

# LITIGATING TRAUMATIC BRAIN INJURY CASES SEMINAR

ARE YOU PREPARED TO HELP YOUR CLIENTS?

MAY 20-21, 2010 • HOTEL ALLEGRO CHICAGO • CHICAGO, IL

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## Program Themes

### Part I:

Understanding Brain Injury and Brain Injury Survivor

### Part II:

Putting Together the Brain Injury Case

Cosponsored by AAJ's Traumatic Brain Injury Litigation Group

AAJ Education Endowed  
by Power Rogers & Smith



AMERICAN  
ASSOCIATION for  
**JUSTICE**

Formerly the Association of Trial Lawyers of America (ATLA®)

# ABOUT THE PROGRAM

The numbers are startling: Every year, 1.4 million Americans suffer a traumatic brain injury. Of them, 50,000 die from their injuries, 235,000 are hospitalized, and 1.1 million are treated and released. Nearly 5.3 million Americans currently require daily living assistance as a result of traumatic brain injury.<sup>1</sup> It is a complex medical condition, with a devastating impact on the patients and their families. *Are you prepared to help them?*

AAJ Education's *Litigating Traumatic Brain Injury Cases Seminar* prepares you for these challenging cases. The seminar explores what you need to know in two full days:

Part 1: Understanding the Brain Injury and the Brain Injury Survivor

Part 2: Putting Together the Brain Injury Case

With rapidly evolving changes in the diagnosis, treatment, and rehabilitation of TBI survivors, you'll need this seminar to successfully manage your clients' cases. Our faculty of experienced trial lawyers and experts will provide a clear path on how to handle your client's TBI case.

## Who Should Attend

Experienced practitioners will benefit from updates on the latest advances in research and care. Lawyers new to traumatic brain injury cases will benefit from the nuts and bolts approach to handling these cases.

## Your Registration Includes

- 13.75 hours of cutting-edge continuing legal education and NCA credits, including one hour of ethics, which can be applied towards AAJ's professional recognition programs
- Complimentary daily continental breakfast and coffee
- "Meet the Faculty" networking reception
- Comprehensive reference materials

## Join the Traumatic Brain Injury Litigation Group Today

The representation of persons with traumatic brain injury (TBI) requires a great deal of expertise to present and prove causation and damages. Those with TBI require representation by trial attorneys who are knowledgeable and experienced in brain injury litigation.

The Traumatic Brain Injury Litigation Group will provide medical expert information, medical literature, expert damage information, and has a list server available to its members. Members use the list server to consult with one another on TBI issues in the news and all issues related to TBI. In addition, the Litigation Group publishes a semi-annual newsletter. The Traumatic Brain Injury Litigation Group is open to plaintiff members only.

To learn more please visit [www.justice.org/litgroups](http://www.justice.org/litgroups) or call 800-424-2725 or 202-965-3500, ext. 8700.

<sup>1</sup> <http://www.cdc.gov/traumaticbraininjury/> (Last checked March 29, 2010)

## RESERVE YOUR SPACE TODAY!

Visit [www.justice.org/education/traumaticbraininjury](http://www.justice.org/education/traumaticbraininjury) or call AAJ Education at 800-622-1791 or 202-965-3500, ext. 8612

# AGENDA

## Thursday, May 20

### REGISTRATION

(Continental breakfast provided)  
8:00 am–8:30 am

Part I: Understanding Brain Injury and  
Brain Injury Survivor

### MORNING SESSION

8:30 am–12:00 pm

Brain Function, Injury and  
Neuropathology—The Lawyers  
Teach the Medicine

Normal Brain Function

What Is Brain Injury

- Loss of Consciousness Is Not Required for a Brain Injury
- How Do We Know There Wasn't a Loss of Consciousness
- Amnesia

Mechanisms of Brain Injury

- Internal Mechanisms of Brain Injury
- Biomechanics of Impact
- Focal Brain Injuries
- Diffuse Brain Injuries
- The Structure of the Neuron
- Axonal Injury Without a Blow to the Head

