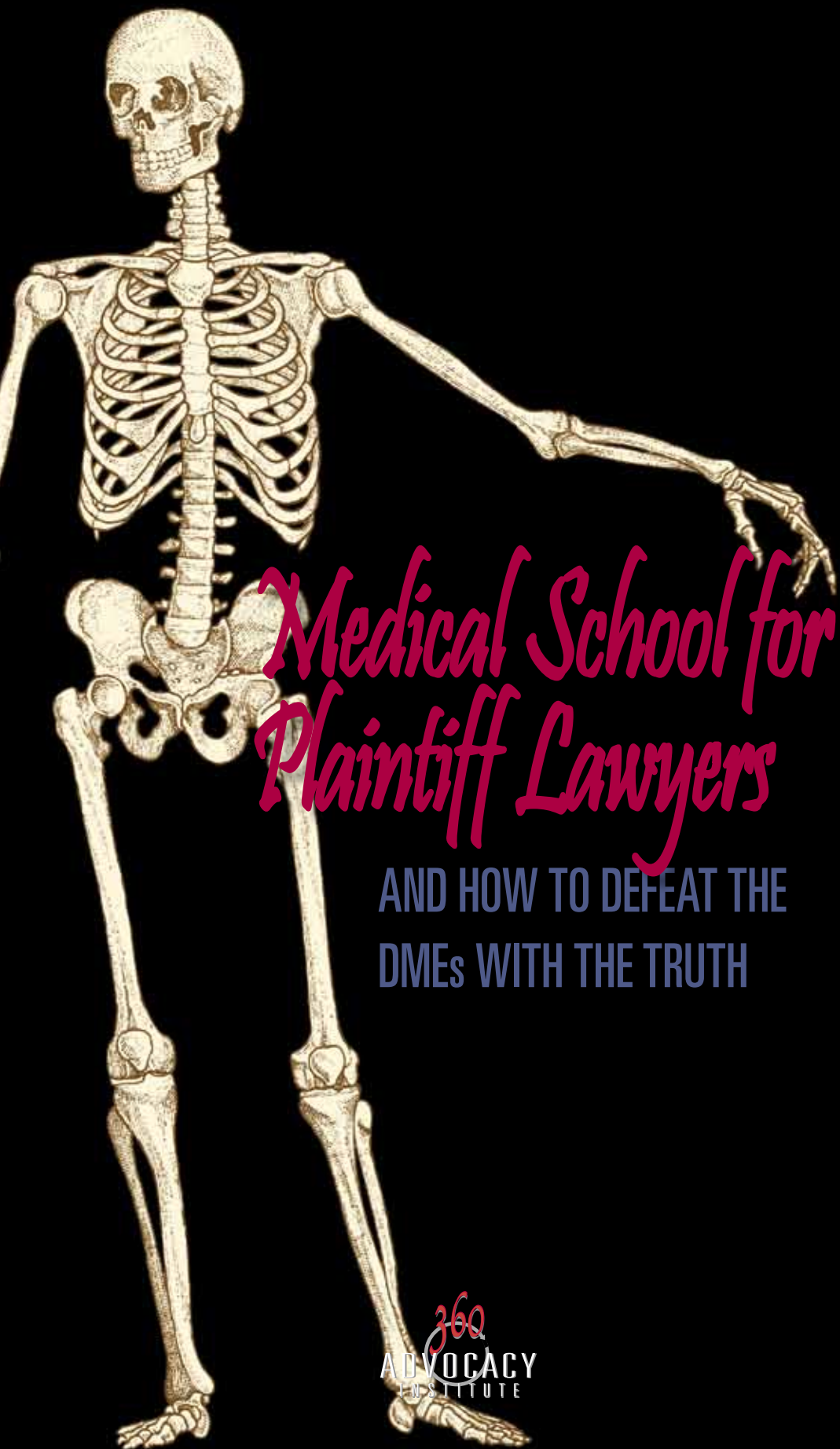


OCTOBER 23-25, 2011 • ENCORE LAS VEGAS



# Medical School for Plaintiff Lawyers

AND HOW TO DEFEAT THE  
DMEs WITH THE TRUTH

360  
ADVOCACY  
INSTITUTE

# *Medical School for Plaintiff Lawyers and How to Defeat the DMEs with the Truth*

As Plaintiff Counsel you may not be able to diagnose cancer or perform surgery, but it is critical you walk the walk and talk the talk of doctors in a broad variety of specialties. **Medical School for Plaintiff Lawyers: and How to Defeat the DMEs with the Truth** presents three days of in-depth medical education in the areas most common to personal injury cases plus insights into how the Defense Medical Examiners view and present the same evidence to support their claims of reduced injuries that will prepare you to successfully challenge them at deposition or trial.

