

The logo for NWCDN, consisting of the letters 'NWCDN' in a bold, white, sans-serif font with a slight blue glow effect, set against a dark blue background.

NWCDN

The National Workers' Compensation Defense Network

A background image of the Los Angeles skyline at night, featuring several illuminated skyscrapers and a large, multi-story building in the foreground. The lights from the buildings create a warm, golden glow against the dark sky.

**2010 Two-Day
Summer Conference
Los Angeles, California**

**Wednesday, June 16, 2010
Café Pinot**

**Thursday, June 17, 2010
Los Angeles Athletic Club**

COCKTAIL RECEPTION

June 16, 2010

The cocktail reception will be held on the patio of Café Pinot in the heart of downtown Los Angeles with views of many magnificent buildings. The Café is next to the main branch of the Public Library, a beautifully restored structure. The Café and the library adjoin a lovely small park which can be enjoyed by our reception guests.

SEMINAR LOCATION

June 17, 2010

The all-day seminar will be held in the main dining room of the Los Angeles Athletic Club built in the 19th Century. The club is the location of the annual Wooden Award ceremony honoring the best players and coaches in college basketball.

SEMINAR OVERVIEW

8:30 to 8:45 a.m.: Introduction and Welcome Remarks from National Workers' Compensation Defense Network Chair and Host Firm Representative

William L. S. Ross, Calfee, Halter & Griswold, LLP
Anthony J. Macauley, Hanna, Brophy, MacLean, McAleer & Jensen

8:45 to 9:30 a.m.: Where Have All the Claims Gone?

Moderator: Fred Ritsema, NWCDN Colorado and Nebraska, Ritsema & Lyon, PC

- ♦ Why is claims frequency decreasing? Where? At what rates? For how long?
- ♦ Why is claim severity increasing? Where?
- ♦ What national demographics have the most claims? The most expensive?
- ♦ What national trends are affecting insurance industry profits and claim costs?
- ♦ What is changing for claims professionals and defense attorneys?
- ♦ How must they deal differently with both old and new issues?

Panel Members: Peter Rousmaniere, Columnist, Risk and Insurance Magazine
John Deacon, NCCI
John Smolk, Manager, Workers' Compensation Programs, United Airlines

9:30 to 10:15 a.m.: Where is the Beef? Obesity and Workers' Compensation

Moderator: Anthony J. Macauley, NWCDN California, Hanna, Brophy, MacLean, McAleer & Jensen

Americans are getting fatter. Along with weight gain come other factors which complicate claims management. These include physical, emotional, motivational elements. This panel will explore:

- ♦ Co-morbidity caused by obesity
- ♦ Effects of obesity on the recovery process
- ♦ Managing and litigating claims involving obesity
- ♦ Reducing obesity in the workplace

Panel Members: Marta Soto, Sedwick Claims Management
Eli Hendel, M.D.
John Berger, Area Vice President, Arthur J. Gallagher

10:15 to 10:45 a.m.: Break - Morning Networking

10:45 a.m. to 12:15 p.m.: Perils of Narcotics - Pain Management or Abuse?

Moderator: Jane Lipscomb Stone, NWCDN Texas, Stone, Loughlin & Swanson

The medical, legal and political landscape impacting prescription narcotic medication, pain management, treatment for addiction and dependency, and psychological issues is constantly changing. This panel will address recent developments in preventing and dealing with existing prescription abuse in the workers' compensation system.

Panel Members: Suzanne Novak, M.D., Ph.D., Author of the Official Disability Guideline Chapter on Pain
William Nemeth, M.D., Board Certified in Addiction Medicine, former Medical Director of the Texas Workers' Compensation Commission
Theresa Muir, Southern California Edison

Mathew F. Denley, Cummins, Goodman, Fish, Denley & Vickers, NWCDN Oregon, Washington, and Alaska

12:15 to 1:15 p.m.: Lunch

**1:15 to 2:00 p.m.: The Not So Exclusive Remedy Rule
Attacks on the ERR by RICO and ADA**

Moderator: Jim Reiter, NWCDN Michigan, Charfoos, Reiter & Hebert

Ever since 1911, when the first Workers' Compensation Law was introduced and the first "Exclusive Remedy" provision was included in the law, the Plaintiff's Bar has been very creative in inventing ways around the Exclusive Remedy Rule (ERR). One of the newest and most creative ways has been the use or attempted use of the Racketeer Influenced Corrupt Organizations Act (RICO). With the expanded coverage given to injured workers under the latest amendments to the ADA (ADAAA) we expect a new round of attacks on the ERR. This panel will bring you up to date on RICO, its use in the Workers' Compensation area and ways carriers, TPAs and employers can protect themselves from RICO allegations. We will also discuss the new ADAAA and the possible liability it could create in "return to work" programs and other Workers' Compensation related actions.

Panel Members: Karyn Smithson-Hughes, Regional Manager, Workers' Compensation Claims, Nestlé USA
Darrell Brown, Workers' Compensation Practice Lead, Sedgwick Claims Management
Kathryn Klaus, Coddington, Hicks & Danforth

2:00 to 2:45 p.m.: "Do You Swear to Tell the Truth?"

