S·E·A·K INC
LEGAL AND MEDICAL INFORMATION SYSTEMS

Cape Cod 2003

UNIQUE, PRACTICAL, AND INTERACTIVE WORKSHOPS

HELD AT THE *SEA CREST OCEANFRONT RESORT*

Falmouth, Cape Cod, Massachusetts

- **Malpractice Survival Training for Physicians**
  August 14-15, 2003
- **How to be a Successful Independent Medical Examiner**
  August 14-15, 2003
- **Business School for Physicians**
  August 14-15, 2003
- **Asset Protection for Physicians**
  August 16, 2003
- **Non-Fiction Writing for Physicians**
  August 16-17, 2003
- **How to be an Effective Medical Witness**
  August 16-17, 2003
- **Leadership Skills for Physicians**
  August 16-17, 2003
- **Advanced Financial Strategies for Physicians**
  August 17, 2003
- **Negotiating Skills for Physicians**
  August 18-19, 2003
- **Law School for Physicians**
  August 18-20, 2003

– Independent training for physicians since 1980 –

www.seak.com

Hotel Accommodations

A limited block of rooms has been reserved at special rates ($175/single/double) at the site hotel (see page 31). These rooms will be assigned on a first request basis. To make your reservations, please call 1-800-225-3110 and say that you are with the SEAK, Inc. group.

Continuing Medical Education (CME) Credit

SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to sponsor Continuing Medical Education (CME) for physicians. SEAK designates Leadership Skills For Physicians for up to 12 hours in Category 1 credit toward the Physician's Recognition Award of the American Medical Association. SEAK designates Business School For Physicians, Malpractice Survival Training for Physicians, How To Be An Effective Medical Witness, How to be a Successful Independent Medical Examiner, and Negotiating Skills For Physicians each for up to 14 hours in Category 1 credit toward the Physician's Recognition Award of the American Medical Association. SEAK designates Law School For Physicians for up to 21.5 hours in Category 1 credit toward the Physician's Recognition Award of the American Medical Association. Each physician should claim only those hours of credit that he/she actually spent in the educational activity.

Tuition, Meals & Discounts

Tuition for each one-day course is $395. Tuition for each two day course except Non-Fiction Writing is $695. Tuition for Non-Fiction Writing is $795. Tuition for the three-day SEAK Law School for Physicians is $895. Students registering for two or more courses will receive a 20% discount off each course. Each tuition includes a valuable seminar reference manual, continental breakfast and lunch each day with faculty, coffee breaks, and a dynamic learning experience.

FREE with Early Registration

All persons registering prior to April 30, 2003 will receive a complimentary copy of the best-selling 52-minute video tape *The Expert Medical Deposition: How To Be An Effective and Ethical Witness* (a $104 value). Space is strictly limited for the seminar and hotel. Register early.

Cancellations

Cancellations received prior to August 1, 2003 will receive a full refund.

Seminar Registration Form

Priority Code: Net

Mail to:
SEAK, Inc., P.O. Box 729, Falmouth, MA 02541

FAX to: 508-540-8304
or Call: 508-457-1111

Please register me for:

- ❑ **Malpractice Survival Training for Physicians™ ($695)** Cape Cod August 14-15, 2003
- ❑ **How to be a Successful Independent Medical Examiner ($695)** Cape Cod August 14-15, 2003
- ❑ **Business School for Physicians™ ($695)** Cape Cod August 14-15, 2003
- ❑ **Asset Protection for Physicians ($395)** Cape Cod August 16, 2003
- ❑ **Non-Fiction Writing for Physicians™ ($795)** Cape Cod August 16-17, 2003
- ❑ **How to be an Effective Medical Witness ($695)** Cape Cod August 16-17, 2003
- ❑ **Leadership Skills for Physicians ($695)** Cape Cod August 16-17, 2003
- ❑ **Advanced Financial Strategies for Physicians ($395)** Cape Cod August 17, 2003
- ❑ **Negotiating Skills for Physicians™ ($695)** Cape Cod August 18-19, 2003
- ❑ **Law School for Physicians™ ($895)** Cape Cod August 18-20, 2003

Enclosed please find tuition of: __________________
❑ Check Enclosed, payable to SEAK, Inc.
❑ Please charge my:
❑ Visa ❑ Mastercard ❑ AmEx account:

Expiration Date Signed: ______________________

Please print or type all items to assure accuracy. All confirmations will be sent to the individual indicated.
❑ ♿ Check here if you require special accommodations to fully participate.

CAPE COD 2003

First Name Last Name Title

Name of Company or Organization

Mailing Address

City State Zip

Phone (Area Code / Number) Fax (Area Code / Number)

E-Mail Address

Malpractice Survival Training For Physicians

Sea Crest Oceanfront Resort, Falmouth, Cape Cod, Massachusetts

Thursday - Friday August 14-15, 2003

Executive Summary:

Medical Malpractice: Advanced Survival Training For Physicians is essential training for any physician who is currently being sued or is at risk for being sued over the course of his or her career. It is a must-attend event for all physicians. On day one, physician attendees will learn advanced risk management techniques, the law and procedure which govern malpractice claims, the critical laws governing malpractice insurance and how to protect assets from seizure by plaintiffs and their attorneys. On day two, physicians will be immersed in the medical malpractice case and will participate in intensive workshops to make them more effective witnesses in their own behalf. Attendees will also learn what makes a malpractice jury tick, how they can best assist counsel, when it is the proper time to settle, and how plaintiff and defense counsel evaluate and litigate malpractice cases.

Learning Objectives:

At the completion of this course physicians will be able to:

- Be effective witnesses in their own defense
- List multiple simple and effective techniques to better manage malpractice risk
- Explain the laws and procedures that govern malpractice cases
- Understand what persuades malpractice jurors and how those jurors make decisions
- List multiple techniques to protect assets from seizure as a result of a lost lawsuit
- Understand their rights and responsibilities under professional liability insurance policies
- Describe how the plaintiff and defense lawyers evaluate and litigate malpractice cases
- List the many factors to consider in deciding whether or not to settle a case and how much to settle for
- Describe how to effectively work with defense counsel and insurers

Here's what your colleagues have to say:

"Excellent, very informative"
"Outstanding"
"Nothing short of 'awesome'-very helpful"
"Very organized and informative"
"Real life – not just theory"
"Excellent, very practical, hands on useful presentation"
"Setting good, speakers good, questions good"
"Very impressed with the presenters' expertise and teaching abilities"
"Just plain excellent"
"Excellent – if all lawyers were like Jim and Ken we would not need to be here"

Nadine Nasser Donovan, Esq., is a partner at the Boston-based law firm of Rindler Morgan, P.C. She concentrates her practice in the defense of medical professionals, in medical malpractice actions and before medical licensing boards. She previously practiced litigation in New York City, first as a prosecutor in Queens, and then as counsel for the City of New York. Ms. Donovan received her J.D. *cum laude* in 1993 from Boston College Law School. She graduated from Fordham University in 1990 *summa cum laude* with a B.A. in French Literature.

Kenneth J. Kolpan, Esq., is a highly accomplished trial lawyer whose practice concentrates in medical malpractice and traumatic brain injury litigation. Mr. Kolpan has over 29 years experience in the practice of law. He has lectured extensively and his publications include "Medicolegal Aspects Of Head Injury" and "Traumatic Brain Damage: Damages, Rehabilitation, and Litigation Issues." In addition to his law practice, Mr. Kolpan was an Assistant Professor at Tufts University School Of Medicine, Medical-Legal Editor of the *Journal of Head Trauma Rehabilitation* and Co-Chairperson of the Brain Injury Association's Trial Lawyer's Conference.

James J. Mangraviti, Jr., Esq., is a former trial lawyer with experience in defense and plaintiff personal injury law and insurance law. He currently serves as Vice-President and General Counsel of SEAK, Inc. Mr. Mangraviti received his B.A. degree in mathematics *summa cum laude* from Boston College and his J.D. degree *cum laude* from Boston College Law School. His publications include the texts *The Comprehensive Forensic Services Manual: The Essential Resource for All Experts, The Independent Medical Evaluation Report: A Step-by-Step Guide with Models, How to Excel During Cross-Examination: Techniques for Experts that Work, The Successful Physician Negotiator: How to Get What You Deserve, SEAK Law School For Physicians: Seminar Reference Manual*, and *How To Excel During Depositions: Techniques For Experts that Work*. Mr. Mangraviti has trained hundreds of physicians across the United States and Canada.

Malpractice Survival Training For Physicians

Sea Crest Oceanfront Resort, Falmouth, Cape Cod, Massachusetts

Thursday, August 14, 2003

7:30 - 8:00 **Registration and Continental Breakfast**

8:00 - 8:15 **Introduction and Overview**

8:15 - 10:00 **The Law of Medical Malpractice: What Every Physician Needs To Know**

Physicians will learn the critical legal elements of malpractice claims. They will also learn the complete and partial legal defenses to medical malpractice cases and precisely what is required under the legal standard of care. How medical malpractice damages are calculated under the law will be explained and a survey of recent medical malpractice jury verdicts will be provided and discussed.

Questions and Answers

10:00 - 10:15 **Break & Networking Opportunity**

10:15 - 11:00 **The Malpractice Lawsuit: From Initial Summons to Collection of Judgements**

Physicians will learn the legal rules and procedures under which a medical malpractice case is prosecuted. Physicians will gain a working knowledge of the applicable legal terminology and will be able to understand what is happening before, during and after trial and why it is happening. Covered topics include pleadings, discovery, motions, trial procedure, judgement, appeals and the collection of judgements.

Questions and Answers

11:00 - 12:00 **Professional Liability Insurance: Extents and Limits of Protection**

Physicians will learn how to evaluate their rights and responsibilities under professional liability insurance policies and the key fundamentals of insurance law. Sample policies will be studied. Physicians will learn how to recognize the key language in their malpractice policy, their rights and responsibilities under a policy, the insurance company's rights and duties, how to find the key terms in the policy, how to avoid coverage gaps, why it may be necessary to monitor the insurer's handling of the case, how to do so, and much more.

Questions and Answers

12:00 - 1:00 **Provided Lunch (With Faculty)**

1:00 - 2:30 **Asset Protection For Physicians: How to Protect A Lifetime of Work**

Physicians will learn the legal procedures through which a defendant's homes, securities, bank accounts, automobiles and other assets can be seized as a result of losing a malpractice lawsuit. The various mechanisms to legally shield assets from seizure will be discussed including, exemptions, trusts, and joint ownership. The law of fraudulent conveyances will be explained and physicians will learn how to title their holdings to protect assets.

Questions and Answers

2:30 - 2:45 **Break and Networking Opportunity**

2:45 - 4:00 **Risk Management: Techniques That Work**

Physicians will learn proven risk management techniques that will help them avoid claims. Covered topics include maintaining a good relationship with the patient, properly handling medical records, informed consent procedures, coordinating care, staying within your true area of expertise, avoidance and many more. Additional effective risk management techniques will be solicited from the group and discussed.

Questions and Answers

4:00 - 4:30 **Review and Discussion Group**

A free-flowing round table discussion covering any and all open issues of interest to attendees.

Registration is Limited.
Register Today!

For a complete listing of SEAK's highly acclaimed physicians' seminars visit www.seak.com or call 508-457-1111.