Brain Injury Is a Process

Imaging Studies

- Imaging Studies May Be Normal
- CT—Computerized Tomography
- MRI—Magnetic Resonance Imaging
- EEG—Electroencephalography
- PET—Positron Emission Tomography

Neuropsychology

Understanding Brain Injury Symptomatology

Brain Injury Symptomatology

- Brain Injury Symptomatology—Laundry List
- Headache
- Multi-Attending
- Measuring Attentional Problems
- Fatigue
- Sleep Disturbances

Emotional Issues

- Depression Has Many Elements
- The Defense Abuses Depression
- Risk of Subsequent Brain Injury
- Risk Factors
- Risk Factors for Long Term Problems
- Who Is More at Risk for Long Term Problems?

### LUNCH

(On your own)

12:00 pm–1:00 pm

### AFTERNOON SESSION

1:00 pm–5:00 pm

Understanding the Vulnerable Client

- Pre-Morbid Risk Factors
- Converting a Causation Defense to Element of Diagnosis

Ethics in a TBI Case

- The Nightmare Cases You Must Try to Avoid
- Ethics of Firing a TBI Client
- Ethics of Settling a Case with a Frontal Lobe Patient

The Lineup of Experts in a TBI case

Exposing the Pseudo Science of  
Defense Biomechanics

Post Traumatic Vertigo

### NETWORKING RECEPTION

5:00 pm–6:00 pm

## Friday, May 21

Part II: Putting Together the Brain Injury Case

### MORNING SESSION

(Continental breakfast provided)

8:00 am–12:15 pm

Direct Examination of a Plaintiff's Expert

Behavioral Neurology

Panel Discussion

- Loss of Earning Capacity After a Brain Injury
- Understanding the Impact of Frontal Lobe Deficits
- Processing
- Attentional and Emotional Challenges and Synergism of these Deficits in Causing Disability

### LUNCH

(On your own)

12:15 pm–1:15 pm

### AFTERNOON SESSION

1:15 pm–5:15 pm

The Life Care Plan—Understanding the Full  
Extent of the Daily Needs—How Much Is  
Too Much?

Defense Experts—The Predictable  
Defenses You Will See

- Malingering
- Somatoform Disorder
- Causation Defenses

Deposing the Defense Neuropsychologist

Motions in Limine to Exclude Defense Experts

Pediatric Brain Injury Cases

# TRAVEL & CLE

## Reserve Your Hotel by April 26 and Save!

AAJ is pleased to announce the selection of Travel Planners as the new housing services provider for meetings, events, and conventions. A limited number of rooms will be held at the Hotel Allegro Chicago in Chicago, IL until April 26, 2010 for program registrants. AAJ has a special group rate of \$189 single/double room, plus 15.4% tax. If you must change your hotel reservation within 72 hours prior to the start of the program, please call the hotel directly.

If for unforeseen reasons this program is canceled, AAJ cannot be held financially responsible for airline tickets, and room rates cannot be guaranteed.

Call Travel Planners at 800-221-3531, Monday–Friday, 9:00 am–7:00 pm ET  
or visit [www.justice.org/education/traumaticbraininjury](http://www.justice.org/education/traumaticbraininjury) for housing.

**Hotel Allegro Chicago**  
**171 West Randolph Street**  
**Chicago, IL 60601**

## MCLE/NCA Requirements

Earn approximately 13.75<sup>†</sup> CLE credits, including one hour of ethics, to be applied to your participation in AAJ's professional recognition programs. For information about AAJ's professional recognition programs, visit [www.justice.org/recognition](http://www.justice.org/recognition). AAJ Education programs are routinely accredited by states requiring continuing legal education. We will assist you in obtaining appropriate credit. CLE questions may be addressed by calling the CLE Assistant at 800-622-1791 or 202-965-3500, ext. 8335.

