



# Oh, The Places You'll Go... in Litigation

Trial tips and best practices  
in the areas of auto no-fault,  
medical malpractice  
and commercial litigation

2019 Annual Meeting and Conference • Shanty Creek Resort  
5780 Shanty Creek Rd, Bellaire, MI 49615  
June 21-22, 2019



## Program Schedule

**Friday, June 21, 2019    1:00 p.m. - 5:00 p.m.**

**Welcome -**

Joshua K. Richardson  
*Foster Swift Collins & Smith PC*  
*MDTC President*

- 1:00 p.m. - 2:00 p.m. -

**General Session I**

**Current Issues Facing Adjusters & How Trial Counsel Can Help**

**Panel of Adjusters:**

*Med Mal Adjuster:*  
Jeremy Alan Wale, *ProAssurance*

*No Fault Adjuster:*

Catherine Groll, *Farm Bureau Insurance*

- 2:00 p.m. to 3:30 p.m. -

**Breakout Sessions:**

• **Medical Malpractice –**

**Economic damages & Plaintiff Experts**

Lori A. Barker, *Abbott Nicholson PC*

• **No Fault Auto Insurance –**

**No-Fault Provider Suits**

Jacklyn T. Pasquale Paletta, *Cummings McClorey*  
*Davis & Acho PLC*

• **Employment Law –**

**Emerging Trends in Employment Litigation:  
Hot Issues in a #MeToo World**

Dean F. Pacific, *Warner Norcross & Judd LLP*  
Deborah L. Brouwer, *Nemeth Law PC*

- 3:30 p.m. - 3:45 p.m. -

**BREAK**

- 3:45 p.m. – 5:00 p.m. -

**Breakout Sessions:**

• **Medical Malpractice –**

**Opioid Crisis/Controlled prescriptions in Michigan**

Gregory Drutchas, *Kitch Drutchas Wagner*  
*Valitutti & Sherbrook*

Elise J. Arsenault, *Kitch Drutchas Wagner*  
*Valitutti & Sherbrook*

• **No Fault Auto Insurance –**

**What is a Serious Impairment?**

Michael J. Jolet, *Hewson & Van Hellemont PC*

• **Commercial Litigation –**

**Class Action Lawsuits**

Michael G. Brady, *Warner Norcross & Judd*  
*LLP*

Michael John Pattwell, *Clark Hill PLC*

- 5:00 p.m. – 7:00 p.m. -

**Vendor Reception**

- 7:00 p.m. – 9:00 p.m. -

**Dinner on your own**

- 9:00 p.m. ...

**Hospitality Suite**



## Program Schedule

**Saturday, June 22, 2019 8:30 a.m. - 1:00 p.m.**

- 7:00 a.m. - 8:00 a.m. -

**Annual Meeting**

- 8:00 a.m. - 9:30 a.m. -

**General Session II**

**Appellate Level Guidance**

**How to Preserve Issues?**

**Navigating the Appellate Practice**

**What's the Difference in the Appellate Story Verses the Trial Story?**

Justice Megan Kathleen Cavanagh, *Michigan Supreme Court*

Hon. Nicholas S. Ayoub, *61st District Court*

Mark J. Magyar, *Dykema Gossett PLLC*

- 9:30 a.m. - 10:45 a.m. -

**Breakout Sessions**

• **Medical Malpractice –**

**Reptile Theory and Impact on Standard of Care**

David M. Ottenwess, *Ottenwess Taweel & Schenk PLC*

• **No Fault Auto Insurance –**

**Defending your Adjuster's Deposition and Fighting Fraud with Social Media**

John C. W. Hohmeier, *Scarfone & Geen PC*

Michael Huntsman, *Cross Xamine Investigations, Inc.*

• **Commercial Litigation –**

**Shareholder Derivative Actions**

E. Powell Miller, *The Miller Law Firm PC*

Daniel D. Quick, *Dickinson Wright PLLC*

- 10:45 a.m. - 11:00 a.m. -

**BREAK**

- 11:00 a.m. - 12:00 noon -

**Judicial Panel –**

**War Stories: Trial Attorney Pitfalls and Success Stories From the Perspective of the Judge:**

Conor B. Dugan, *Warner Norcross & Judd LLP*

Hon. Christopher P. Yates, *17th Circuit Court*

Hon. George J. Mertz, *46th Circuit Court*

- 12:30 p.m. -

**5k Fun Run Event aka Rockwell's Ramble**



## Fun Activities

### Friday, June 21, 2019

#### **Judicial/Vendor Reception**

Thursday, May 10, 2018  
5:00 p.m. - 7:00 p.m.

