

Registration Information

Please return by Jan. 10, 2012 to our St. Louis office. attn: Lois LaDriere

Name _____

Title _____

Company _____

Phone Number _____

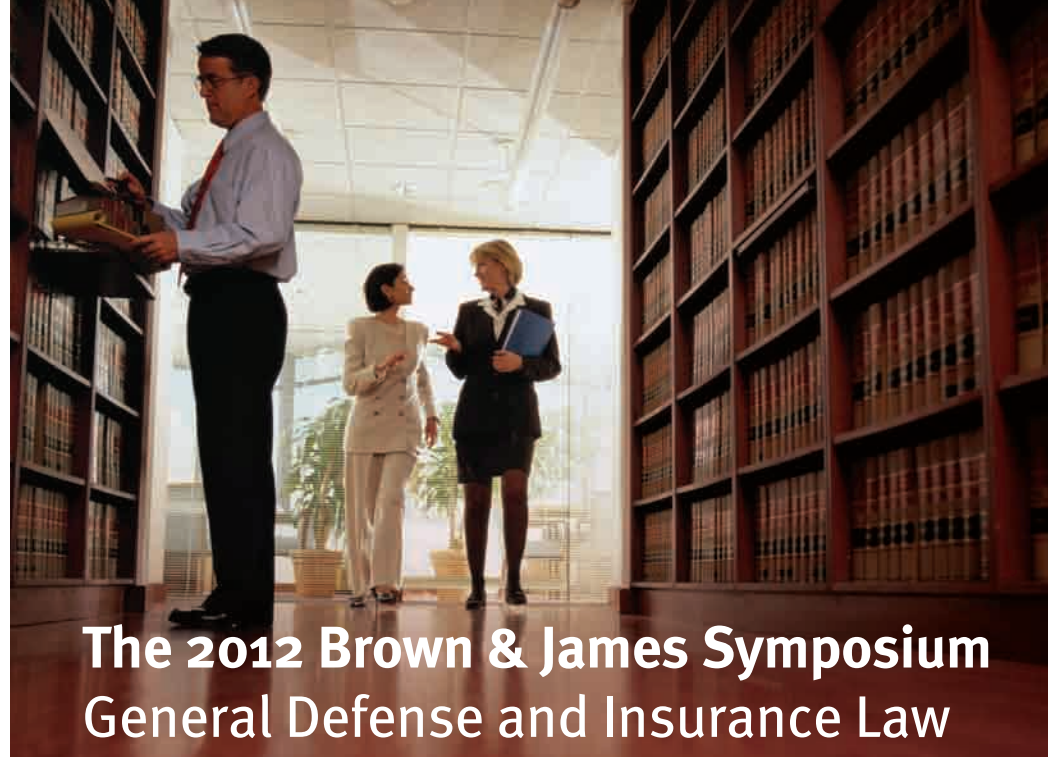
Email _____

Please indicate which Breakout Sessions you would like to attend

Breakout Session I _____

Breakout Session II _____

Breakout Session III _____



The 2012 Brown & James Symposium General Defense and Insurance Law

Thursday, January 26, 2012

Doubletree – St. Louis at Westport

1973 Craigshire Road, Saint Louis, MO 63146

314-434-0100

Brown & James presents its Symposium on the most recent trends in the law on January 26, 2012. This Symposium is designed to assist those in the claims and risk management field about current and relevant legal topics.

Participants will receive 7.4 Missouri CLE credit hours and/or 6 Missouri Insurance CE credit hours.

REGISTRATION AND PROGRAM A SEPARATE REGISTRATION FORM IS NEEDED FOR EACH REGISTRANT. (Photocopies of the Registration Form are acceptable.) **REGISTRATION DEADLINE IS January 10, 2012.**

BROWN & JAMES^{PC.}
LAW FIRM

www.brownjames.com

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Continental Breakfast 8:00 - 8:30 a.m.

Welcome and Introduction 8:30 - 8:40 a.m.

