

2006

Two Customized Seminars Designed to Meet Your Needs

WRITING AND DEFENDING YOUR IME REPORT

Saturday, October 7, 2006

Radisson Hotel, SeaTac, WA

ADVANCED DEPOSITION SKILLS WORKSHOP

Sunday, October 8, 2006

Radisson Hotel, SeaTac, WA

SPONSORED BY:



In Cooperation With:

Washington State Department of Labor and Industries



www.seak.com

Dates and Location: The seminars will take place on Saturday, October 7, 2006 and Sunday, October 8, 2006 from 8:30am-5:00pm at the Radisson Hotel Seattle Airport, 18118 International Boulevard, Seattle, WA 98188. Telephone 206-244-6666. The Radisson Hotel is located across the street from the entrance to SeaTac International Airport. You will be provided with driving directions when you register for the workshop.

Parking: Parking is free.

Included in Every Registration: The \$295 tuition for each course includes continental breakfast, breaks, lunch with faculty, a detailed seminar manual and a unique, interactive learning experience.

Continuing Medical Education Information: SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education (ACCME) to provide continuing medical education (CME) for physicians. SEAK, Inc. designates *Writing and Defending Your IME Reprt* and *Advanced Deposition Skills Workshop* each for a maximum of 7.0 Category 1 credits toward the Physician's Recognition Award of the American Medical Association. Each physician should claim only those credits that he/she actually spent in the activity.

To Register: Please type or print clearly and make your check payable to SEAK, Inc. or fill in your credit card information. Upon receipt of your registration form and payment, we will mail you your confirmation letter.

Free with Early Registration: Paid registrants whose registrations are received prior to August 1, 2006 will receive a free copy of the DVD (*Symptom Magnification, Deception and Malingering: Identification Through Distraction and Other Tests and Techniques*), a \$104 value.

Cancellations: All written cancellations received prior to October 1, 2006 will receive a full refund. Persons canceling after October 1, 2006, will not receive a refund.

October 2006 Seattle Registration Form

Priority Code: NET

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

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

Please register me for:

Writing and Defending Your IME Report, October 7, 2006 (\$295)

Advanced Deposition Skills Workshop, October 8, 2006 (\$295)

Check Enclosed, payable to SEAK, Inc.

Visa Mastercard AmEx account:

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Security Code

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Name on card: _____

Expiration Date

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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

First Name (as it will appear on name badge) Last Name Title

Name of Company or Organization

Specialty/Area of Expertise

Mailing Address

City State Zip

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

E-Mail Address

Register today. Space limited. Don't miss these workshops.

WRITING AND DEFENDING YOUR IME REPORT

Saturday, October 7, 2006, Radisson Hotel, SeaTac, WA

Sponsored by SEAK, Inc.

in cooperation with the Washington Department of Labor and Industries

Executive Summary:

A well-written IME report is the key to a successful IME. A well-written IME report is immensely helpful to the referral source and may well lead to future referrals. A poorly written IME report can and will be used to impeach the examiner in the case at hand and future cases for years to come. *Writing and Defending Your IME Report* is a lively, hands-on program that features numerous interactive writing exercises and mock trial demonstrations. The mock trial demonstrations will be based on actual IME reports (with confidential information redacted) from the attendees which will be submitted in advance. *Writing and Defending Your IME Report* will teach you how to write more valuable and more defensible IME reports and how to avoid the most common pitfalls involved in IME report writing. Attendees will learn how to structure their IME reports so as to be resistant to cross examination. There will be ample time set aside for questions and answers.

Learning Objectives:

Upon completion of this interactive workshop, you will be able to:

- Dramatically improve your IME report writing skills.
- Avoid the most common pitfalls in drafting IME reports.
- Understand the tactics attorneys use to attack an IME report and learn how to protect and defend against each of these tactics.
- Be a more valuable and more successful independent medical examiner.

Distinguished Faculty:

James J. Mangraviti, Jr., Esq., has trained hundreds of physicians across the United States and Canada. He is an attorney 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 BA degree in mathematics *summa cum laude* from Boston College and his JD degree *cum laude* from Boston College Law School. His publications include the texts *Writing and Defending Your IME Report: The Comprehensive Guide*, *The Independent Medical Examination Report: A Step-by-Step Guide with Models*, *Writing and Defending Your Expert Report: The Step-by-Step Guide with Models*, *SEAK Law School for Physicians*, *Law School for the Safety and Health Professional*, *The Successful Physician Negotiator: How to Get What You Deserve*, *Cross-Examination: The Comprehensive Guide for Experts*, *How to Excel During Cross-Examination: Techniques for Experts That Work*, *How to Excel During Depositions: Techniques for Experts That Work*, and *The Comprehensive Forensic Services Manual: The Essential Resources for All Experts*.