Malpractice Survival Training For Physicians

Friday, August 15, 2003

6:30 - 7:00 Continental Breakfast

7:00 - 8:00 Plaintiff's Counsel: A Candid Insider's View

Physicians will get an insider's view of how plaintiff's counsel evaluates and prosecutes medical malpractice claims. Included is a frank discussion of the economics of pursuing a malpractice claim, the selection of expert witnesses, researching the applicable medicine, conducting discovery, developing a theme of the case, evaluating potential damages and the likelihood of success on the merits, deciding when to settle, when to mediate, and when to try, and developing a winning trial strategy.

Questions and Answers

8:00 - 9:00 Defense Counsel: How To Assist Counsel Assigned to Defend You

Physicians will learn how to be an effective member of the defense team. They will learn how defense counsel evaluates and defends a case, how to assist counsel in investigation and preparation of the case, proper pre-trial and courtroom behavior and demeanor, and how to avoid potential pitfalls.

` **Questions and Answers**

9:00 - 9:30 Malpractice Jurors: What Makes Them Tick?

The ultimate decision maker in a medical malpractice case is the jury of lay people. In this segment, physicians will learn what jurors find persuasive, what they do not find persuasive and what defense and plaintiff's counsel will do to make the best impression in front of the jury.

Questions and Answers

9:30 - 9:45 Break and Networking Opportunity

9:45 - 10:15 Settlement: When Is It time?

Physicians will be provided with a frank explanation concerning how malpractice attorneys view settlement and value cases. Also included is an explanation and discussion of the factors to consider when deciding whether to settle including reputation, lawsuit stress, databank, getting the suit behind you, insurance concerns, the potential of an award beyond your insurance limits and other concerns.

Questions and Answers

10:15 - 11:00 Advanced Testifying Workshop #1: Deposition of the Defendant Doctor

Physicians will learn the fundamental laws of depositions, what plaintiff's counsel is after at deposition, and how to be an effective witness on your own behalf at deposition. Included will be mock deposition demonstrations of volunteer attendees which will be critiqued by the faculty and attendees.

Questions and Answers

11:00 - 12:00 Advanced Testifying Workshop #2: Direct Testimony of the Defendant Doctor

Physicians will learn specific advanced techniques on how to be an effective witness on their own behalf. Techniques to prepare to give your testimony will be explained, along with specific advice on how to be effective in front of the jury. These include a focus on demeanor and language, the proper use of visual aids, understanding the theme of the case and how to properly explain complicated medical concepts to the lay jury. Included will be mock direct examination demonstrations of volunteer attendees which will be critiqued by the faculty and attendees.

Questions and Answers

12:00 - 1:00 Lunch with Faculty (provided)

1:00 – 2:30 Advanced Testifying Workshop #3: Defendant Doctor's Cross-Examination

Physicians will learn what plaintiff's counsel is after during cross-examination and how to be effective during even the most withering cross-examinations. Physicians will learn the specific advanced techniques to thrive during cross-examination by plaintiff's counsel, including how to properly prepare for cross examination, giving in where appropriate, not being evasive, maintaining a calm demeanor, showing feeling, active listening and many more. Included will be mock cross examination demonstrations of volunteer attendees which will be critiqued by faculty and attendees.

Questions and Answers

2:30 - 3:30 Concluding Review and Discussion Group

A final free flowing discussion covering any and all issues of interest to attendees. The most important solutions, answers and recommendations from the course will be reviewed.

NOTE: All persons registering prior to April 30, 2003 will receive a free copy of SEAK's best selling The Expert Medical Deposition *video (a $104 value). Space is strictly limited for the seminar and hotel. Register early.*

How To Be A Successful Independent Medical Examiner

Sea Crest Oceanfront Resort, Falmouth, Cape Cod, Massachusetts

Thursday - Friday August 14-15, 2003

You will gain the skills needed to be more **effective and successful** as an independent medical examiner. The seminar is directed by an internationally recognized expert who is also an experienced trainer. This is a **practical** program which emphasizes the **active participation and interaction** of the attendees. You will **learn how to manage challenging situations.** Outstanding presentations are supported by computer-generated visuals and a comprehensive seminar reference manual. You are encouraged to bring your own reports for critique. The content of this seminar is unique. You will **define specific action steps which will lead to greater success.**

You should attend if you are a physician who:

- ✔ Performs or desires to perform independent medical evaluations and wants to become more efficient and successful
- ✔ Desires to increase his/her knowledge, skills, and abilities in performing independent medical evaluations

Why should I attend? You will:

- Obtain **secrets** essential to the development of a **successful practice** of performing independent medical evaluations.
- Learn from **leading experts** who have track records of success.
- **Minimize the risks and maximize the benefits** of performing independent medical evaluations.

Following this course, the physician learner will be able to:

- Be more efficient and successful in performing independent medical evaluations
- Generate and collect premium fees promptly
- Understand and minimize potential liability encountered in this field
- Effectively deal with legal, practical, and ethical issues
- Write an excellent IME report
- Appreciate the needs of clients
- Understand the multi-axial approach to assessing the complexities of pain
- Utilize and score pain inventories
- Assess symptom magnification and malingering
- Utilize effective and dignified marketing approaches to increase referrals
- Explain use of computer resources and Internet technologies in an IME practice
- Structure his or her office in a cost-effective manner

Faculty

Christopher R. Brigham, MD, FACOEM, FAADEP, CIME, is the founder of the American Board of Independent Medical Examiners. Dr. Brigham has trained thousands of physicians on rating impairment and testifying in court and administrative proceedings. He received his MD from Washington University in St. Louis and is board certified in occupational medicine. He was featured in the programs *How To Be An Effective Medical Witness*, *How To Perform An Excellent Independent Medical Evaluation*, *Achieving Success With Workers' Compensation*, and *Achieving Success As A Medical Witness*. Dr. Brigham is the author of the *Comprehensive IME System: Essential Resources for an Efficient and Successful IME Practice* and is co-author of the text *The Independent Medical Evaluation Report: A Step-by-Step Guide With Models.* He is also the Editor of the *AMA Guides Newsletter*.

What do past attendees have to say about this program?

"This is the best I've ever been to in regards to practical application to my day-to-day office practice."

"Excellent."

"Superbly presented."

"Very well put together, terrific audio, visuals, real 'high tech.'"

"Excellent for both beginners/advanced."

Results:

A SEAK survey indicates that evaluators who have taken this course command a fee which is 28-48% higher than the fees for evaluators who have not received SEAK training.

See Page 2 for Special Early Registration Bonus!

How To Be A Successful Independent Medical Examiner

Day One (Thursday, August 14, 2003)

6:30 - 7:00 **Registration and Continental Breakfast**

7:00 - 7:30 **Introduction:**

The seminar leader discusses the purpose and objectives of the seminar and provides an opportunity for the attendees to discuss the reasons they are in attendance. A positive learning environment is established.

7:30 - 8:00 **Your Role as an Independent Medical Examiner:**

The role of the independent medical examination in the claims process and legal arena is reviewed. This includes a discussion of the legal, ethical, and practical day-to-day challenges faced by independent medical examiners. The seminar leader elicits and utilizes the personal experiences of the attendees in a small-group format to facilitate the discussion.

Questions and Answers

8:00 - 9:00 **What Clients Are Looking for in Your Evaluation, Report and in You:**

We discuss what insurers, self-insurers, employers, fact finders, and attorneys are really looking for in workers' compensation, personal injury, and disability IME reports. Clients' desires and expectations are fully explored. You will understand the relationship among serving the client, maintaining your integrity, and achieving success as an independent medical examiner.

Questions and Answers

9:00 - 9:30 **The Excellent IME Report: An In-depth View *with demonstrations:***

The attributes of an excellent IME report are discussed. Attendees critique good and poor reports to develop an understanding of what needs to be included in an excellent report and how the report should be structured. Attendees have the opportunity to share and discuss their report styles.

Questions and Answers

9:30 - 9:45 **Break and Networking Opportunity**

9:45 - 10:15 **The Excellent IME Report (continued)**

10:15 - 12:00 **Perfecting the IME Process: Pre-Evaluation, Evaluation, Post-Evaluation**

Secrets to perfecting the IME process are revealed. These techniques enhance your ability to prepare a high-quality report in a minimum amount of time. You will learn how to leverage your time through the use of structured approaches and the effective use of your support staff.

You will also learn how to obtain needed information during the pre-evaluation process. The secrets revealed include the use of referral forms, obtaining needed information at the time of the referral, assuring that you have complete and organized medical records, and having the client make a commitment to pay your fee. You learn how to make use of questionnaires, worksheets, word processing templates, and support staff to facilitate preparing a quality report.

Questions and Answers

12:00 - 1:00 **Lunch with Faculty (provided)**

Optional independent learning exercise

1:00 - 3:15 **Assessing Subjective Complaints: Pain and Symptom Magnification: A Practical Approach *with demonstrations:***

An efficient multi-axial approach to assessing the complexities of chronic pain is presented. A practical conceptual framework is provided and specific assessment techniques are demonstrated. Attendees learn how to use pain inventories, including: Pain Drawings, Pain Disability Index, McGill Pain Questionnaire, Multi-dimensional Pain Inventory, Oswestry Disability Index, CES-Depression Inventory, and others. Case examples are provided and the attendees are actively involved in the assessment process and the use of these pain inventories.

A structured approach to assessing symptom magnification and malingering is presented. This includes the use of the history and the medical records, the assessment of non-physiologic and other behavioral findings, the integration of these results with pain inventories, and the review of investigative surveillance material. Attendees learn how to develop supportable conclusions.

Questions and Answers

3:15 - 3:30 **Report Critiques (optional)**

Reports provided by attendees are critiqued. This provides an opportunity for constructive feedback and understanding of various report styles.

Questions and Answers

How To Be A Successful Independent Medical Examiner

Day Two (Friday, August 15, 2003)

6:30 - 7:00 **Late Registration and Continental Breakfast**

7:00 - 8:00 **The Efficient and Successful IME Practice:**

You will learn how to structure your office to be efficient in performing IMEs; maximizing productivity and minimizing overhead. Attendees share their experiences, and the seminar leader will identify the techniques which have been found to be efficient and successful. Topics include staffing, examination equipment, office equipment, applying computer technology, use of secondary examination facilities, and cost-effective scheduling. You will identify specific action steps to take on return to your practice.

Questions and Answers

8:00 - 9:30 **Use of the Internet and Computer Technology in Your Practice *with demonstrations:***

You will learn various cutting edge techniques to utilize technology to perform more accurate, efficient and valuable IMEs.

Questions and Answers

9:30 - 9:45 **Break and Networking Opportunity**

9:45 - 11:00 **Effective Marketing and Being Fairly and Promptly Compensated:**

You will learn how to increase your IME practice through proven, cost-effective marketing approaches. Discussion includes how to expand your practice with current and new clients and how to distinguish yourself from other evaluators. Participants will share their experiences with marketing and their approaches to fees. The seminar leader will present alternative premium fee schedules. You will learn how to have your clients highly value your services and how to collect your fees promptly.

Questions and Answers

11:00 - 12:00 **Minimizing Risks and Difficulties *with demonstrations:***

We discuss the significant legal risks that independent medical examiners run and present real-life cases. Practical, specific suggestions are provided on how to minimize these risks. This includes use of specific office policies, release forms, wording your report, and appropriate management of threatened actions. Other challenges are explored and specific recommendations on making the evaluation process a more positive experience are made.