NWCDN Attorneys: George Goodman, Cummins, Goodman, Fish, Denley & Vickers
Alan Gardner, NWCDN Idaho, Gardner & Breen

Employer and Claims Participant: Jill Dulich, Marriott

Your file and you or your adjuster have just been subpoenaed to court or to a deposition to testify about your claims administration or human resource practices. Is this just a gambit to scare you to death? How seriously should you and your attorney take it? What is the other side really after? How should you or your employee prepare to properly and honestly answer questions? This panel will demonstrate how careful preparation leads to better testimony.

2:45 to 3:15 p.m.: Break - Afternoon Networking

3:15 to 4:00 P.M.: When the Whip Comes Down!

Moderator and Story Teller: Brian Francis, "The Man," MAXCIS

Years ago, before he was immortalized by the Rolling Stones, there was a vice president of a regional insurance carrier who brought great fear into the hearts and minds of everyone in claims. He was nicknamed, "The Whip." When a claim got bad or "went south" or had "adverse developments," the Whip came down from his top floor suite to the low floor where the trembling managers, supervisors, and adjusters waited. They all knew that, despite the adjuster's best efforts, the outlook of the case had worsened. Sometimes, however, they also knew that this was not a complete surprise to them although it was a complete surprise to the Whip. Those were dark days.

There are identifiable criteria which appear both early and later in a case which allow modification of the plan of action. Reporting those criteria and the new plan was the key to prevent the Whip from coming down. This panel will explore these criteria and also discuss how to deliver unexpected bad news so that "when the Whip comes down," no heads will roll.

Panel Members: Debra Howie, Catholic Health Initiatives
Glenn Farley, Amerisure
Greg Gitter, Gitter & Associates

4:00 to 5:30 p.m.: Cocktail Reception at Los Angeles Athletic Club

CONTINUING EDUCATION CREDITS

California MCLE Credit will be provided for attendance at each panel. California adjuster certification credit will also be given by way of signed certificates. The maximum credit for the entire seminar, including the roundtable lunch discussions with attorneys, will be 6.25 hours. We are researching the applicability of the MCLE and adjuster credits in other states.

WELCOME COCKTAIL RECEPTION INFORMATION

Downtown Los Angeles, CA ❖ June 16, 2010
Café Pinot
7100 West 5th Street ❖ Los Angeles, CA 90071-2026
(213) 239-6500

Welcome Cocktail Reception: 6:00 to 8:00 p.m. (INCLUDED)

You can register for the event by returning the Registration Sheet on the back of this brochure or by emailing Eorona@HannaBrophy.com with the required information.

SEMINAR FACILITY INFORMATION

Los Angeles, CA ❖ June 17, 2010
Los Angeles Athletic Club
431 West Seventh Street
Los Angeles, CA 90014-1601
(213) 625 2211

Registration and Continental Breakfast: 7:30 - 8:30 a.m.

Seminar: 8:30 a.m. - 4:00 p.m.

Lunch: 12:15 to 1:15 p.m. (INCLUDED)

Closing Cocktail Reception: 4:00 to 5:45 p.m. (INCLUDED)

You can register for the event by returning the Registration Sheet on the back of this brochure or by emailing Eorona@HannaBrophy.com.

SEMINAR ACCOMMODATIONS

Los Angeles Athletic Club has rooms available at reduced rates for the NWCDN conference. Please call (213) 625-2211. Rooms include use of the athletic facilities and a free breakfast. Visit LAAC.com.

Additional rooms are available at a reduced rate for the NWCDN conference at the beautiful and historic Millennium Biltmore Hotel 506 South Grand Avenue, Los Angeles, CA 9007, (213) 624-1011. Visit MillenniumHotels.com.

Please provide information regarding special needs seven days prior to the event.

HOST FIRMS FOR COCKTAIL RECEPTION

Arizona - Jardine, Baker, Hickman & Houston

California - Hanna, Brophy, MacLean,
McAleer & Jensen

Colorado and Nebraska - Ritsema & Lyon

Idaho - Gardner & Breen

Oregon, Washington, and Alaska - Cummins,
Goodman, Fish, Denley & Vickers

Texas - Stone, Loughlin & Swanson

SPONSORS

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TRAVEL ARRANGEMENTS

Los Angeles International is convenient to downtown. It is a \$42 cab ride and taxis are waiting outside each terminal. There are also shuttle services outside each terminal which will bring you directly to your destination. Super Shuttle charges \$16.

Click [HERE](#) to Register Online

REGISTRATION DETAILS

Phone: 213.943.4806
Fax: 213.943.4801

Mail: NWCDN 2010 Summer Conference
c/o Elizabeth Orona
Hanna, Brophy
606 South Olive, Suite 1020
Los Angeles, CA 90014

Registration: FREE

Seminar: 8:30 a.m. - 4:00 p.m.

Breakfast, Lunch, and Reception included

Attendee name *(Please print or type)*: _____

RSVP Required by June 1, 2010
Registration: 7:30 a.m.

Are you a NWCDN member firm?: Y N

What NWCDN firm are you a friend of? (Please fill in firm name and city/state located in.) _____

What member state(s) are you interested in speaking to? _____

1. Name _____

Title _____

Email _____ Phone No. _____

2. Name _____

Title _____

Email _____ Phone No. _____

3. Name _____

Title _____

Email _____ Phone No. _____

Company Name _____

Address _____

City/State/Zip _____

Fax _____

Which state(s): _____

Will you be staying

At the LAAC?: Y N

At the Biltmore?: Y N

Will you be attending:

The Welcome Reception? Y N

Breakfast? Y N

Seminar? Y N

Closing Reception? Y N