Here's what previous attendees have to say about this course:

"Lecture was very informative as well as entertaining"

"Great job"

"Enjoyed the legal teaching"

"Don't change a thing, it was great"

"Highly recommended"

"Lively"

"A fun learning experience"

"Highly knowledgeable trainer"

Each Registration Includes:

- Continental Breakfast
- Breaks
- Lunch with faculty
- A detailed seminar manual
- A unique, interactive learning experience, and a free *How To Detect Symptom Magnification* DVD if your registration is received prior to Aug. 1, 2006.

Continuing Medical Education Information:

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Reminder: All IME examiners for the Department of Labor and Industries are required to stay current in methods of rating impairment, performance of IME's and other important areas. Completion of this seminar will help you meet this requirement.

WRITING AND DEFENDING YOUR IME REPORT

Saturday, October 7, 2006, Radisson Hotel, SeaTac, WA

8:00-8:30 Continental Breakfast

8:30-9:00 Introduction: Students will learn when to write their IME reports and more importantly when not to write their IME reports. The law governing the discoverability and admissibility of IME reports will be explained. The specific reasons why a well-written IME report is of crucial importance will be explained. **Questions and Answers**

9:00-9:15 Formatting: Students will learn the optimum ways to format an IME report (including L&I's required format) and how proper formatting can assist them during cross-examination. The importance of proper formatting will be emphasized, with a specific discussion of cover pages, fonts, topic headings, paragraph breaks and lengths, spacing, and page numbering. Model reports with superior formatting will be provided. **Questions and Answers**

9:15-10:00 Properly Documenting the Medical Records and Other Documents Reviewed: Through a combination of a didactic presentation, interactive writing exercises, and mock trial demonstrations, students will learn the best ways to document in their IME reports the medical records and other documents received and reviewed by the examiner. **Questions and Answers**

10:00-10:15 Break (Networking Opportunity)

10:15-10:45 Qualifications of the Examiner: The examiner's stating of his own qualifications in an IME report is an area where avoidable mistakes with severe consequences are all too often made. Through didactic presentations, interactive writing exercises and a mock trial demonstration, students will learn the importance of accurately and objectively stating one's qualifications and the common errors that examiners often make in this area. The importance of not giving opinions beyond your true area of expertise will be stressed. **Questions and Answers**

10:45-11:15 History and Physical Examination: A well-grounded opinion depends on detailed and accurate documentation of both the history taken from the examinee and the examiner's physical examination of the examinee. In this segment attendees will learn best practices in documenting the examinee's history and the physical examination performed as part of the evaluation. A mock trial demonstration and interactive exercises will drive home common mistakes. **Questions and Answers**

11:15-11:45 Properly Expressing Your Expert Medical Opinions: The purpose of an IME report is the expression of the examiner's expert medical opinions on common IME issues such as causation, impairment, disability, appropriateness of care, and prognosis. These opinions should be expressed in a clear, confident and supportable manner. Through didactic presentations, interactive writing exercises and a mock trial demonstration, students will learn how to properly express their expert medical opinions, the reasoning for these opinions and the common pitfalls to avoid in this area. **Questions and Answers**

11:45-12:00 Catching Mistakes Before They Catch You: Through didactic presentations and a mock trial demonstration examiners will learn the importance of proofreading their IME reports and how to catch and correct the most commonly made errors in IME reports. **Questions and Answers**

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

1:00-2:45 Drafting a Powerful, Defensible IME Report: Through didactic presentations, interactive writing exercises and a mock trial demonstration, students will learn 20 proven techniques to make their IME reports more powerful, persuasive, and defensible. Specific techniques explained will include: avoidance of absolute words, staying within the examiner's true area of expertise, red flag words to avoid in IME reports, common damaging superfluous language that should not appear in IME reports, the avoidance of hedge words and over a dozen more specific techniques. **Questions and Answers**

2:45-3:00 Break (Networking Opportunity)

3:00-4:00 Defending Your IME Report At Deposition and Trial: Through didactic presentations and mock trial demonstrations students will learn the 25 most effective tactics counsel uses to attack an examiner through his IME report and, more importantly, specific advice on how to defend against each and every one of these tactics. **Questions and Answers**

4:00-4:30 Trick and Difficult Cross-Examination Questions For Independent Medical Examiners: The instructor will ask the attendees numerous trick and difficult questions that they can expect to be asked at deposition or trial. Truthful and artful responses to each question will be suggested. **Questions and Answers**

4:30-5:00 Conclusion and Takeaways: Faculty will take any final questions and solicit from the attendees a concise set of "bullet point" takeaways based on what was learned in this workshop. **Questions and Answers**

Space is Limited. Register Today!

ADVANCED DEPOSITION SKILLS FOR EXPERTS

Sunday, October 8, 2006, Radisson Hotel, SeaTac, WA

Sponsored by SEAK, Inc.

in cooperation with the Washington Department of Labor and Industries

Executive Summary: Independent medical examiners and expert witnesses are 15-20 times more likely to have to testify at deposition than at trial. *Advanced Deposition Skills for Experts* teaches experts how to excel during their depositions. The workshop is presented in an interactive fashion and features numerous demonstrations. This is an **advanced course designed for experienced experts** who would like to raise their deposition skills to the next level.