Questions and Answers

12:00 - 1:00 **Lunch with faculty (provided)**

1:00 - 3:00 **The Successful Independent Medical Examiner: Pulling It All Together *with demonstrations:***

The specific actions to be taken by the attendee to have a more effective and successful practice are shared. These include immediate, short-term, and long-term actions. Group discussion is facilitated to assure each attendee has a specific plan to implement.

Questions and Answers

3:00 - 3:15 **Concluding Round table Review and Discussion:**

Faculty reviews key points and opens the floor for a free-flowing discussion of the issues covered in this two-day seminar.

Questions and Answers

Registration is Limited.
Register Today!

For a complete listing of SEAK's highly acclaimed physicians' seminars visit www.seak.com or call 508-457-1111.

SEAK Business School For Physicians™

Sea Crest Oceanfront Resort, Falmouth, Cape Cod, Massachusetts
Thursday - Friday August 14-15, 2003

SEAK, Inc. is now conducting ***SEAK Business School For Physicians™***. This two-day seminar is designed to impart to the physician attendee the most essential principles and techniques taught in a standard two-year MBA program. Unlike a two-year program, however, our program is specially tailored for physicians. You will have an opportunity to immediately apply the techniques learned. The course concludes with the class breaking into groups and developing a strategic plan for a sample medical practice. Adult learning principles will be utilized and the course will feature numerous interactive exercises and problems. Substantial time will be dedicated to group discussions and questions and answers.

Learning Objectives:

- Understand balance sheets, income statements, and cash flow statements.
- Explain key financial accounting terms.
- Understand how to increase earnings and value of a practice through financial leverage.
- Discuss ways to maximize earnings.
- Explain how operational leverage can dramatically increase profits.
- Understand the relationship between different types of risk (relevant, diversifiable, non-diversifiable) and the value of an investment.
- Compute key financial ratios including return on investment, current ratio, net worth, debt and leverage ratios for a medical practice.
- Explain how spreadsheets can be used to forecast future revenues and expenses and facilitate ratio analysis.
- Explain key financial terms such as beta, hurdle rates, weighted marginal cost of capital (WMCC) and the capital asset pricing model (CAPM).
- Explain time value of money concepts including net present value analysis, internal rates of return and terminal cash flow.
- Understand how time value of money techniques can help determine which assets the practice should invest in to maximize the value.
- Understand the role of leaders and managers in enhancing performance.
- Discuss how to run a successful practice in today's managed care environment.
- Explain how to recruit, motivate and retain a committed workforce.
- Understand how to proactively manage performance.
- List the four "P"s of a successful marketing effort.
- Develop a strategic business plan for a sample medical practice.

Faculty:

James W. Fairfield-Sonn, Ph.D is professor of management at the University of Hartford where he teaches courses for the Executive MBA Health-Care Professionals Program. He received his Ph.D in organizational behavior from Yale University. Jim has significant experience working within and consulting for hospitals, HMOs, non-profit healthcare providers, and public healthcare agencies.

Barbara Lamberton, Ph.D. is an assistant professor at the University of Hartford where she teaches courses for the Executive MBA Health-Care Professionals Program. She received her Ph.D. in accounting from Michigan State University. She is a certified public accountant, has done extensive research on the health-care industry and has substantial experience in the healthcare industry.

What do past attendees have to say about SEAK Business School For Physicians?

"First rate, fast moving, nice combination of lecture and class participation-warm personal style of professors"
"Very helpful info to stay competitive"
"Excellent, well taught"
"A lot of new info presented in an organized, logical fashion"
"Very good survey of the business world pertaining to healthcare."
"Clear explanation of concepts and practice examples based on personal experience."
"It was good to get the accounting background first, then look at the big picture."
"Excellent, clear, understandable answers to questions"
"Very motivating presenters, good delivery style-easy to understand."

Registration is Limited. Register Today!
See Page 2 for Special Early Registration Bonus!

SEAK Business School For Physicians™

Day One (Thursday, August 14, 2003)

7:30 - 8:00 **Registration and Continental Breakfast**

8:00 - 10:00 **Financial Accounting:**

A discussion of the most important elements of financial accounting. Included is a detailed discussion of the balance sheet, the income statement, cash flows, the efficient market, and ratio analysis. A detailed explanation of key financial accounting terms and concepts will be provided including accruals, retained earnings, current ratio, net worth, leverage ratios, earnings per share, the DuPont Principle, opportunity cost, discounted cash flow analysis, and return on investment. The tax advantages of the Modified Accelerated Cost Recovery System (MACRS) are explained.

Questions and Answers

10:00 - 10:15 **Break and Networking Opportunity**

10:15 - 12:00 **Applications- Understanding and Forecasting Performance:**

Physicians will learn how spreadsheets and statistical techniques can be used to understand and forecast performance. Examples will be provided to demonstrate how to compute and interpret key financial metrics related to enterprise profitability and debt paying ability. Spreadsheet examples will be provided to demonstrate how statistical techniques, such as least squares regression, can be used to forecast future revenues and expenses.

Questions and Answers

12:00 - 12:45 **Lunch with faculty (provided)**

12:45 - 2:15 **Risk and Leverage:**

Physicians will learn how to calculate the risk (relevant, diversifiable, and nondiversifiable) and value of an investment through statistical analysis. The concept of beta is explained. An analysis of financial leverage is undertaken to show how earnings and value can be increased through the appropriate use of fixed-cost financing (i.e. debt). An explanation of how to calculate the optimum amount of debt that will maximize the value of a practice is provided. Also provided is a detailed explanation of the capital asset pricing model (CAPM) and the significance of the positive or negative correlation of risk of two or more investments.

Questions and Answers

2:15 - 4:00 **Investing to Maximize Value:**

Physicians will learn how to determine in which assets a business should invest in order to maximize the value of the enterprise and how to determine the ideal amount of fixed-cost financing for a business. Explained and demonstrated are: hurdle rates, the weighted marginal cost of capital (WMCC), net present value analysis, internal rates of return and terminal cash flow. Physicians will learn how the value of business investments can be analyzed and projected.

Questions and Answers

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For a complete listing of SEAK's highly acclaimed physicians' seminars visit www.seak.com or call 508-457-1111.

SEAK Business School For Physicians™

Day Two (Friday, August 15, 2003)

6:30 - 7:00 **Continental Breakfast**

7:00 - 9:00 **Leading and Managing for Enhanced Performance**

Physicians will learn the differences between leadership and management. They will also examine the key functions that leaders and managers must perform to enhance individual, group, and organizational performance. Emphasis is placed on understanding the critical role vision, culture, and management systems play in performance enhancement.

Questions and Answers

9:00 - 9:15 **Break and Networking Opportunity**

9:15 - 10:00 **Insurance and Managed Care:**

Physicians will learn how managed care health insurance companies are operated. Ideas for maximizing earnings under the constraints of managed care will be presented and frankly discussed.

Questions and Answers

10:00 - 12:00 **Human Resources Management:**

Physicians will learn how to recruit, motivate and retain a committed team and manage that team to work effectively together. The concepts of process inclusion and task structure are explained. The importance of the managing performance is also explored as is when and how to terminate an employee.

Questions and Answers

12:00 - 1:00 **Lunch with faculty (provided)**

1:00 - 2:00 **Marketing:**

Physicians will learn the importance of market research and the four "Ps" of a successful marketing effort (product, place, price, promotion). Physicians will also learn how to market and promote a medical practice in today's managed care environment and how to market that practice to the referring physician. Successful marketing strategies will be elicited from the group and frankly discussed.

Questions and Answers

2:00 - 3:15 **Case Study:**

This detailed case study serves as a vehicle to apply the concepts learned in the previous two days. Physicians will break into groups and develop advanced management solutions to the challenges facing a hypothetical company, Weatherbridge Medical Facilities, Inc. These challenges include financing expansion of the business, staffing, broadening or narrowing of services provided, marketing, and the possibility of merger or sale.

Questions and Answers

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ASSET PROTECTION FOR PHYSICIANS

Saturday, August 16, 2003

Sea Crest Oceanfront Resort, Falmouth, Cape Cod, MA

Executive Summary: Most physicians are in acute need of asset protection planning. The risks to a physician's assets from malpractice, negligence and other lawsuits is a clear and present danger to almost all physicians. **Asset Protection For Physicians** is designed to help a physician ensure that he and his family retain all that he has worked so hard to earn. **Asset Protection For Physicians** is taught by a veteran asset protection attorney who is a prolific author and frequent lecturer on asset protection, offshore trusts and related subjects. Each physician-attendee is provided with a detailed, text quality 300 page seminar manual which can be retained for reference. The most important specific asset protection techniques and strategies are explained, with an emphasis on the benefits and potential drawbacks of each technique. Detailed case studies are utilized. No physician can afford to miss this course.

Physicians Attending Asset Protection For Physicians Will Learn:

- The law and procedure through which a physician's assets can be seized as a result of a lost lawsuit or other debt
- How and why the laws of fraudulent conveyances affect all asset protection planning
- Which types of assets are automatically shielded by law and how to take advantage of these laws
- Numerous proven, asset protection techniques and strategies available under the law
- The risks and benefits of each of the different types of joint ownership, including joint tenancy, tenancy in common, community property, and tenancy in the entirety
- The benefits and limitations of the available business entities, including general partnerships, limited partnerships, family limited partnerships, corporations, professional corporations, limited liability companies (LLCs), and limited liability partnerships (LLPs)
- The costs, benefits and potential drawbacks of domestic trusts and offshore asset protection trusts
- The details of a typical asset protection plan suitable for a physician
- Specifically how physicians can and have implemented advanced asset protection plans
- Much, much more

Faculty: Arnold S. Goldstein, Ph.D., is a veteran attorney with 33 years experience in asset protection, tax resolution and debt restructuring to individuals and businesses nationwide. Dr. Goldstein has written numerous books on asset protection, offshore trusts and related subjects. His tax, financial and legal strategies have been featured in more than 350 magazines, journals and newspapers. Dr. Goldstein gives nationwide workshops and lectures on the aforementioned topics and he has appeared on numerous radio and television talk shows, including CNBC and The Today Show.

Dr. Goldstein is a graduate of Northeastern University (B.S., 1961) and Suffolk University (MBA, 1966, and LL.M., 1975), and he received his law degree from the New England School of Law (J.D., 1964) and a doctorate from Northeastern University (Ph.D. in business and economic policy, 1990). He is a member of the Massachusetts Bar and has been admitted to practice before the Massachusetts State Courts, the Massachusetts District Court, the U.S. Court of Appeals, and the U.S. Supreme Court. He is also a member of various professional, academic and civic organizations. His academic career includes a former professorship (he is now professor emeritus) at Boston's Northeastern University and research scholar on offshore trusts at the London School of Economics. He also has taught law, finance and management at several other colleges and universities.

Registration is Limited. Register Today!

ASSET PROTECTION FOR PHYSICIANS

Saturday, August 16, 2003

Sea Crest Oceanfront Resort, Falmouth, Cape Cod, MA

7:30 - 8:00 **Continental Breakfast and Registration**

8:00 - 8:30 **The Need For Asset Protection:**

Physicians will learn why asset protection is so crucially important. Dr. Goldstein will explain the various lawsuit and other risks faced by physicians and how and why our legal system makes a lawsuit defendant a loser even when the defendant "wins" the case.

