



## OACTA PERSONAL INJURY DEFENSE SEMINAR

**August 2, 2024**

Quest Conference Center  
9200 Worthington Rd., Ste. 400, Westerville, Ohio 43082

**CLE Minutes:**

8:30 – 9:00am **REGISTRATION / BREAKFAST / EXHIBITS**

9:00 – 9:15am **WELCOME**

Paul W. McCartney, Esq., OACTA President

Michelle Burden, Esq., OACTA Personal Injury Defense Committee Chair

9:15-10:30 **“TBIs - Understanding the Basics To Properly Evaluate Your Case For Trial” 75**

*More and more injury claims include mild traumatic brain injury. This presentation will provide insight into identifying and addressing increasingly common issues arising in mild traumatic brain injury claims in order to properly evaluate the seriousness (or lack thereof) of the injury for settlement and/or trial, including: post-traumatic concussive syndrome, symptoms, testing, treatment, and recovery. Learn what to look for in order to effectively cross-examine plaintiff's expert and educate the jury through direct examination of the defense neuropsychologist.*

**Speakers:** **Dr. Kenneth Alan Mankowski, D.O. FACN, Dublin, OH**

10:30-10:45 **BREAK WITH EXHIBITORS**

10:45-11:45 **“Robinson v. Bates Under Attack Again?” 60**

*There is a growing trend to refuse introduction of the “Robinson v Bates” figure when the health care bill was written down by Medicare or Medicaid. This presentation will explain how plaintiff's lawyers are using RC 2317.45 to except Medicare and Medicaid payments from the Robinson v. Bates line of cases, motions in limine on the issue, and venues trending in the direction of exclusion.*

**Speaker:** **Kent Riesen, Esq., Janson & Riesen, LLC, Toledo, OH**

11:45-12:45 **LUNCH & NETWORKING**

12:45-1:45 **“Trial Without Medical Bills? What Do I Do Now?” 60**

*There is a growing trend for the Plaintiff to present his case without ever submitting a medical bill to the jury. This presentation will focus on how to combat Plaintiff's attempt to try the case without medicals, whether to introduce them in defendant's case, motions associated with defendant presenting the bills, and what to tell the jury to consider if bills are not introduced.*

**Panel:** **Ahmed Hassan, Esq., Allstate Insurance Company, Cincinnati, OH**  
**Terrance Kenneally, Esq., Terrance J. Kenneally & Assoc., Rocky River, OH**  
Moderator: **Michelle L. Burden, Esq., Garvey, Shearer & Nordstrom, Cincinnati, OH**

1:45-2:45      **“And Here You Thought Settling On An Amount Was The End Of The Story”**      **60**

*Whether you reach a settlement informally or through mediation, often times issues arise that either blow up the settlement altogether or delay its completion. This presentation will focus on those issues, including whether a separate check must be cut to Medicare, payment of med pay liens when intercompany arbitration is pending, confidentiality clauses, non-disparagement clauses, and other non-monetary terms of settlement in order to ensure your case can be timely resolved.*

**Speaker:**      **Roger H. Williams**, Vineyard Mediation, LLC, Hudson, OH

2:45-3:00      **BREAK WITH EXHIBITORS**

3:00-4:00      **“Everything You Wanted To Know From A Judge But Were Afraid To Ask”**      **60**

*Hear from a panel of judges across the state offer insight into everything from current trends in verdicts (what are plaintiffs doing well/defendants not doing to support higher verdicts?), use of technology in courtroom (does it really impress jurors?), trying cases without medical bills, how to educate judges on areas of law not commonly tried, and other practice pointers.*

Panel:      **Judge Carolyn Paschke**, Geauga County Common Pleas Court  
              **Judge Timothy N. Tepe**, Warren County Common Pleas Court  
              **Judge Mary Jane Trapp**, Court of Appeals, 11<sup>th</sup> Appellate District  
Moderator: **Michelle L. Burden, Esq.**, Garvey, Shearer & Nordstrom, Cincinnati, OH

4:00      **ADJOURN**

**TOTAL: 315 minutes / 5.25 hrs. CLE**