Faculty: James J. Mangraviti, Jr., Esq., has trained hundreds of physicians across the United States and Canada. He is an attorney 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 BA degree in mathematics *summa cum laude* from Boston College and his JD degree *cum laude* from Boston College Law School. His publications include the texts *Writing and Defending Your IME Report: The Comprehensive Guide*, *The Independent Medical Examination Report: A Step-by-Step Guide with Models*, *Writing and Defending Your Expert Report: The Step-by-Step Guide with Models*, *SEAK Law School for Physicians*, *Law School for the Safety and Health Professional*, *The Successful Physician Negotiator: How to Get What You Deserve*, *Cross-Examination: The Comprehensive Guide for Experts*, *How to Excel During Cross-Examination: Techniques for Experts That Work*, *How to Excel During Depositions: Techniques for Experts That Work*, and *The Comprehensive Forensic Services Manual: The Essential Resources for All Experts*.

Learning Objectives:

At the completion of this workshop you will be able to:

- Understand and counter opposing counsel's strategy and tactics.
- Learn how to best prepare for your deposition.
- Master special techniques for videotape depositions.
- Understand how to achieve your goals at a deposition.
- Practice and improve your skills for answering the most difficult deposition questions.
- Present truthful and more effective expert deposition testimony.

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- Breaks
- Lunch with faculty
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ADVANCED DEPOSITION SKILLS FOR EXPERTS

Sunday, October 8, 2006, Radisson Hotel, SeaTac

- 8:30 - 9:00** **Introduction**
Brief introductory remarks will be followed by an initial demonstration of an expert deposition utilizing a volunteer attendee. **Questions and Answers**
- 9:00 - 9:30** **Understanding the Strategies and Goals of Opposing Counsel**
Faculty will review the goals of opposing counsel at depositions. Attendees will also learn the alternative strategies opposing counsel will utilize at depositions to achieve her goals. Demonstrations will drive key points home. **Questions and Answers**
- 9:30 - 10:15** **Preparing for Your Expert Deposition**
Experienced experts understand the significance of their deposition and how opposing counsel will likely be highly prepared to question them. Faculty will provide a detailed checklist of the specific steps that need to be taken to properly prepare for an expert deposition. Attendees will also learn how to help ensure that retaining counsel thoroughly prepares them for their deposition. Faculty will review the specific items experts need to be prepared to explain at their deposition. **Questions and Answers**
- 10:15 - 10:30** **Break and Networking Opportunity**
- 10:30 - 11:00** **Deposition Strategies for Experts**
Faculty will discuss the alternative strategies experts may follow at deposition. Faculty will explain how the best strategy to follow depends on many factors including the size of the case, type of case, who the attorneys are, and whether or not retaining counsel believes the case is likely to settle before trial. **Questions and Answers**
- 11:00 - 12:00** **Understanding and Defeating Counsel's Deposition Tactics**
Experts who are aware of, able to recognize, and effectively deal with the myriad of opposing counsel's tactics are highly successful at their depositions. These experts help increase the value of the case and are highly sought after. The faculty will explain, analyze, and review many deposition tactics and will offer specific techniques for defeating each. Demonstrations utilizing volunteer attendees will help illustrate the tactics and defenses. **Questions and Answers**
- 12:00 - 1:00** **Lunch (Provided with Faculty)**
- 1:00 - 1:30** **Videotape Depositions – Special Techniques**
The number of videotape depositions taken are increasing rapidly. In this segment the faculty will discuss advanced techniques for excelling at videotaped depositions. Attendees will view samples of effective and ineffective videotape deposition testimony. **Questions and Answers**
- 1:30 - 2:45** **Advanced Deposition Tactics for Experts**
The best experts are not only able to effectively respond to opposing counsel's tactics, they are able to use their own tactics to help present truthful and effective testimony. This segment will describe numerous techniques experts can use to make sure that opposing counsel does not unfairly lock them in, does not take their testimony out of context and does not distort the truth. Demonstrations utilizing volunteer attendees will help illustrate many of these techniques. **Questions and Answers**
- 2:45 - 3:00** **Break and Networking Opportunity**
- 3:00 - 4:00** **Pulling it all Together: Truthfully and Artfully Answering Trick and Difficult Questions at Deposition**
In this segment the attendees will be able to practice the skills taught in the course by responding to numerous trick and difficult deposition questions. For each question the faculty and attendees will analyze what tactic opposing counsel is most likely employing, how that tactic can be defeated and various truthful and artful answers to the question. **Questions and Answers**
- 4:00 - 4:15** **Attendee Specific Trick & Difficult Questions**
During this segment attendees will be allowed to submit to the faculty and attendee-peers difficult and trick questions. The faculty and attendees will provide suggestions on truthful and artful ways to answer these questions. **Questions and Answers**
- 4:15 - 5:00** **Takeaways and Conclusions**
Faculty will take any final questions and solicit from the attendees a concise set of "bullet point" takeaways based on what was learned in this workshop. **Questions and Answers**