Questions and Answers

8:30 - 9:45 **Asset Seizure and Fraudulent Conveyances:**

Physicians will learn the legal methods whereby the winner of a lawsuit or other creditors can seize and liquidate a physician's assets. Physicians will learn the crucial importance of fraudulent conveyance laws and how these laws affect virtually all asset protection decisions. Also included is a detailed explanation of the protection provided by and the limitations of bankruptcy law.

Questions and Answers

9:45 - 10:00 **Break and Networking Opportunity**

10:00 - 12:00 **Asset Protection Strategies:**

Physicians will learn the crucial asset protection tools which experts use to create asset protection plans around their clients' wealth. Included is an explanation of the various state and federal laws which automatically protects certain types of assets. Also explained are the risks and benefits under the law of various forms of joint ownership (such as joint tenancy, tenancy in common, community property, and tenancy in the entirety), and an explanation of the benefits and limitations of various types of entities that can be used to shield a physician's assets. The benefits and potential drawbacks of gifting, various forms of insurance, and equity stripping is also discussed and explained.

Questions and Answers

12:00 - 1:00 **Lunch With Faculty (Provided)**

1:00 - 3:00 **Additional Asset Protection Strategies:**

Physicians will learn additional asset protection strategies. Dr. Goldstein will explain the pitfalls of general partnerships and the potential benefits of limited partnerships, family limited partnerships, corporations, professional corporations, limited liability companies (LLCs), and limited liability partnerships (LLPs). Physicians will also learn the costs, benefits and potential drawbacks of domestic trusts and offshore asset protection trusts.

Questions and Answers

3:00 - 3:15 **Break and Networking Opportunity**

3:15 - 5:00 **Case Studies:**

Dr. Goldstein will present numerous case studies which show advanced asset protection plans for physicians and medical practices. He will explain the advantages and disadvantages of different medical practice structures and detail a typical asset protection plan for a physician. He will also explain the importance of proper pre-bankruptcy planning and asset protection planning techniques that relate specifically to divorce. Dr. Goldstein will provide sample checklists, forms and asset protection plans.

Questions and Answers

Registration is Limited. Register Today.

Medical Non-Fiction Writing for Physicians:

How to Use Your Expertise to Publish Books and Magazine Articles

Saturday August 16, 2003 and Sunday August 17, 2003

Executive Summary

Medical Non-Fiction Writing for Physicians is designed to give aspiring physician authors what they have never had before: hands-on and practical training on how to write medical non-fiction and get published. To deliver this training, SEAK has put together an impressive faculty.

Like all SEAK training, ***Medical Non-Fiction Writing For Physicians*** is lively and interactive. Attendees will have the opportunity to get all their questions answered. There will be numerous writing exercises and networking opportunities. Attendees will have an opportunity to get their writing, query letters and proposals reviewed and evaluated. NOTE: Course attendees will get the most out of the course if they bring samples of their writing for the Writing Groups and faculty to critique. Samples may include: a magazine query letter, an outline for a non-fiction book, a formal non-fiction book proposal, a previously published work, and unpublished writing samples.

LEARNING OBJECTIVES:

Following this course, attendees will be able to:

- Pick a medical subject and turn it into a book
- Choose timely angles for magazine articles
- Get paid for writing medical non-fiction
- Write a successful non-fiction book proposal
- Understand when to use Literary Agents and how to find the right one
- Describe the way medical book publishers (medical, university and lay presses) operate
- Explain the advantages and disadvantages of using co-authors and ghost writers
- Write compelling medical non-fiction
- Publish articles in medical trade journals and magazines
- Improve your writing skills
- Motivate yourself to write
- Find time to write
- Get PR once you are published
- Track and mail magazine/book submissions
- Negotiate a favorable writing contract
- Understand and explain the publication process from proposal to publication to royalties
- Understand the option of editing a book or collaborating with a medical writer when you can't write the entire book
- Publish on the internet
- Explain the the business of medical non-fiction: sales, royalties, marketing
- Recognize the skills to develop beyond your MD degree
- Explain the ten common writers' blunders and how to avoid them
- Be a better non-fiction writer

Faculty:

Julie K. Silver, MD is an Assistant Professor in the department of Physical Medicine & Rehabilitation at Harvard Medical School and is the Medical Director of one of Spaulding Rehabilitation Hospital's outpatient centers. Dr. Silver has written/edited several books including Essentials of Physical Medicine & Rehabilitation and The Business of Medicine (Hanley & Belfus, Inc., www.hanleyandbelfus.com) and Post Polio Syndrome: A Guide for Polio Survivors and Their Families (Yale University Press, www.yale.edu/yup/books/088078). Dr. Silver also has extensive experience in writing for local and national publications as well as peer-reviewed medical journals. She is a regular columnist for the magazine Unique Opportunities (www.uoworks.com), and she frequently speaks professionally on medical practice management and business related topics.

Jean E. Thomson Black is the Senior Acquisitions Editor for Science and Medicine at Yale University Press, where she has, since 1990, developed a very active program of trade, scholarly, professional, reference, and course books, including many prize-winning and best-selling titles. Educated at Wellesley College, Yale University School of Forestry and Environmental Studies, and Rutgers University, Ms. Thomson Black embarked on a career in publishing in 1977 at Academic Press New York, where she acquired books in the life and biomedical sciences and supervised various journals and serial publications. Ms. Thomson Black lives in Darien, Connecticut.

Regina Brooks is the founder of Serendipity Literary Agency LLC., a boutique agency representing a diverse base of award-winning clients in the areas of adult fiction and non-fiction, young adult, and children's literature. She is a 9-year veteran in the publishing industry and has held management positions in editorial and sales/marketing. Before forming her own company, Brooks was the youngest and first African-American editor to work in the college division at John Wiley & Sons Inc. a leading non-fiction publisher. After her Wiley years, she took on an executive editorial role at McGraw-Hill and in just one year developed strategic alliances with IBM, Cisco Systems and Nortel Networks.

Sharon Cloud Hogan is a writer and editor who specializes in working with physicians to create focused and marketable book proposals. She also collaborates with physician-authors to develop and write clear, accessible manuscripts. She has worked as a freelance developmental and substantive editor for nursing texts at W.B. Saunders Company. She also has served as managing editor of two medical journals for Andover Medical Publishers and Little, Brown and Company.

Colleen Mohyde has been an agent with the Doe Coover Agency in Boston for eleven years where she represents an eclectic range of fiction and nonfiction. Her authors include Caroline Knapp, author of the bestselling memoirs, Drinking: A Love Story and Pack of Two; Suzanne Berne, author of A Crime in the Neighborhood and winner of the 1999 Orange Prize for Fiction, and Robert Clark, author of Mr. White's Confession, the recipient of the 1999 Edgar Award for Best Novel. Her nonfiction authors include Tasha Tudor, Pulitzer Prize winning journalist Eileen McNamara, and comedians Jonathan Katz and Paula Poundstone. Mohyde was an editor with Little, Brown & Company prior to becoming an agent.

See Page 2 for Special Early Registration Bonus. Space is Limited. Register Today!

Medical Non-Fiction Writing for Physicians:

How to Use Your Expertise to Publish Books and Magazine Articles

Saturday August 16, 2003 and Sunday August 17, 2003

"Writing is probably about five percent talent and ninety-five percent hard work. And I think most people have got five percent talent." (Joan Riley in Backtalk)

Saturday, August 16, 2003

7:30-8:00	**Registration and Continental Breakfast**
8:00-8:30	**Introduction (***Julie Silver***)**
8:30-9:00	**Publishing Basics-What You Need to Know (***Julie Silver***)**
9:00-10:00	**When to use a Literary Agent, Ghost Writer or Collaborator (***Julie Silver***)**
10:00-10:15	**Break and Networking Opportunity**
10:15-11:00	**How to Write a Successful Non-fiction Book Proposal (***Julie Silver***)**
11:00-12:00	**Book Proposals that Sell (***Sharon Cloud Hogan***)**
12:00-1:00	**Lunch with Faculty (Provided)**
1:00-2:00	**What You Need to Know About Literary Agents (***Regina Brooks***)**
2:00-2:30	**Building Your Platform-Sales, Marketing and Promotion (***Regina Brooks***)**
2:30-2:45	**Break and Networking Opportunity**
2:45-4:00	**Writing Groups-Session I (with faculty input)**
4:00-5:00	**Faculty will be available to answer any questions you have on an individual basis**

Sunday, August 17, 2003

7:00-7:30	**How to Write a Successful Magazine Query Letter (***Julie Silver***)**
7:30-8:30	**Non-fiction Writing 101 - How to Make Your Writing Sing (***Jean Thompson Black***)**
8:30-9:30	**Contracts and the Business of Writing (***Colleen Mohyde***)**
9:30-10:15	**Editor's Insights (***Jean Thompson Black***)**
10:15-10:30	**Break and Networking Opportunity**
10:30-12:00	**Private (brief) consultations with course faculty about your writing/book idea**
12:00-1:00	**Lunch with Faculty (Provided)**
1:00-2:30	**Writing Groups-Session II (with faculty input)**

Here's what last year's attendees have to say:

"Excellent"

"Well presented. Julie was effective presenter w/good energy. Really appreciated her enthusiasm"

"Unique"

"Fabulous. Very helpful, practical, useful"

"Good look into publishing"

"Excellent introduction into writing & publishing process outside the scientific articles"

"Well presented by knowledgeable, interesting people"

"Helpful faculty"

"Practical personal tips"

"All presenters top-notch"

See Page 2 for Special Early Registration Bonus.

Space is Limited. Register Today!

How To Be An Effective Medical Witness

Sea Crest Oceanfront Resort, Falmouth, Cape Cod, Massachusetts

Saturday-Sunday August 16-17, 2003

EXECUTIVE SUMMARY: A highly experienced and successful personal injury attorney who deals with medical witnesses on a daily basis will lead this seminar. This is practical, hands-on, interactive course. Physicians will learn the skills, information and techniques they need to be effective, ethical and successful expert medical witnesses. The course is taught by three methods: lecture, demonstrations, and questions and answers. This is a practical program which emphasizes physician participation in mock trial and deposition testimony. The curriculum emphasizes practical problems that develop when physicians are called upon to act as expert witnesses in an unfamiliar legal system. It is designed for any physician who may be called as an expert witness in a personal injury or malpractice case.

Why should I attend? You will:

- ✔ Obtain the knowledge and skills you need to be an effective expert witness
- ✔ Learn how lawyers think and act when dealing with expert medical witnesses
- ✔ Learn the key practice management aspects of a medical-legal practice
- ✔ Discover how to be fairly compensated and promptly paid for your time
- ✔ Understand how to avoid being taken advantage of by lawyers and the legal system, and
- ✔ Learn to avoid common mistakes

Following this course you should be able to:

- Be more effective and confident during direct examination, cross-examination and depositions
- Avoid being abused by lawyers and the legal system
- Command an appropriate fee and be promptly paid for your services
- Negotiate being engaged as an expert witness
- Prepare for depositions, hearings, and trials
- Properly use key medical-legal terms
- Understand how the civil litigation process works on a day-to-day basis

Don’t take our word for it, here’s what past attendees had to say about our program:

“Excellent, unique.”

“Fascinating and enjoyable…an excellent learning opportunity.”

“I greatly enjoyed both the formal and informal parts of the meeting, and have returned home full of good resolutions and a sense of empowerment.”

“Informative and practical.”

“Very well done.”

“Outstanding, enjoyable. I will highly recommend it.”

“Good play acting/role playing by instructor”

“Excellent preparation for being a witness”

“Mr. Kolpan is an excellent speaker & teacher, skilled and convincing”

“Superb”

Registration is Limited.
Register Today!