Russell F. Watters

Case Law Update: 8:40 a.m. – 9:50 a.m.

Russell F. Watters and John Cunningham

Russ Watters and John Cunningham will bring us up to date on important Missouri and Illinois Appellate and Supreme Court decisions that impact the defense of casualty and property cases as well as various coverage issues.

BREAK 9:50 - 10:05 a.m.

Keynote Address: 10:05 a.m. – 11:30 a.m.

Cindy Andrews, Ph.D. and Dave Ellington

Please welcome Decision Quest's Cindy K. Andrews, Ph.D. and Brown & James trial veteran Dave Ellington for a presentation on the use of focus groups, the impact of social media on jury selection, voir dire strategy, and other trial-related topics.

LUNCH 11:30 a.m. – 12:15 p.m.

Breakout Session I 12:15 p.m. – 1:30 p.m. (Choose One)

The Policy Limits Demand: Between A Rock and a Hard Place

David P. Bub, Mark Redick and Steve Bruening

David Bub will moderate this open panel discussion on current bad faith law in Missouri and provide an analysis of the importance of the tripartite relationship that exists among the insurance company, defense counsel, and the insureds in defending excess exposure claims successfully.

Proper Investigation of Potential Arson/Fraud Claims

Robert L. Brady and Stephanie Fike

This session will provide detailed recommendations for conducting a thorough and competent investigation of first-party arson/fraud claims. Session I topics will include the selection of qualified experts, discovery, the use of circumstantial evidence, and sources of information and evidence.

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St. Louis, MO 63101

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Breakout Session II 1:35 p.m. – 2:50 p.m. (Choose One)

TBI and Cognitive Deficits: Fact or Fiction

Dr. Michael Oliveri, Ph.D. and Bradley R. Hansmann

Claims of traumatic brain injury are tricky: what appears to be a minor blow to the head may result in a claim of mental incapacity. Dr. Michael Oliveri, a board certified neuropsychologist, with Brown & James principal Brad Hansmann, will de-mystify the issues surrounding closed head injury cases, including a discussion of what to look for and how to detect whether the claimant has a real injury or simply wants it to appear to be a real injury.

Proper Investigation of Potential Arson/Fraud Claims II

Robert L. Brady and Stephanie Fike

This session will continue the discussion on recommendations for conducting a thorough and competent investigation of first-party arson/fraud claims. Session II topics include a discussion of “special issues” such as communicating with public officials, whether to turn information over to the insured during the investigation, issues involving innocent co-insureds, and general “dos” and “don’ts” in the investigation.

Breakout Session III 2:55 p.m. – 4:00 p.m. (Choose One)

Harvesting Electronic Data: What you might be missing?

Fred Semke and Kurt Schmid

The vehicle you just photographed might contain a “game changer” that transforms your case from a “He Said-She Said” case to one with solid electronic data that puts you in the driver’s seat. Learn from accident reconstructionist and engineer Fred Semke what “black box” data is available and what you need to do to preserve it. Kurt Schmid, a principal of Brown & James, will explain the “dos” and “don’ts” for this type of evidence and potential spoliation claims.

Subrogation Topics & Procedures: Expert Reports, Work-Product Doctrine/Expert Disclosures, and Who Owns the Subrogation Claim

Richard Gerber and Matt Leffler

The presenters will address the common conundrum of whether to ask the expert for a written report, and if so, whether or not to produce that report. This topic will include a discussion on the potential benefits of written expert reports, and the pitfalls associated with them. The presenters will also discuss the work-product privilege and how it might affect expert reports. They will also address changes to Fed. R. Civ. P. 26 and the effects of the changes on the discovery of expert reports and work-product issues in federal court. Also, they will discuss the issue of who owns the subrogation claim.