The faculty of top trial lawyers, doctors and experts will show you:

- **How to analyze soft tissue injuries, select the right experts for the case and understand the various ways the DMEs erroneously diagnose these injuries.**
- **All aspects of brain injuries from the mild injury to the catastrophic one, including proving the injuries, analyzing the emotional impact and determining the damages.**
- **The correct way to understand the radiological tests and expose the slanted view of the DME.**
- **What chronic pain looks like and the medical and legal issues that must be addressed.**
- **How to best dissect the DME's report and find the flaws.**
- **Ways that epidemiology can help you prove your case.**
- **What it takes to successfully cross examine the DMEs.**

\* We take our pledge of excellence seriously. If the Conference 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 Conference, you will be agreeing to the confidentiality of the program when you have been accepted into the program. The Conference 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.



# Medical School for Plaintiff Lawyers and How to Defeat the DMEs with the Truth

## Sunday, October 23

1 p.m. to 6:15 p.m.

### Lunch during Registration

How to Critically Analyze the “Simple” Case and Develop Creative Ways to Maximize Recovery

*Nick DiCello*

The Challenges in Representing Infants and Toddlers: They Are More than Small Adults

*Lori Siler Restaino*

Soft Tissue Injuries: The Challenges, the Right Experts, the Misdiagnosis and the Mistreatment

*Jason Matzus*

Diagnosing Chronic Pain: The Medical and Legal Issues Facing Both Doctors and Lawyers Alike

*Richard P. Bonfiglio, M.D.*

## Monday, October 24

8:00 a.m. to 4:15 p.m.

### Breakfast and Lunch Included

Critical Insight into the Mild Brain Injury - the Emotional Impact on the Client and Proving the Injuries with the Tests

*Jeffrey Brown, M.D., J.D., M.P.H.*

Organizational Responsibility: How to Find Out What Happened and Why it Happened

*Arthur Shorr, FACHE, Mark DiCello*

Epidemiology's Impact on the Medical Issues

*John Restaino, M.D., J.D., M.P.H.*

The Catastrophic Brain Injury: Making Sense of the Medicine and the Economic Damages

*Ken Kolpan*

Understanding What the Radiological Tests are Really Saying vs. How the DMEs Read the Tests

*Mark Herbst, M.D., Ph.D.*

## Tuesday, October 25

8:00 a.m. to 3:00 p.m.

### Breakfast and Lunch Included

How to Best Present the Complex Medical Issues to a Jury

*Eric Terry*

The Top 10 Hospital Acquired Injuries and the “Never” Events

*Christine Osborn, R.N.*

How to Find the Jewels in the Pile of Medical Records

*Elliot Stone*

The Surgical Dissection of the Defense Expert's Report

*John Restaino, D.P.M., J.D., M.P.H.*

Cross Examining the Defense's Experts: Getting to the Truth

*Timothy Becker*

## Conference Faculty



**John M. Restaino, Jr., D.P.M., J.D., M.P.H.** (Epi), The Restaino Law Firm, Denver, CO, is an attorney-at-law, podiatric surgeon and epidemiologist by training. Dr. Restaino practiced reconstructive surgery of the foot and ankle in California and earned a Masters Degree in Public Health from the Department of Epidemiology at the Johns Hopkins Bloomberg School of Public Health, the number one ranked School of Public Health in the country. before earning his law degree in 1986. His first 6 years of legal practice was spent in Orange County, CA. as a partner in the firm of Lopez, Hodes, Restaino, Milman & Skikos, before relocating to Colorado.