*†Number of credits may vary depending on calculation method used by individual state accreditation agencies. AAJ is a State Bar of California MCLE-approved provider.*

## Special Assistance

AAJ Education will make every effort to ensure that its meetings are held in facilities that are fully accessible to persons with mobility disabilities. If you plan to attend our program and need special facilities or assistance relating to a disability, please call 800-622-1791 or 202-965-3500, ext. 8612.

## INVITED FACULTY

**Patrick B. Donohue**  
The Sarah Jane Brain  
Foundation, Inc.  
New York, NY

**Anthony M. Gamboa, Jr., Ph.D.**  
Vocational Economics, Inc.  
Louisville, KY

**Kenneth B. Goldblatt**  
Goldblatt & Associates, P.C.  
Mohegan Lake, NY

**Timothy C. Hain, M.D.**  
Chicago Dizziness and Hearing  
Chicago, IL

**Marc Hines M.D.**  
Ottumwa Neurological  
Associates, P.C.  
Ottumwa, IA

**Gordon S. Johnson, Jr.,  
Course Advisor**  
The Brain Injury Law Office  
Sheboygan, WI

**Michael V. Kaplen**  
De Caro & Kaplen, LLP  
New York, NY

**Karen K. Koehler**  
Stritmatter Kessler Whelan &  
Coluccio  
Seattle, WA

**Charles G. Monnett III**  
Charles G. Monnett III &  
Associates  
Charlotte, NC

**Antonio M. Romanucci**  
Romanucci & Blandin, LLC  
Chicago, IL

**Thomas P. Routh**  
Nolan Law Group  
Chicago, IL

**Randall H. Scarlett**  
Scarlett Law Group  
San Francisco, CA

**Douglas K. Sheff**  
Sheff Law Offices, P.C.  
Boston, MA

**Stephen M. Smith**  
Brain Injury Law Center  
Hampton, VA

**Bruce H. Stern, Course Advisor**  
Stark & Stark  
Princeton, NJ

**Nils R. Varney, Ph.D.**  
Neuropsychologist  
Iowa City, IA

**Dianne Jay Weaver**  
Harrell and Harrell, P.A.  
Jacksonville, FL

**Mariusz Ziejewski, Ph.D.**  
North Dakota  
State University  
Fargo, ND

- Register me for AAJ's Litigating Traumatic Brain Injury Cases Seminar (\$245)**

**May 20 – 21, 2010**  
**Hotel Allegro Chicago · Chicago, IL**

**Special Early Bird Discount When You Register By April 15, 2010**

AAJ Member – \$625

**Fee After April 15, 2010**

AAJ Member – \$675

Paralegals may attend AAJ Education programs (some restrictions apply). Paralegals receive 50% off the registration fee by attending with an attorney.

**AAJ New Lawyers Attend Their First AAJ Education Seminar for 50% Off**

If you are an AAJ member and have been admitted to the bar for five years or less, you can attend your first AAJ Education seminar for 50% off the regular price (does not apply if you have previously attended an AAJ Education seminar or college).

**BEGIN AN AAJ MEMBERSHIP**

- YES! Begin my AAJ membership with introductory dues of \$149 (enclosed) for my first year. This qualifies me to attend AAJ's Litigating Traumatic Brain Injury Cases Seminar.**

I certify by my signature below that I am a trial lawyer who, for the most part, based on caseload and time, represents the plaintiff in civil litigation or represents the defendant in criminal litigation.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Bar Date: Month \_\_\_\_\_ Year \_\_\_\_\_

**PRE-ORDER AAJ'S LITIGATING TRAUMATIC BRAIN INJURY CASES SEMINAR (4205)**

Discount available with registration for advance purchase of audio and/or video recordings. All packages include a CD-ROM of presenters' reference materials. Visit [www.iplaybackaaaj.com](http://www.iplaybackaaaj.com), or call 800-241-7785 for more information.

