



OACTA PERSONAL INJURY DEFENSE SEMINAR

July 29, 2022

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

CLE Minutes:

8:00 – 8:30am **Registration / Breakfast / Exhibits**

8:30 – 8:45am **Welcome**

Benjamin C. Sassé, Esq., OACTA President

Michelle Burden, OACTA Personal Injury Defense Committee Chair

8:45-9:45

“The Non-Economic Damages Cap in Ohio: What to Know and How to Use It”

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RC 2315.18, better known as the damages cap statute, is an area of law most attorneys are aware of but do not necessarily have experience in its application at trial. This presentation will focus on the statute itself, relevant case law interpreting the statute, and practical takeaways on how to best frame your case so that the cap applies.

Speaker: Eric Grinnell, The Carr Law Office, LLC, Hudson, OH

9:45-10:00 **Break with Exhibitors**

10:00-11:00

“Emergency Responses: Land Mines to Navigate and Treasure Troves to Explore”

60

Responding and investigating collisions, accidents, incidents, and injuries as soon as they occur is crucial to ensuring that a claim is properly handled. From scene investigations, to canvassing for surveillance video, to handling preservation of evidence requests, to early resolution opportunities, and everything in between, an emergency response accident investigation can reveal essential evidence, limit exposure, and lead to quick file closure. This presentation will walk you through these types of investigations and demonstrate their utility.

Speakers: Philip Heebsh, Roetzel & Andress, LPA, Toledo, OH

Phillip Sarnowski, Roetzel & Andress, LPA, Columbus, OH

11:00-12:00

“Effectively Defending TBI Claims: Trending Damages Multipliers”

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This presentation will provide insight into identifying and addressing increasingly common issues arising in traumatic brain injury claims that increase insurers’ risk, including: post-traumatic vision syndrome; advanced neuroimaging, including diffusion tensor imaging and NeuroQuant; and opinions regarding increased risk of

neurodegenerative disease and dementia. Attendees will learn to identify emerging claims multipliers associated with traumatic brain injury claims and take steps to mitigate the risk involved.

Speaker: Andrew Lehmkuhl, Porter Rennie Woodard Kendall, LLP, Cincinnati OH

12:00-1:00 **Lunch and Networking**

1:00-1:45

“Is your case a candidate for a Nuclear Verdict?”

45

In this talk we will assess the narrative framing, psychological and case-specific factors, and juror characteristics associated with nuclear verdicts and what the defense can do to minimize the chances of such a verdict.

Speaker: Nick Polavin, Ph.D, Litigation Insights, Jury Consultant

1:45-2:00 **Break with Exhibitors**

2:00-2:45

“Jury-Tested Solutions to Common Defense Vulnerabilities”

45

This presentation will focus on common defense vulnerabilities that we hear from mock jurors and real jurors in post-trial interviews and the thematic and jury selection strategies that can help overcome them.

Speaker: Nick Polavin, Ph.D, Litigation Insights, Jury Consultant

2:45-3:45

“Polarizing Politics and Contentious Claims”

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Our society which is more polarized than ever on political and social issues. Whether we like it or not, those issues appear not only in the workplace, but they also impact the claims we work with on a daily basis. This session will discuss how these issues impact claims and litigation, and how best to address them at all levels. The discussion will focus on how these factors impact the types of claim we can expect to see, special considerations in how to handle them, litigation strategy, and jury trends. Whether you are partisan, independent, or apolitical, this session will provide a non-partisan discussion of issues we often shy away from discussing.

Speaker: Tom Glassman, Bonezzi, Switzer, Polito & Hupp Co., LPA, Cincinnati, OH

3:45 **Adjourn**

TOTAL: 330 mins / 5.5 hrs. CLE