Faculty

Kenneth I. Kolpan, Esq.

Kenneth I. Kolpan, Esq, is a highly accomplished trial lawyer whose practice specializes in medical malpractice litigation and head injuries. Mr. Kolpan has over 30 years experience in the practice of law. He has lectured extensively and his publications include “Medicolegal Aspects Of Head Injury” and “Traumatic Brain Damage: Damages, Rehabilitation, and Litigation Issues.” In addition to his law practice, Mr. Kolpan is a former assistant professor at Tufts University School Of Medicine, former Medical-Legal Editor of the *Journal of Head Trauma Rehabilitation* and former Co-Chairperson of the Brain Injury Association’s Trial Lawyer’s Conference.

See Page 2 for Special Early Registration Bonus!

How To Be An Effective Medical Witness

Day One (Saturday, August 16, 2003)

7:30 - 8:00	**Registration & Continental Breakfast**
8:00 - 8:45	**How To Bulletproof Your CV** Physicians will learn how counsel will attempt to utilize their curriculum vitae (CV) to challenge their qualifications, expertise and credibility. Demonstrations will be conducted where volunteer attendees will be cross-examined on their pre-submitted CVs. **Questions and Answers**
8:45 - 9:15	**How To Qualify as an Expert Medical Witness** A discussion of the legal requirements for qualifying as an expert medical witness. The discussion includes an explanation of the Daubert case, practical suggestions to follow when attempting to qualify, and an explanation of the types of questions you are likely to face during cross-examination regarding your qualifications. In trial demonstrations physicians are qualified by counsel as expert medical witnesses and are cross-examined on their qualifications. **Questions and Answers**
9:15 - 10:00	**How To Bulletproof Your Expert Medical Report** Physicians will learn how experienced counsel will attempt to pick apart their expert medical report. Advanced drafting and testifying techniques to blunt counsel's pointed questions will be provided and demonstrated. Volunteer physicians will be cross-examined on their pre-submitted medical reports. **Questions and Answers**
10:00 - 10:15	**Break and Networking Opportunity**
10:15 - 11:15	**Depositions** Physicians will learn the special techniques which should be used when testifying at transcribed and videotaped depositions. Included is an explanation of what questions physicians are likely to be asked at deposition, why they are likely to be asked those questions, the rules the attorneys must play by at deposition, and how the physician deposition fits into both side's case. You will learn how to avoid scheduling problems and how to deal with the situation in which counsel subpoenas you as a fact witness to avoid paying you an expert witness fee. **Questions and Answers**
11:15 - 12:00	**Premium Fee Setting, Billing and Collection Techniques** Physicians will learn how to appropriately determine and set their rates, charge for and capture all their expenses, protect themselves from last minute cancellations, and how to insure that their time is paid for in full and on time. **Questions and Answers**
12:00 - 1:00	**Lunch with faculty (provided)**
1:00 - 1:45	**Preparing To Testify** Physicians will learn how to demand and obtain complete and detailed preparation by retaining counsel. The additional techniques that physicians can use to prepare by themselves will be explored in detail. **Questions and Answers**
1:45 - 2:45	**Direct Examination: Persuading The Jury** Physicians will learn how to best connect with and persuade a jury. The fifteen leading techniques will be explained and demonstrated, including "teaching" and the proper use of analogies. Physicians will learn how and when to best use demonstrative evidence. Demonstrations will be conducted with volunteer physicians who have pre-submitted a sample medical report. **Questions and Answers**
2:45 - 3:00	**Break and Networking Opportunity**
3:00 - 4:15	**Cross-Examination: Bending Not Breaking** Physicians will learn how to stand up to even the most withering of cross-examinations. Faculty will explain in detail the goals of counsel during cross-examination and the trial tactics that are commonly used. Techniques for deflecting counsel's attacks, turning the tables on counsel and excelling during cross-examination will be provided. Demonstrations will be conducted with volunteer physicians who have pre-submitted a sample medical report. **Questions and Answers**
4:15 - 5:00	**Round table Review** Faculty will review key points and open the floor for a free-flowing discussion of the issues covered in day one of the seminar. **Questions and Answers**

See Page 2 for Special Early Registration Bonus. **Space is Limited. Register Today!**

How To Be An Effective Medical Witness

Day Two (Sunday, August 17, 2003)

6:30 - 7:00 **Continental Breakfast**

7:00 - 7:30 **Impeachment of the Medical Expert**

Physicians will learn the ten most common techniques counsel will use to attempt to impeach their testimony and credibility and how to defend or avoid each.

Questions and Answers

7:30 - 8:30 **Professional Marketing Techniques**

Discussion includes how to increase your activities in the medical-legal arena in a cost-effective, dignified manner, without adversely affecting your credibility. Also included is a discussion of common pitfalls that should be avoided which can destroy a physician's viability as an expert witness.

Questions and Answers

8:30 - 10:00 **Trick and Difficult Questions**

Physicians will be bombarded with dozens of the most difficult and trick questions they are likely to be asked. Faculty will demonstrate truthful but artful responses, which do not compromise the physician's opinions, ethics or integrity. Demonstrations will be conducted with the physician's replies critiqued by the faculty and attendees.

Questions and Answers

10:00 - 10:15 **Break and Networking Opportunity**

10:15 - 11:00 **Avoiding Abuse As An Expert Medical Witness**

Physicians will learn how far counsel is permitted to go before "Crossing over the line." Discussion includes how to diagnose and deal with abuses by counsel such as repetitive, abusive and invasive questioning, overbroad subpoenas, disregard for personal comfort, and unreasonable time constraints. Physicians will learn how to "Fight back."

Questions and Answers

11:00 - 12:00 **Ethics and Enhancing Your Credibility**

Discussion includes how to maintain your honesty, integrity, and credibility while participating in an adversarial judicial system. The potential civil and ethical liabilities of expert witnesses are also discussed. Techniques for increasing your credibility are also explained as are ways to effectively deal with unethical attorneys.

Questions and Answers

12:00 - 1:00 **Lunch With Faculty (Provided)**

1:00 - 2:00 **Testifying in Medical Malpractice Cases**

Discussion includes a lecture on the essentials of medical malpractice law and a preview of the types of questions you can expect to be asked when testifying for the defense or plaintiff in a medical malpractice action. Also included is a discussion of the special nuances of medical negligence cases and how this effects expert testimony in those cases. In a trial demonstration, counsel will cross-examine physicians testifying in medical malpractice cases.

Questions and Answers

2:00 - 2:45 **Concluding Roundtable Review:**

Faculty review key points and open the floor for a free-flowing discussion of the issues covered in the entire seminar.

Questions and Answers

See Page 2 for Special Early Registration Bonus.

Space is Limited. Register Today!

Leadership Skills for Physicians

Saturday-Sunday August 16-17, 2003

Sea Crest Oceanfront Resort, Falmouth, Cape Cod, MA

"Leadership is the art of getting someone else to do something you want done because he wants to do it."
Dwight D. Eisenhower

Executive Summary:

The difference between success and failure in your healthcare organization is the leadership skills of its physicians. ***Leadership Skills for Physicians*** is an in-depth course designed for physicians to provide them with the leadership and managerial skills needed to make their organizations successful. ***Leadership Skills for Physicians*** consists of a series of four in-depth interactive workshops taught through interactive discussion, self assessment, and hands-on exercises and demonstrations. ***Leadership Skills for Physicians*** is led by a highly qualified, dynamic faculty and will markedly improve each attendees' leadership skills thus allowing for a far more successful organization and a far better bottom line.

Learning Objectives

At the conclusion of this program, physicians will be able to more effectively:

- Transform a group of individuals into a highly motivated, high-performance team.
- Increase commitment from team members.
- Enhance employees' motivation.
- Utilize the most effective ways to successfully integrate new members into a team.
- Use leadership skills to proactively and effectively reduce and address conflict within the physician's healthcare organization.
- Transform conflict situations into constructive ones.
- Bring out the best in team members.
- Provide far better coaching and feedback to employees.
- Use leadership and management skills to successfully bring about positive changes in healthcare organizations.
- Make themselves better leaders and their healthcare organizations more successful.
- Improve the financial bottom line of their organizations.

FACULTY

James W. Fairfield-Sonn, Ph.D. is a tenured professor of management at the University of Hartford where he teaches courses for the executive MBA Health-Care Professionals program. He received his Ph.D. in organizational behavior from Yale University. Currently, at Hartford he teaches courses in leadership, managerial skills, process management and project management. He was Chair of the Management Department from 1987-1990 and Director of the Executive MBA program from 1993-1995. In 1981, Jim formed Fairfield-Sonn Associates to provide assistance in strategic planning, executive development, business analysis and systems development. He has served as a consultant to numerous small and large healthcare organizations as well as several Fortune 500 companies.

Scott E. Davis is a Senior Associate with Fairfield-Sonn Associates based in Centerbrook, Connecticut. He has over twenty years of experience in providing organizational consulting to organizations in areas of Management Skills, Leadership Styles, Coaching and Motivation, Conflict Management, and Diversity and Inclusion. At the start of his career, Mr. Davis spent six years as Manager of Corporate Training at a large insurance company. He has designed and delivered Managing Conflict seminars to executives at numerous small and large healthcare organizations as well as several Fortune 500 companies. He has also conducted feasibility studies to assess training needs and organizational strategies for a major systems payroll and accounting project at a major health center in the Northeast.

Registration is Limited. Register Today!

Please see page 2 for a special early registration bonus.

Leadership Skills for Physicians

Saturday-Sunday August 16-17, 2003

Sea Crest Oceanfront Resort, Falmouth, Cape Cod, MA

Day One, Saturday, August 16, 2003

7:30 - 8:30 Registration and Continental Breakfast

8:30 - 12:00 Team Building Skills Workshop

In this highly interactive in-depth session (featuring discussions, exercises and self-assessment instruments), the focus is on learning how to build a high performance successful team that completes its assigned work in a cost-effective fashion and leaves the team members motivated and feeling very good about their experiences. Physicians will be led through a series of interactive self-assessments aimed at building a superbly motivated and effective team. Participants will learn advanced ways to insure that new team members, when needed, are effectively integrated into teams in a constructive and useful fashion. Specific action steps to build and maintain and effective, productive and content team will be provided.

Note: A fifteen minute break will be provided midway through this workshop.

Questions and Answers

12:00 - 1:00 Lunch with Faculty (Provided)

1:00 - 4:15 Conflict Management and Negotiation Skills Workshop

The manner in which conflicts are managed can have tremendous positive or negative bottom line consequences for any healthcare organization. Healthcare organizations are constantly challenged to adapt to rapidly changing conditions by modifying operations, embracing new technologies, and providing innovative solutions to evolving patient and customer concerns. In this sea of change, it is inevitable that conflicts will arise. To maintain peak organizational performance, physicians with leadership responsibility must have the skills to effectively and proactively deal with a wide range of conflict situations. Physicians in this interactive workshop will be provided with those skills. They will obtain a rich understanding of the dynamics of conflict, and how and why it occurs. Physicians will then examine their own styles of managing conflict and learn numerous effective techniques to turn conflict situations into constructive action, including alternative negotiation strategies and “second round capability.” For each technique physician leaders will learn its potential costs and benefits and the particular situations where each is most likely to be effective.

Note: A fifteen minute break will be provided midway through this workshop.