FREE Event. Everyone is welcome including family, guests, speakers, vendors.

The reception will provide an excellent opportunity for everyone at the conference to interact in a friendly and relaxed environment.

Complimentary hors d'oeuvres and two drink tickets will be provided.

### Saturday, June 22, 2019

#### **Fun/Run/Talk/Walk aka "Rockwell's Ramble"**

Outside track  
12:30 p.m.

Sponsored by:  
*Gazell Fitness*  
*Legal Copy Services*

## Sponsors

updated 5-2-19 vs

- **Cross Xamine Investigations**
- **Donan Engineering Co., Inc.**
- **ESi**
- **Exponent**
- **Explico Engineering Co.**
- **Foster Swift Collins & Smith PC**
- **Gazell Fitness**
- **Hewson & Van Hellemont PC**
- **JENSEN HUGHES**
- **Kitch Drutchas Wagner Valitutti & Sherbrook**
- **Legal Copy Services**
- **MDD Forensic Accountants**
- **Murphy & Spagnuolo PC**
- **Rimkus Consulting Group Inc.**
- **Scarfone & Geen PC**
- **Shadow Investigations**
- **Smith Haughey Rice & Roegge PC**
- **US Legal Support Company**



## Annual Meeting & Conference Registration Form

Full Name		Badge Name	
Spouse/Guest Full Name (Only if attending events)		Badge Name	
Company or Firm Name			
Company Address			
City	State	Zip	Fax
Email Address (must provide to receive confirmation)			
Office Phone Number		Personal Phone Number	
Emergency Contact		Phone Number	
Is this your first time attending?		Special diet requests?	
<input type="checkbox"/> Yes <input type="checkbox"/> No			

**Registration fees include entrance for one person to attend Educational Sessions; all other activities are extra.**

<input type="checkbox"/> * MDTC Member.....	\$295.00	\$ _____
* non -members who register at this rate will be invoiced the difference between a member/non-member rate		
<input type="checkbox"/> Associate Member.....	\$75.00	\$ _____
<input type="checkbox"/> Non-Member.....	\$325.00	\$ _____
<input type="checkbox"/> Group (3 or more attendees from your firm) # of persons _____	x \$185.00	\$ _____
Rate per attendee. Includes one year membership for Non-Member attendees.		

**New Member SPECIAL -- cost of meeting & 1 year of membership**

\*If registering as a new member with attendance, you must complete and sign the attached membership application and return it with your registration form.

<input type="checkbox"/> 5 years or more in practice.....	\$395.00	\$ _____
<input type="checkbox"/> Less than 5 years in practice.....	\$195.00	\$ _____
<input type="checkbox"/> Judicial /Vendor Reception (Friday, June 21, 2019) .....	\$65.00 # of persons _____	\$ _____
*Free for judges and vendor sponsors*		
<b>Total:</b>		\$ _____

Return completed form with credit card information or check made payable to:

MDTC  
PO Box 66, Grand Ledge, MI 48837  
Phone: 517-627-3745 / Fax: 517-627-3950

Room Reservations:

Shanty Creek Resort  
5780 Shanty Creek Rd, Bellaire, MI 49615  
(866) 486-7790

Ask for Michigan Defense Trial Counsel group rates, code: 281055  
Room Deadline: 5/29/19

Registration fee includes Education Sessions and Breaks. If you have any questions, please contact MDTC at (517) 627-3745. Payment MUST be received on or before date of the event. Refunds and cancellations must be received in writing 72 hours in advance of the event - less \$50.00 administrative fee.

\* Membership applications must be completed and returned to MDTC with this Form for all NEW members updated 11-21-19 BN



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**MI Defense Trial Counsel (281055)**  
June 20, 2019 - June 23, 2019

**Reservations Must Be Received By: May 29, 2019**

Reservation requests received after this date will still be accepted provided rooms are available.