**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.

**Timothy J. Becker**, Johnson Becker, Minneapolis, MN, practices in the area of dangerous and defective drugs or medical devices. In May 2010, Mr. Becker and his team tried a complex product's liability claim in the Northern District of Ohio for over a month on behalf of a welder who suffered permanent brain damage as a result of his use of welding products. Not limited to his court room trial experience, Mr. Becker successfully led the science team in MDL 2096: In re: Zicam Cold Remedy Marketing Sales Practice Litigation, (D. Az. 2011) fending off a vigorous Daubert challenge.

**Richard P. Bonfiglio, M.D.**, Murrysville, PA, has written and spoken often on the subject of pain. He has a clinical practice in Pennsylvania in addition to serving as an expert in numerous personal injury cases, including a Blair County, Pennsylvania case that resulted in the largest verdict for that county. Dr. Bonfiglio is board certified in Physical and Rehabilitation Medicine and a clinical assistant professor in the Department of Physical Medicine and Rehabilitation at Temple University in Philadelphia. He earned his medical degree from the University of Michigan Medical School.

**Jeffrey Brown, M.D., J.D., M.P.H.**, New York, NY and Aventura, FL, is an internationally recognized clinical and legal expert in traumatic brain injury, posttraumatic stress disorder, and somatization. He is a Clinical Associate Professor at the University of Medicine and Dentistry of New Jersey. He has a neuropsychiatric and neurorehabilitation practice in both Manhattan and Aventura. He has authored or co-authored close to two hundred publications and presentations, including two texts published by *West*, *Emotional Injuries* and *Litigating Traumatic Brain Injuries*. He currently is also Of Counsel to the well-known New York plaintiff firm of Finkelstein and Partners and has practiced pro haec vice in Florida on brain injury matters.



**Nicholas A. DiCello**, Spangenberg Shibley & Liber, Cleveland, OH, joined the firm in 2004 after serving as law clerk for the late Honorable John M. Manos, Senior Judge for the Federal District Court for the Northern District of Ohio. He has earned numerous multi-million dollar settlements and verdicts on behalf of injured parties throughout the country, including an unarmed man shot in the back by sheriff's deputies in West Virginia, parents who were killed by a driver who lost control of his car and struck them head-on, and a husband who died of a heart attack when his doctor temporarily discontinued his heart medication without first consulting with the prescribing cardiologist.

**Mark D. Herbst, M.D., Ph.D.** of St. Petersburg Independent Diagnostic Radiology, FL, is a board certified radiologist. He has lectured extensively to attorneys, case managers, and physicians about radiology, MRI physics, spine MRI nomenclature, and musculoskeletal and neurological imaging modalities. Dr. Herbst obtained his Ph.D. in magnetic resonance in 1984 and M.D. the following year, both from Emory University in Atlanta, GA.

**Kenneth I. Kolpan**, Law Offices of Kenneth I. Kolpan, Boston, MA, with 35 years of experience, has handled several hundred brain injury cases, including many involving hard to detect injuries to the brain. Mr. Kolpan served as an Assistant Professor in Rehabilitation Medicine at the Tufts University School of Medicine and has been Co-Chairperson of the North American Brain Injury Trial Lawyers Conference for the last 19 years. He was also on the Editorial Board of the Journal of Trauma Rehabilitation where he served as Medical Legal Editor for 12 years. He has been designated a Massachusetts Super Lawyer since 2005.

**Jason Matzus**, Raizman Frischman & Matzus, Pittsburgh, PA,, experienced in handling all types of personal injury claims, is past president of the Western Pennsylvania Trial Lawyers Association, and an officer of the Executive Committee and Board of Governors of the Pennsylvania Association for Justice,. He is an invited member of the prestigious Academy of Trial Lawyers of Allegheny County and has been named a Pennsylvania Super Lawyer. Mr. Matzus is an Adjunct Professor of Law at the University of Pittsburgh School of Law.

**Christine Osborn**, R.N., New England Certified Legal Nurse Consultants Group, has 18 years of nursing experience in critical care, neonatal intensive care, acute care, emergency room, and administration. She remains clinically active in the nursing profession to support her role as a

Certified Legal Nurse Consultant. Her experience in the complex inner-workings of the healthcare system, Quality Risk Management. Medical Record auditing and support nursing staff in the performance improvement of documentation gives her a broad background in all aspects of nursing.