Questions and Answers

Day Two, Sunday, August 17, 2003

7:30 - 8:30 Continental Breakfast

8:30 - 12:00 Coaching Skills Workshop: How to Bring out the Best in Others

Effective leaders are those who like superstar athletes bring out the best in others. This is done most effectively with proper coaching and feedback. Effective coaching and feedback, however, consists of more than just telling someone how good or bad they are, it also involves motivating and inspiring an individual to commit to the healthcare organization’s larger mission. This workshop will help physician managers to assess their relative strengths and weaknesses in a variety of coaching situations. Specific action steps will be provided which will allow physician leaders to dramatically improve their leadership skills and allow them to inspire others to commit themselves fully to their healthcare organization. Physicians will have an opportunity to practice their leadership skills during this workshop’s interactive exercises.

Note: A fifteen minute break will be provided midway through this workshop.

Questions and Answers

12:00 - 1:00 Lunch with Faculty (Provided)

1:00 - 4:15 Managing Change Workshop

In a world characterized by increasing consumer sophistication, intense resource constraints, and rapid technological advances, healthcare organizations must engage in a process of continuous self-assessment and renewal to remain competitive. As a result, healtchcare organizations must be prepared to constantly adjust to evolving market and regulatory conditions. This requirement to become and remain flexible and nimble places ever greater demands on physician leaders and managers to become masters at orchestrating change efforts. This workshop will help physician managers to more effectively lead their organization through the constant changes that are a permanent part of healthcare delivery. Physician managers will learn to recognize the three common stages in all change efforts and how each must be addressed differently. They will also learn how to evaluate an organization’s current capacity to absorb change and ways to enhance this capacity over time. Four proven ways that leadership and management skills can be used to improve the likelihood of successfully introducing a change in a healthcare organization will be explained and discussed as well as the seven key major principles of change management.

Note: A fifteen minute break will be provided midway through this workshop.

Questions and Answers

Registration is Limited. Register Today!

ADVANCED FINANCIAL STRATEGIES FOR PHYSICIANS

Sunday, August 17, 2003

Sea Crest Oceanfront Resort, Falmouth, Cape Cod, MA

Executive Summary:

Numerous financial strategies will be explained that can simply and effectively reduce a physician's costs, tax liabilities and more rapidly and safely increase the value of a physician's savings and investments. ***ADVANCED FINANCIAL STRATEGIES FOR PHYSICIANS*** is an intensive, one day course designed to make physicians aware of and understand the essential financial strategies which can be used to improve a physician's personal and professional bottom line. Physicians will have access to expert independent advice from a legal and financial expert who is not trying to "sell" them anything. Each physician-attendee will be provided with a detailed seminar manual. Specific tax reduction, practice structuring, practice management, investment, and insurance techniques will be explained and discussed. Detailed case studies are utilized. All physicians will realize substantial financial benefits after taking this course.

Physicians Attending *Advanced Financial Strategies For Physicians* Will Learn:

- Multiple ways to substantially reduce income taxes from a practice
- The most effective strategies to build retirement savings quickly and safely
- How to invest shrewdly in all market conditions
- How to avoid "financial gridlock" in a medical group and build wealth, even where the other partners of the group resist
- The optimum ways to legally structure a medical practice to protect your financial stake and compensation
- The secret to turning a practice's accounts receivable into tax free retirement savings
- The three best options for funding a child's education and why a 529 plan may not be the best choice
- The tax, investment and financial benefits of different types of insurance
- How captive insurance companies can reduce expenses and help build wealth
- Ways to maximize the financial leverage of a medical practice
- Much, much more

FACULTY:

David B. Mandell, J.D., M.B.A., is an attorney, financial consultant, and renowned authority in the fields of risk management, asset protection, and financial planning. As a writer, Mr. Mandell has also written <u>Risk Management for the Practicing Physician</u> (CME Accredited), <u>The Doctor's Wealth Protection Guide</u> and <u>Wealth Protection: Build and Preserve Your Financial Fortress</u>. His articles have appeared in over thirty leading national publications, including The American Medical News and Journal of the American Society of Internal Medicine, and he is a featured expert on the "Money and Medicine" section of the medical website www.medscape.com. He is a principal of Jarvis & Mandell LLC, a firm specializing in wealth planning for physicians - with offices in Los Angeles and New York and is the principal of the Law Offices of David B. Mandell, P.C.

Mr. Mandell holds a bachelor's degree from Harvard University and a law degree from the UCLA School of Law, where he was awarded the American Jurisprudence Award for achievement in legal ethics. While at UCLA, Mr. Mandell also earned a M.B.A. from the Anderson Graduate School of Management. Mr. Mandell is a member of the California and New York bars and is a licensed insurance professional in many states.

See page 2 for a special early registration bonus.

Registration is Limited. Register Today!

ADVANCED FINANCIAL STRATEGIES FOR PHYSICIANS

Sunday, August 17, 2003

Sea Crest Oceanfront Resort, Falmouth, Cape Cod, MA

7:30 - 8:00 **Continental Breakfast and Registration**

8:00 - 10:00 **Tax Strategies For Physicians:**

Proper tax planning can save a physician and his or her medical practice millions of dollars over the course of a career. In this segment, Attorney Mandell will explain dozens of advanced tax strategies which can be immediately implemented to reduce a physician's or a medical practice's tax liability and improve the bottom line. Included is a detailed explanation of split dollar arrangements, 419 plans, The Extra Plan™, and numerous other strategies.

Questions and Answers

10:00 - 10:15 **Break and Networking Opportunity**

10:15 - 12:00 **Practice Structuring and Management Strategies:**

Advanced structuring and financial techniques for medical practices are explained and discussed. Attendees will learn how to structure a practice to the mutual benefit of each of the physicians, even when the physicians are at different stages in their careers and have significantly divergent interests. Specific techniques on how to legally structure a medical practice to avoid financial disputes amongst the partners, while improving the practice's bottom line and avoiding negative tax consequences will be presented and explained. Also included is an explanation of several advanced practice management strategies such as employee leasing, the secret to turning a practice's accounts receivable into tax free retirement savings, and the proper use of PCs, PLLCs and other business entities.

Questions and Answers

12:00 - 1:00 **Lunch with Faculty (Provided)**

1:00 - 3:00 **Investments and Insurance Strategies:**

Attendees will learn advanced investment strategies designed to help them grow their wealth and reduce risk regardless of market conditions. Included is a detailed discussion of investment strategies including the three best ways to save for a child's education and why a 529 plan may not be the best option. Physicians will also learn how to improve their bottom line through an advanced understanding of insurance. Advanced strategies to cut insurance costs and use insurance as investment vehicles will be discussed and explained including the benefits of captive insurance companies, co-owned insurance companies and how to avoid the 80+% tax trap of pensions and IRAs.

Questions and Answers

3:00 - 3:15 **Break and Networking Opportunity**

3:15 - 5:00 **Case Studies:**

Attorney Mandell will present and analyze numerous case studies which show advanced financial strategies for physicians and their medical practices being successfully implemented. Attorney Mandell will also provide sample checklists and forms for use by the attendees. Attendees will be asked to utilize what they have learned and develop a series of financial strategies and action steps that they will consider implementing upon return from the seminar.

Questions and Answers

See page 2 for a special early registration bonus.

Registration is Limited. Register Today!

SEAK Negotiating Skills For Physicians™

■ Negotiations ■ Demonstrations ■ Case Exercises

Sea Crest Oceanfront Resort, Falmouth, Cape Cod, Massachusetts

Monday - Tuesday August 18-19, 2003

Executive Summary

The average physician will negotiate for **millions** of dollars over the next twenty years (including salaries, professional services, real estate transactions, and purchases and sales of personal property) without the benefit of any training in negotiation skills. **SEAK Negotiating Skills For Physicians™** was designed for physicians like yourselves to teach you the negotiation skills you need and give you an opportunity to practice these skills through a variety of challenging negotiation exercises.

Learning Methodology

SEAK Negotiating Skills For Physicians™ is a practical course that will teach you the skills and techniques you need to be a successful physician negotiator. The course utilizes advanced adult learning principles and features numerous hands-on case exercises. It has been specifically designed for physicians facing today's increasingly difficult medical marketplace. The didactic portion of the course is lively and interactive. The case examples involve negotiations with employers, employees, colleagues, managed care companies, real estate transactions, and much, much more. Each negotiation exercise is discussed in detail after its conclusion. Physicians will have ample opportunity to ask questions and have them answered by the expert faculty.

Faculty

Steven Babitsky, Esq., is a former trial lawyer who has over 28 years of experience as a professional negotiator. Attorney Babitsky is the co-author of the best-selling book *The Successful Physician Negotiator: How To Get What You Deserve* and numerous other publications. He is a lively and entertaining trainer who has trained thousands of physicians over the past 23 years.

In this intensive two-day course you will learn how to:

- Prepare and succeed when negotiating managed care and other insurance contracts
- Negotiate physician compensation, employment contracts, benefits, and incentives like a pro
- Win at Internet negotiations
- Avoid and break deadlocks
- Determine the amount of "flexibility" available
- Negotiate without destroying ongoing relationships
- Win in "win-win" situations

Here's What Past Attendees Have To Say About This Program:

"Great speaker and educator! Holds audience for two ENTIRE days - very unusual"
"Excellent"
"Informative and helpful, well met my objectives"
"Steve is a world-class character"
"Very informative"
"Great job! Very dynamic, appreciate benefiting from his personal experience"
"Very good program"

Learning Objectives

- Discuss how to say "no" professionally.
- Explain how to turn a competitive negotiation into a cooperative one.
- List ways to avoid "trickle down" loss.
- Explain how to practice active listening skills.
- Understand how to ask the right questions.
- Explain how to determine your opponent's interests, needs, and desires.
- Learn when the best time is to negotiate.
- Understand when it is best to remain silent.
- Discuss how to prepare for a negotiation.
- Understand the use and abuse of emotions during negotiations.
- List ways to gain more concessions than you give up.
- Explain what makes telephone negotiations especially challenging.
- Discuss ways to defeat your opponent's tactics.
- Explain how to gather information.
- List ways teams can better negotiate.
- Discuss how to finalize a negotiation and close the deal.

Registration is Limited. Register Today!

See Page 2 For Special Early Registration Bonus!