- I am registering and want the audio/video at the pre-order discount.
- I am unable to attend, but would like to order the audio and/or video package(s).
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**Shipping:** All orders must be prepaid.  
 Regular (1-2 weeks) \$15  
 Express (2-3 days) \$35

Order Subtotal \$ \_\_\_\_\_  
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 Total \$ \_\_\_\_\_

**PAYMENT INFORMATION**

Name \_\_\_\_\_ AAJ ID # \_\_\_\_\_

Preferred First Name for Badge \_\_\_\_\_

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- Check is enclosed (payable to AAJ Education Fund)

- Charge my:      

Card # \_\_\_\_\_ Exp. Date \_\_\_\_\_

Signature \_\_\_\_\_

**REGISTER TODAY!** Four easy ways to register:

- 1. Online:** [www.justice.org/education/traumaticbraininjury](http://www.justice.org/education/traumaticbraininjury)
- 2. Phone:** 800-622-1791 or 202-965-3500, ext. 8612
- 3. Fax:** 202-625-7084
- 4. Mail:** AAJ Education Fund  
 Education Registrar  
 777 6th St., NW  
 Suite 200  
 Washington, DC 20001

Cancellations received in writing by May 13, 2010 will result in a refund less a 10% administrative charge. Cancellations received May 14 - 19, 2010 will result in a voucher for the entire registration fee which may be applied toward any AAJ Education college or seminar held within one calendar year of the date of issue. Requests for refunds or vouchers received after May 19, 2010 will not be honored. Fax or email your cancellation to the registrar at 202-625-7084 or [education@justice.org](mailto:education@justice.org).

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FOR AAJ USE ONLY    CHK# \_\_\_\_\_    CHK DATE \_\_\_\_\_    CHK AMT \_\_\_\_\_

# UPCOMING AAJ EDUCATION PROGRAMS

## **Growing on the Vine:**

### **Maximizing Profitability in Changing Times Seminar**

April 9–10 • Las Vegas, NV

Caesar's Palace

*Cosponsored by AAJ's Sole Practitioner and*

*Small Firm Section*

### **Establishing Nursing Home Corporate Negligence Using Cost Reports and Other Financial Documents\***

June 4–5 • Washington, DC

AAJ Headquarters

*Cosponsored by AAJ's Nursing Home*

*Litigation Group*

### **Litigating Medical Negligence and Injured Infant Cases Seminar\***

April 9–10 • Las Vegas, NV

Caesar's Palace

*Sponsored by High Impact Litigation and*

*360 Financial Planning, LLC*

### **Trial Advocacy College:**

#### **"Rules of the Road"\***

June 10–13 • Denver, CO

Hotel Monaco Denver

### **2010 Annual Convention**

July 10–14, 2010

Vancouver, British Columbia, Canada

### **Trial Advocacy College:**

#### **Mega College: Integrating "Rules of the Road," Overcoming Juror Bias, "Reptile," and Damages from Case Intake to Trial\***

April 16–19 • Scottsdale, AZ

FireSky Resort and Spa

### **Jazz Fest Seminar:**

#### **Litigating Auto Collision Cases**

April 29–May 1 • New Orleans, LA

Hotel Monteleone

*Cosponsored by Herman, Herman, Katz & Cotlar,*

*LLP, AAJ's Motor Vehicle Collision, Highway and*

*Premises Liability Section, and the Louisiana*

*Association for Justice*

*\* Open only to AAJ plaintiff attorneys (Regular, Life, Sustaining, President's Club, and Leaders Forum). AAJ Paralegal Affiliates may attend AAJ Education programs (some restrictions apply).*



Formerly the Association of Trial Lawyers of America (ATLA®)

777 6th Street, NW

Suite 200

Washington, DC 20001

**REGISTER BY April 15, 2010  
and Save \$50**

**For more information, visit [www.justice.org/education](http://www.justice.org/education)**