**PLEASE RETURN THIS FORM BY MAIL (OR) FAX TO:**

Reservations Department • Shanty Creek Resorts  
5780 Shanty Creek Road • Bellaire, MI 49615  
Fax: 231.533.7004  
Check-in begins at 5pm, Check-out is 12 Noon.

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Home Phone: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Business Phone: \_\_\_\_\_

Confirmation Email: \_\_\_\_\_ Fax: \_\_\_\_\_

You are welcome to arrive early or extend your stay following this scheduled event. At times, specified accommodations are not available prior to or following your event. If the room type requested is not available, we reserve the right to assign the next available room type and rate.

Arrival Date: \_\_\_\_\_ Departure Date: \_\_\_\_\_ # Adults: \_\_\_\_\_ # Children: \_\_\_\_\_

Quantity	Room Type	1 Adult	2 Adults	3 Adults	4 Adults
	Guest Room (Summit)	\$164	\$164	\$179	\$194
	Studio Parlor (Summit)	\$203	\$203	n/a	n/a
	1 Bedroom Condo (Summit)	\$244	\$244	\$244	\$244
	2 Bedroom Condo (Summit)	\$329	\$329	\$329	\$329

Additional guest fee is \$15.00 per person, per night. Children under 18 may stay free in their parents' room using existing bedding. The above rates are per room, per day, plus 6% state tax, 9% resort fee and 5% TCCVB fee.

**IF YOUR ORGANIZATION IS STATE TAX EXEMPT, YOU MUST FURNISH A COPY OF THE STATE TAX EXEMPTION CERTIFICATE (Form 3372) WHEN MAKING YOUR RESERVATIONS.**

**THIS FORM MUST BE MAILED, EMAILED TO [SCRRESERVATIONS@SHANTYCREEK.COM](mailto:SCRRESERVATIONS@SHANTYCREEK.COM) OR FAXED TO RECEIVE THE GROUP DISCOUNTED RATES.**

**Deposit Policy:** You must guarantee your room reservation with a major credit card or a check as a deposit in the amount of the first night's lodging. A Reservations Agent will call within 24 hours of receiving form to obtain your credit card number. Reservations that are not guaranteed with a credit card may be subject to cancellation. If mailing a check, your reservation will be held for 10 days pending receipt of the check. If credit card deposit is made and organization pays in full by check, refunds of credit card are subject to a \$10.00 handling fee.

**Cancellation Policy:** Refund of your deposit will be made if cancellation occurs at least 5 days prior to arrival, less a \$10 handling fee.

Use of Debit cards at the resort for lodging or deposits may cause your financial institution to put a hold on your account for the total amount of the stay plus a \$50.00 per night incidental charge. The resort is not responsible for returned check fees resulting from this practice by your financial institution

Do you have any special lodging requests? Barrier Free: \_\_\_\_ Other (Please Indicate): \_\_\_\_\_

We do our best to honor special requests, however we cannot guarantee them.

**FOR QUESTIONS OR FOR MORE INFORMATION, PLEASE CALL 866.695.5012**



## Special Events Registration Form

### Fun/Run/Talk/Walk aka "Rockwell's Ramble"

Friday, May 11, 2018

Starting Time 1:00 p.m. (Sharp!)

Complimentary T-shirts awarded  
to the first 50 registrants.

T-shirts sponsored by:

**Legal Copy Services**

**Gazell Fitness**



Name of Participant(s): \_\_\_\_\_

\_\_\_\_\_

Adult T-shirt Size (circle one)      M      L      XL:

Signature (each entrant must sign)

\_\_\_\_\_ date \_\_\_\_\_

\_\_\_\_\_ date \_\_\_\_\_

\_\_\_\_\_ date \_\_\_\_\_

### Waiver

For and in consideration of my participation in the Fun/Run/Talk/ Walk, I hereby agree, on behalf of myself, my heirs, my executor, administrators, and assigns to indemnify the Michigan Defense Trial Counsel and all officials of the race, and hold and save them harmless from and against any and all actions, claims, demands, liabilities, loss, damage or expense of whatever kind and nature which may at any time be incurred by reason of my participation in or my preparation for aforesaid race. Further, in the event of any injury, I do hereby give my permission and consent to authorize such first aid and/or medical and/or hospital care or treatment as deemed appropriate. I attest and verify that I have full knowledge of the risks involved in this event and am physically fit and sufficiently trained to participate in this event.