**Lori A. Siler Restaino**, The Law Offices of Howard L. Nations, Denver, CO, has extensive experience in toxic tort litigation, catastrophic injuries and wrongful death. Currently, Ms. Siler

Restaino focuses her practice on mass tort litigation, representing clients who were harmed by pharmaceuticals and medical devices and catastrophic trucking accidents. She is a member of the Melvin Belli Society, American Association of Justice, Texas Trial Lawyers Association, Southern Trial Lawyers Association, and Colorado Trial Lawyers Association.

**Arthur S. Shorr, FACHE**, is founder of Arthur S. Shorr & Associates, Inc. a management consulting firm in Woodland Hills, CA, specializing in providing strategic planning, operational consulting and business practice services to health care providers. Mr. Shorr served as Chief Operating Officer of Cedars-Sinai Medical Center in Los Angeles, Administrator and Chief Operating Officer of Mount Sinai Medical Center in Milwaukee and numerous positions at Hutzel Hospital, The Detroit Medical Center. Mr. Shore holds an MBA in Health Care Administration.

**Elliot W. Stone**, founder and CEO of the medical expert search firm medQuest, Ltd, has produced a videotape series and published articles in dozens of legal publications. Record Reform, a new medQuest division, employs Physicians in India to organize medical records chronologically into easy-to-read and navigate digital files.

**Eric M. Terry**, Tor Hoerman Law, Edwardsville, IL, was selected for inclusion in the 2011 Illinois Super Lawyers Rising Stars, an honor given only to the top 2.5% of Illinois lawyers under 40. Prior to law school, Mr. Terry held many jobs in the Madison County legal community ranging from probation officer to court liaison officer.

### 360 ADVOCACY'S VALUABLE PARTNERS



**The Encore at Wynn Las Vegas** is Steve Wynn's all suite addition to the highly successful Wynn Resort & Country Club, the only casino resort to have the Mobile 5 Star, the Michelin 5 Red Pavilions and the AAA 5 Diamond Rating. In addition to the five restaurants that showcase award winning chefs presenting varied cuisine from around the globe, a casino that will excite the senses and the Esplanade for shopping, you can enjoy all of the 16 restaurants, spa and golf offered by the Wynn Resort & Country Club.

**Conference Room Rates** - 360 Advocacy has secured a limited block of suites on a first-come, first-serve basis at the group rate of \$189. Our room block will be held until September 22, 2011, 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 877.321.9966 and mention the 360 Advocacy to receive the group rate.

**CLE** - A uniform application for accreditation for continuing legal education credit including ethics (approximately 18.0 general credits for 60 minute states and approximately 21.6 general credits for 50 minute states) has been submitted to all mandatory CLE states. There are no ethics credits. Please bring your license and/or bar information with you to the program.

360 Advocacy is offering a 3.0 hour Ethics Webinar online. Access to the Webinar and the CLE Credits will be available to all registrants of the Insurance, Settlement & Mediation Summit following the conference.

#### CONTACT

Online: [www.360advocacy.com](http://www.360advocacy.com)  
Phone: **800.969.9064**  
Fax: 719.219.6927  
Mail: 360 Advocacy Institute  
P.O. Box 60742  
Colorado Springs, CO 80960  
**[www.360advocacy.com](http://www.360advocacy.com)**

Fed ID # 20-042771

I and my firm represent only plaintiffs in insurance/injury litigation and do not represent any insurance companies in any type of litigation. \_\_\_\_\_ (Initials Required)

- \$ 1395 per person
- \$ 1245 per person if registered by September 18, 2011
- \$ 1195 per person for the second+ person from the same firm

Name \_\_\_\_\_

Firm \_\_\_\_\_

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City/State/Zip \_\_\_\_\_

Phone \_\_\_\_\_

Email Address: \_\_\_\_\_

Payment:  Check enclosed  Credit Card

Credit Card Number \_\_\_\_\_

Expiration \_\_\_\_\_ V-Code # \_\_\_\_\_

(MC/Visa/Discover - last 3 digits on signature panel on back; Am. Express - 4 digits above account number)

Billing Address of credit card: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