SEAK Negotiating Skills For Physicians™

Calendar

Monday, August 18, 2003
Cape Cod, MA

Day One

7:30 - 8:00	Registration **Continental Breakfast**
8:00 - 8:15	**Introduction:** Why physicians don't negotiate; How much are you negotiating for? The $12,000 an hour negotiation
8:15 - 9:30	**Employment Contracts in Depth** Compensation, Benefits, Incentives, Key Clauses, Checklists, Sample Contracts, and Exercises
9:30 - 9:45	**Competitive and Cooperative Negotiations** How to diagnose the difference and change one to the other
9:45 - 10:00	**Where to Negotiate** Your office, their office, neutral site: Advantages and disadvantages
10:00 - 10:15	**Break and Networking Opportunity**
10:15 - 10:30	**Authority** Importance, How to negotiate with the "yes" person
10:30 - 10:45	**Asking Questions** How and when to ask key questions; leading and open-ended questions; sample questions to ask; Active listening
10:45 - 11:00	**Needs, Interests and Desires** The "X" factor
11:00 - 12:00	**Negotiation of Managed Care and Insurance Contracts In Depth** Checklists, Sample contracts, Key clauses and Exercises
12:00 - 1:00	**Lunch with Faculty** (provided)
1:00 - 1:30	**Pausing** Why, When, and How to Do It Strategically; When to Negotiate
1:30 - 2:00	**Power and How to Develop It** Your "BATNA"; Legitimacy and precedents; Persistence
2:00 - 2:30	**Negotiation Exercise:** Sole Source
2:30 - 2:45	**Break and Networking Opportunity**
2:45 - 3:15	**Preparation:** In Depth How to utilize all resources available to gather, analyze, and plan. Examples
3:15 - 3:30	**Aspiration Levels:** Setting the "right" goals and reaching them
3:30 - 3:45	**Silence:** How to utilize it Silence as an offense tactic
3:45 - 4:30	**Negotiation Exercise**: Provider Agreement How to utilize it

Tuesday, August 19, 2003
Cape Cod, MA

Day Two

6:30 - 7:00	**Continental Breakfast**
7:00 - 7:30	**Concessions:** How to get large "invaluable" concessions without giving up too much
7:30 - 7:45	**Deadlock:** Using, avoiding and when it is not the worst outcome
7:45 - 8:00	**Emotions:** Making Them Work For You
8:00 - 8:15	**Long-Term Relationships:** How to build them and still get what you want and deserve
8:15 - 9:00	**Negotiating Purchase/Sale of Medical Practice** Forms, checklists, agreements, pitfalls
9:00 - 9:15	**Break and Networking Opportunity**
9:15 - 9:45	**Negotiating Reimbursement Rates**
9:45 - 10:00	**Closing the Deal:** Strategies and Techniques
10:00 - 10:15	**Internet Negotiations**: How To Utilize the Internet to Succeed
10:15 - 10:40	**Negotiating Auto Purchase/Real Estate Purchase** Strategies, checklists and techniques
10:40 - 11:00	**Negotiation Exercise**
11:00 - 11:15	**Team Negotiating:** How to Build a Rock-Solid Team
11:15 - 12:00	**Tactics:** The 25 Most Difficult Negotiating Tactics: How and When to Recognize, Use and Defend Against Them
12:00 - 1:00	**Lunch with Faculty (provided)**
1:00 - 2:00	**Negotiation for Retention of an Attorney:** Retaining Excellent Counsel Without Breaking the Bank
2:00 - 2:30	**Negotiation Exercise**
2:30 - 3:00	**Negotiating Formal Written Contracts:** Checklists, Strategies and Techniques
3:00 - 3:30	**Concluding Remarks & Awards Ceremony**

Registration is Limited. Register Today!

SEAK Law School For Physicians™

Sea Crest Oceanfront Resort, Falmouth, Cape Cod, Massachusetts

Monday-Wednesday, August 18-20, 2003

SEAK, Inc. will be conducting the seminar Law School For Physicians. An experienced and lively trainer has been selected to teach this three-day interactive course. This seminar is designed specifically for physicians.

Can It Be Done?

Q. How can we cover contracts, torts, civil procedure, and evidence in just three days?

A. Yes, it can be done. By selecting highly qualified faculty, stripping away the nonessentials, and utilizing your hard work and pre-course preparation you will learn **how to read, think, analyze, and speak like a lawyer**. You will also learn essential principles of **civil procedure, evidence, contracts, and torts**.

Law School Faculty

JAMES J. MANGRAVITI, JR., ESQ.

James J. Mangraviti, Jr., Esq., is a former trial lawyer with experience in defense and plaintiff personal injury law and insurance law. He currently serves as Vice-President and General Counsel of SEAK, Inc. Mr. Mangraviti received his B.A. degree in mathematics *summa cum laude* from Boston College and his J.D. degree *cum laude* from Boston College Law School. His publications include the texts *The Comprehensive Forensic Services Manual: The Essential Resource for All Experts*, *The Independent Medical Examination Report: A Step-by-Step Guide with Models*, *How to Excel During Cross-Examination: Techniques for Experts that Work*, *The Successful Physician Negotiator: How to Get What You Deserve*, *SEAK Law School For Physicians: Seminar Reference Manual*, and *How To Excel During Depositions: Techniques For Experts that Work*. Mr. Mangraviti has trained hundreds of physicians across the United States and Canada.

Teaching Techniques

A recognized legal expert will introduce you to, immerse you in, and challenge you with four fascinating and important legal topics, i.e., contracts, torts, civil procedure, and evidence. You will be actively involved in the learning process. You will be provided materials to read and study before even stepping into the three days of classes. You will have an opportunity to get your questions answered, argue motions, dissect contractual positions, object to evidence, and examine witnesses. You will also have an opportunity to take an optional "bar exam" on the morning of the third day of classes. You will be provided the evening hours to cram for the exam. Upon completion of the course you will be awarded a Certificate of Completion suitable for framing, and the top performer on the bar exam will receive an award and prize.

What do past attendees have to say about SEAK Law School For Physicians™?

"Great course! I will recommend it to my colleagues without hesitation."

"One of the best I've ever attended."

"Great course! Excellent book!"

"At my level of knowledge about medical law before this course, I doubted I would benefit a great deal. I was wrong! I have benefited and learned a great deal, and I will continue to learn."

"An academic pleasure…extraordinary handbook…the final exam modeled after the bar exam was the classic way to put value on achieving."

"I am, in my opinion, a better physician because of this course."

"The handbook, speakers and method of instruction were very effective, and I found the meeting to be stimulating and very informative. I would highly recommend this program to other physicians."

Registration is Limited.
Register Today!

See Page 2 for Special Early Registration Bonus!

SEAK Law School For Physicians™ Course Objectives

Day One - Torts — Monday, August 18, 2003

Explain the relationship between state, federal, administrative, statutory, and case law.

Explain and discuss the relationship between the various federal and state courts.

Discuss and analyze actual statutes and appellate court decisions.

Understand the elements of intentional torts, such as assault, battery, defamation, intentional infliction of emotional distress, and false imprisonment.

Using hypothetical and actual cases, "think like a lawyer" and break down torts into their composite elements.

Discuss how physicians can be said to be at risk for defamation and battery actions in their own everyday practices.

Identify and use lawyers' affirmative defenses to intentional torts such as consent, informed consent, self defense, and necessity.

Use analytical skills to discuss negligence and malpractice, two challenges commonly faced by physicians.

Discuss and differentiate among the four basic elements of negligence: duty, breach, causation, and damages.

Explain the standard of care expected of a physician.

Discuss the merits of various defenses to negligence and medical malpractice actions including comparative negligence, contributory negligence, assumption of risk, workers' compensation exclusivity, and charitable immunity.

Explain the effects of comparative negligence on liability and damages.

Discuss the elements of damages, including past and future lost wages, pain and suffering, loss of consortium, punitive damages, multiple damages, attorneys' fees, and emotional distress.

Explain the workings of the workers' compensation system, including the physician's role in it.

Discuss the role of the physician in the Social Security disability system.

Day Two - Contracts — Tuesday, August 19, 2003

Explain the differences among various categories of contracts, including bilateral, unilateral, express, implied, option, and quasi.

Discuss the three basic elements of contracts: offer, acceptance, and consideration.

Explain the doctrine of promissory estoppel.

Cite the difficulties and misunderstandings that can arise from oral contracts and oral modifications of written contracts.

Explain in layperson's terms how a court ascertains the meaning of a contract or a contractual term.

Analyze physician employment contracts and covenants not to compete for loopholes.

Specify various ways a contract (or just part of it) can be nullified.

Explain when contractual obligations may be excused because of impossibility, impracticability, frustration of purpose, and incapacity.

Discuss the impact of the concepts of illegality, fraud, misrepresentation, duress, and undue influence.

List ways to avoid the operation of a waiver.

Explain the various remedies for breach of contract including money damages, consequential damages, the role of reliance, foreseeability, and the duty to mitigate.

Discuss court-ordered remedies for breach of contract, such as specific performance, injunctions, and restitution.

Analyze and negotiate contracts.

Day Three - Civil Procedure & Evidence — Wednesday, August 20, 2003

List and explain the components of a lawsuit.

Using sample pleadings and court documents, discuss complaints, answers, affirmative defenses, discovery, motions, summary judgments, motions to dismiss, remedies, and appeals.

Explain "discovery" methods such as interrogatories, requests for production of documents, depositions, subpoenas duces tecum, physical examinations, and requests for admissions.

Explain when and where a lawsuit may be brought and when a person or entity may be subject to suit according to constitutional and statutory law.

Explain the basics of a civil trial, such as the roles of the judge and jury, the importance of the opening statements, burdens of proof and persuasion, and the summation as well as the relationships among judgments, notwithstanding verdicts and jury deliberation and decision.

Delineate common trial motions, such as motions in limine, requests for limiting instructions, and motions for a new trial.

Explain the difference between various alternative dispute resolution (ADR) processes, such as mediation and arbitration.

State the basic rules and policies behind the Federal Rules of Evidence.

Explain medical implications of the hearsay rule and its exceptions.

State the legal requirements for expert testimony, including its limitations according to the landmark *Daubert* case.

Understand how attorneys will seek to undermine your credibility if you are called as an expert medical witness.

SEAK Law School For Physicians™

Day One (Monday, August 18, 2003)

TORTS

7:30 - 8:00 **Registration and Continental Breakfast**

8:00 - 9:00 **The Fundamentals of the Law and the American Legal System:**

Students will learn the essential principles upon which the American legal system is based. Statutory law, case law, case law precedent, administrative law, and the relationship between state and federal constitutional, statutory, and administrative common law will be discussed and analyzed. An explanation and discussion of the relationship between the various federal and state courts and the rule of precedent will be presented. Students will analyze and discuss actual appellate court decisions, statutes, and administrative regulations.

Questions and Answers

9:00 - 10:00 **Intentional Torts:**

The elements of intentional torts such as assault, battery, defamation, intentional infliction of emotional distress, and false imprisonment are reviewed. Students, through an interactive process involving hypothetical and actual cases, will be taught how to "think like a lawyer" by breaking down each tort into its composite elements. The instructor will explain how physicians can be at risk for defamation and battery actions in their everyday practices.

Questions and Answers

10:00 - 10:15 **Break and Networking Opportunity**

10:15 - 10:45 **Defenses to Intentional Torts:**

Students will be taught the second step of "thinking like a lawyer," namely, identifying and using the various affirmative defenses to intentional torts. Included are discussions on consent, informed consent, self defense, and necessity. Hypothetical questions will be drawn from physicians' everyday experiences, and reported decisions.

Questions and Answers

10:45 - 12:00 **Negligence and Medical Malpractice:**

Students will employ their newly learned analytical skills in a discussion of negligence and medical malpractice. The instructor will question students to elicit from the attendees the four basic elements of negligence, i.e., duty, breach, causation, and damages. Seminar participants will participate in the process by discussing cases in the course book and utilizing the legal principles learned in a never-ending stream of hypotheticals coming from the instructor. Hypotheticals will stress medical malpractice and ordinary negligence actions commonly faced by physicians. Included is the standard of care expected of a physician. Also stressed is causation in medical malpractice cases and the vicarious and joint liability of physicians for the acts of their employees and colleagues.

Questions and Answers

12:00 - 1:15 **Lunch (Provided With Faculty)**

1:15 - 2:00 **Defenses to Negligence and Medical Malpractice:**

Students will learn the various defenses to negligence and medical malpractice actions including comparative negligence, contributory negligence, assumption of risk, workers' compensation exclusivity, and charitable immunity. The effect of comparative negligence on liability and damages is explained. Students will be presented with hypothetical cases and asked to utilize the appropriate defenses.

