



# 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 Taweele & 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?  Yes  No Special diet requests?

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

\* MDTC Member.....\$295.00 \$ \_\_\_\_\_  
\* non-members who register at this rate will be invoiced the difference between a member/non-member rate

Associate Member.....\$75.00 \$ \_\_\_\_\_

Non-Member.....\$325.00 \$ \_\_\_\_\_

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.

5 years or more in practice.....\$395.00 \$ \_\_\_\_\_

Less than 5 years in practice.....\$195.00 \$ \_\_\_\_\_

Judicial /Vendor Reception (Friday, June 21, 2019) ..... \$65.00 # of persons \_\_\_\_\_ \$ \_\_\_\_\_  
\*Free for judges and vendor sponsors\*

**Total:** \$ \_\_\_\_\_

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



**SHANTY CREEK RESORTS**  
SUMMIT • SCHUSS • CEDAR RIVER

**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.