Questions and Answers

2:00 - 3:00 **Damages:**

How much money is a plaintiff entitled to in a personal injury or medical malpractice suit? This segment of the course will cover the various elements of damages including past and future lost wages, pain and suffering, loss of consortium, punitive damages, multiple damages, attorneys' fees, costs, interest, medical expenses, lost earning capacity, and emotional distress. A volunteer will be asked to "argue damages" before the class.

Questions and Answers

3:00 - 3:15 **Break and Networking Opportunity**

3:15 - 4:15 **Workers' Compensation and Social Security Disability:**

The role of the physician in the workers' compensation system will be explored. You will learn how the workers' compensation system works. Physicians will be instructed how to determine which injuries are compensable, what workers' compensation attorneys and hearing officers are looking for from physicians, and how to survive workers' compensation reform. The role of the physician in the Social Security disability system will be explored. Hypothetical cases will be utilized to facilitate the learning process.

Questions and Answers

SEAK Law School For Physicians™

Day One (Monday, August 18, 2003)

TORTS continued

4:15 - 5:00 **Liability Insurance:**
If you are sued, what are your rights and duties under your general and professional liability policies? Included is a discussion of coverage, the duty to defend, the duty to indemnify, the control of the defense, and the cooperation clauses. Students will review and discuss actual and hypothetical general and professional liability contracts carried by physicians.
Questions and Answers

5:00 **Adjournment (Bar Exam Study Time)**

Day Two (Tuesday, August 19, 2003)

CONTRACTS

7:30 - 8:00 **Continental Breakfast**

8:00 - 9:30 **Contract Formation: Offer, Acceptance, and Consideration:**
The categories of contracts including bilateral, unilateral, express, implied, option, and quasi contracts are explained. The three basic elements of contracts: offer, acceptance, and consideration are discussed. Also discussed is the doctrine of promissory estoppel. Hypotheticals will be based on situations commonly faced by physicians. Student volunteers will analyze and discuss seminal cases from the handout book with the instructor and fellow students.
Questions and Answers

9:30 - 10:00 **Oral and Written Contracts:**
Students will be questioned about and will themselves question the need, under the statute of frauds, for certain contracts to be in writing. Examples of the difficulties and misunderstandings that result from oral contracts and oral modification of written contracts will be presented through class exercises. The practical necessity and legal need to “get it in writing” is emphasized.
Questions and Answers

10:00 - 10:15 **Break and Networking Opportunity**
Seminar participants can confer and set up study groups for the next morning’s bar exam.

10:15 - 11:00 **Interpreting Contracts:**
Students will learn the process through which a court ascertains the meaning of a contract or a contractual term. Also, students will learn when prior negotiations and understandings will be admitted into court to supplement the terms of a contract (the parol evidence rule). Hypotheticals involving physician employment contracts and covenants not to compete will be utilized.
Questions and Answers

11:00 - 12:00 **Genuineness of Assent:**
Students will learn the various ways that a contract, or portions of a contract, can be nullified. The concepts of illegality, fraud, misrepresentation, duress, and undue influence will be covered. You will also learn when the obligations of a contract may be excused for reasons of impossibility, impracticability, frustration of purpose, and incapacity. Hypotheticals will be based on current contractual issues facing physicians such as employment, purchase and sales contracts, and managed care contracts.
Questions and Answers

12:00 - 1:15 **Lunch (Provided With Faculty)**
Note: The more compulsive participants will already be cramming for the “bar exam” the following morning.

1:15 - 2:15 **Important Contractual Clauses:**
Students will learn to identify, recognize, and understand the implications of the following types of contractual clauses: choice of forum, choice of law, arbitration, indemnity, limitation of liability, covenants not to compete, and liquidated damages. Students will review actual contractual clauses that they may face in their own practices and help identify their likely impact.
Questions and Answers

SEAK Law School For Physicians™

Day Two (Tuesday, August 19, 2003)

CONTRACTS continued

2:15 - 3:00

Breach of Contract:

Students will learn what constitutes a breach of contract, anticipatory repudiation, and waiver. Available options and ways to avoid the operation of a waiver will also be covered. Hypotheticals involving medical issues will be utilized to demonstrate breach.

Questions and Answers

3:00 - 3:15

Break and Networking Opportunity

3:15 - 4:15

Remedies and Damages:

What is a party entitled to receive when their contract has been breached? The various remedies for breach of contract will be covered including money damages, consequential damages, and the role of reliance, foreseeability, and the duty to mitigate. Court-ordered remedies such as specific performance, injunctions, and restitution will be discussed. Students will be asked to identify breaches and determine the appropriate remedies including damages for hypothetical situations.

Questions and Answers

4:15 - 5:00

Contract Negotiation Workshop:

Utilizing the principles learned so far, physicians will split into groups and analyze and negotiate a sample contract. The results of the negotiations will then be shared with the group.

Questions and Answers

5:00

Adjournment (Bar Exam Study Time)

Day Three (Wednesday, August 20, 2003)

CIVIL PROCEDURE & EVIDENCE

7:30 - 8:15

Continental Breakfast

7:30 - 8:15

Contracts and Torts Bar Exam (Optional):

There will be an optional twenty-five question, multiple choice, written examination on the materials covered in the first two days. The format of the examination will be based on the Multistate Bar Examination which must be passed by every new lawyer in the United States. The exams will be graded during the day, and a commendation and award for the top scorer(s) will be presented at the conclusion of the program.

8:15 - 9:00

Anatomy of a Lawsuit:

The professor will take the "mystery" out of the civil litigation process. The essential components of a lawsuit are discussed and explained. Included is a discussion of complaints, answers, affirmative defenses, discovery, motions, summary judgment, motions to dismiss, remedies, and appeals. Students will discuss sample pleadings and court documents.

Questions and Answers

9:00 - 10:00

The Discovery Process:

How do attorneys utilize the discovery process? The various methods of discovery are explained. These include interrogatories, requests for production of documents, depositions, subpoenas duces tecum, physical examinations, and requests for admissions. An interactive and lively discussion of discovery disputes and abuses, including protective orders and sanctions, will permit physicians to understand how far attorneys can go and how to "fight back" against subpoenas for records and deposition testimony, trial subpoenas, being called as a "fact only" witness, and other commonly encountered problems.

Questions and Answers

SEAK Law School For Physicians™

Day Three (Wednesday, August 20, 2003)

CIVIL PROCEDURE & EVIDENCE

continued

10:00 - 10:15 **Break and Networking Opportunity**

10:15 - 11:00 **Jurisdiction and Venue:**

Students are taught the constitutional and statutory rules as to when and where a lawsuit may be brought and when a person or entity may be subject to suit. Physicians will learn under what circumstances they can be sued in states where they do not live or practice. The class will discuss and argue motions to dismiss for lack of personal jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(2) and lack of subject matter jurisdiction pursuant to F.R.C.P. 12(b)(1).

Questions and Answers

11:00 - 12:00 **Anatomy of a Civil Trial:**

Students are taught the ins and outs of a civil trial. Included is the role of the judge and jury, opening statements, burdens of proof and persuasion, summation, directed verdicts, judgments notwithstanding verdicts, jury deliberation and decision, and judgments. Included is a discussion of common trial motions such as motions in limine, requests for limiting instructions, and motions for a new trial. Alternative Dispute Resolution (ADR) processes such as mediation and arbitration are also discussed. Seminar participants will actively participate in the learning process.

Questions and Answers

12:00 - 1:15 **Lunch (Provided With Faculty)**

1:15 - 2:00 **Relevancy and Unfair Prejudice:**

There will be a discussion of the basic rules and policies behind the Federal Rules of Evidence. Students will learn why certain types of evidence are held to be inadmissible, even where it is relevant. Students will be given the opportunity to object to and argue the admissibility of various pieces of proposed evidence.

Questions and Answers

2:00 - 2:30 **Hearsay and Its Exceptions:**

The theoretical underpinnings of the hearsay rule are explained. Also explained are some of the more important exceptions to the hearsay rule including statements for purposes of medical diagnosis or treatment (FRE 803[4]), records of regularly conducted activity (FRE 803[6]), learned treatises (FRE 803[18]), and admission by a party opponent (FRE 801[2]). Students will be given the opportunity to object to and argue the admissibility of evidence based on the hearsay rule and its exceptions.

Questions and Answers

2:30 - 2:45 **Break and Networking Opportunity**

2:45 - 3:45 **Expert Testimony and Impeachment:**

Students will learn the legal requirements for expert testimony. Included will be a discussion of the landmark Daubert case limiting the admissibility of expert medical testimony. Also included is a discussion of the rules regarding impeaching (i.e., discrediting) an expert witness. Students will learn why an attorney is allowed to discredit an expert witness and how that process takes place. Practical advice to protect from such assaults are given. Demonstrations will be conducted utilizing student volunteers.

Questions and Answers

3:45 - 4:45 **Trial Demonstration:**

Students, working in teams, will make a brief opening statement and will conduct a direct and a cross-examination of a volunteer physician expert witness. Objections can be made and the admissibility of evidence will be ruled upon by the instructor judge. A brief closing argument will be made by each team.

Questions and Answers

4:45 - 5:00 **Conclusion and Awards**

The top scoring student(s) on the morning bar exam will be presented with an award and all students will be presented with Certificates of Completion.

Registration is Limited.
Register Today!

For a complete listing of SEAK's highly acclaimed physicians' seminars visit www.seak.com or call 508-457-1111.

Hotel and Travel Information

Falmouth is one of the Cape's best playgrounds for vacationers of all ages and interests. It features over 75 miles of scenic coastline, three ferries to Martha's Vineyard, countless dining options, numerous antique shops, the Shining Sea bike trail, the Woods Hole Oceanographic Institution (which found the Titanic and Bismarck, among other famous accomplishments), numerous public golf courses and ocean temperatures and daytime high temperatures which both average in the 70s during the month of August. Nantucket ferries run from Hyannis, which is approximately thirty minutes (by car) from Falmouth.

Sea Crest Oceanfront Resort is a full-service resort nestled in a quiet oceanfront location. It features:

- 684 foot private white sandy beach
- Oceanfront dining room
- Entertainment
- Heated indoor pool, Jacuzzi, atrium for sun and relaxation
- Outdoor pool, deck and cabana bar for lounging or cocktails
- Two level fitness center, saunas, steamroom
- Water-craft rentals and windsurfing instruction
- Shuttle-van service to downtown Falmouth and Martha's Vineyard ferry dock
- Two all-weather outdoor tennis courts
- Children's day camp

Rates/Reservations: SEAK has secured the special discounted rate of $175/night (single or double). To make your reservations, please call 1-800-225-3110 and mention that you are with the SEAK, Inc. group.

Getting To Falmouth: Falmouth is within driving distance for attendees anywhere in the Northeast. It is only 5 miles from the Bourne Bridge, which is the preferred gateway to Cape Cod. Falmouth is located approximately 75 miles from Providence's T.F. Green Airport and Boston's Logan International Airport. Providence is the preferred airport as it usually suffers less delays and surrounding traffic than Logan. Bus service from Boston to Falmouth is available on Bonanza Bus Company.

Questions: Call us at 508-548-7023 and we'll answer any questions you may have and give you suggestions on how to make the most of your stay on Cape Cod!