Cocktail Reception and Raffle/Door Prizes to Follow

Keynote Speaker



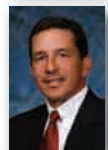
Cindy K. Andrews, Ph.D.
Senior Director, DecisionQuest

Dr. Andrews enjoys a national practice in trial consulting, jury research, and visual concepts. For over 22 years, she has utilized her expertise in jury psychology, cognition, persuasion, and decision-making in small group research exercises.

The scope of Dr. Andrews’ practice includes a complete array of jury research services, including the design and implementation of surrogate jury deliberations, surveys, focus groups, settlement strategies, theme development exercises, witness preparation, juror profiling, voir dire strategy, jury selection, trial strategy, and communication skills training. She has consulted on more than 500 cases in most areas of civil litigation as well as in criminal matters. She is frequently invited to speak at national and local conferences and CLE events.



Robert L. Brady focuses his practice on first-party insurance law and first-party arson/fraud investigation. He routinely guides insurers through all phases of claims investigations and coverage issues, and conducts examinations under oath on a regular basis. He frequently lectures to insurance carriers and industry groups on topics encompassing all aspects of proper investigation and claims handling.



David P. Bub focuses on general defense, personal injury, premises liability, toxic tort litigation, and insurance law. He is co-author of *Arson, Fraud and First Party Insurance Law: A Guide to Property Insurance Law and Procedures in Missouri and Illinois* (1st ed. 1995), and regularly lectures at regional and national conventions of the Property Loss Research Bureau.



Steve Bruening is currently a Team Manager with AAA Insurance Company. Steve has been in the insurance business since 1978 and has been with AAA for over 20 years. He currently handles a wide range of automobile casualty claims and first-party insurance claims.



John P. Cunningham is a shareholder in Brown & James’ Belleville, Ill., office. He has been with the firm his entire career, and has tried countless successful trials and appeals in the areas of first-party insurance claims and tort law, including arson and fraud litigation, premises liability, product liability, and automobile litigation.



Dave P. Ellington is a principal at Brown & James and is recognized as one of the top medical malpractice defense lawyers, having been named in *Best Lawyers in America* since 2006 in the practice. He also has been named a Super Lawyer by *Missouri & Kansas Super Lawyers* magazine for the last several years in the medical malpractice defense field.

Stephanie Fike is a Regional Manager in the Special Investigation Unit for SAFECO/Liberty Mutual. She is a seasoned investigator who has handled all types of property and auto fraud claims. Her investigations have contributed to the successful defense of numerous lawsuits in multiple jurisdictions.



Richard D. Gerber practices exclusively in the field of large loss subrogation, handling large property subrogation cases involving product liability, fire explosions, employee dishonesty, water losses, and construction. His extensive experience has resulted in the recovery of millions of dollars. He has personally attended hundreds of initial fire scene inspections to assure his cases are built properly from inception through trial.



Bradley R. Hansmann focuses his practice on general litigation, product liability defense, premises liability, and large fire and explosion cases. He routinely lectures to the insurance, risk management, and manufacturing industries on Missouri and Illinois law, and claims and investigation practices. Brad is a recipient of the Missouri Bar’s 2010 Lon O. Hocker Award for outstanding trial advocacy.



Matthew R. Leffler is an associate attorney at Brown & James who concentrates his practice in the areas of insurance law and subrogation.

Michael V. Oliveri, Ph.D., ABPP is a St. Louis-based, board-certified clinical neuropsychologist with over 20 years of professional experience in medical settings. His practice focuses on clinical assessment and consultation in cases of known or suspected brain-behavior dysfunction, and changes in cognitive and emotional status related to medical illness, injury, or disability.

Mark Redick, AIC, AIM, is currently a Field Claims Manager for Cincinnati Insurance and regularly handles all losses related to casualty, property, and workers compensation. He is Past President of the St. Louis Claims Managers Council.



Kurt A. Schmid is a principal in the firm’s St. Louis office and primarily focuses his practice on transportation, product liability, and premises liability matters. He has successfully represented transportation clients in trial and is active in the transportation legal community.



Fred B. Semke, P.E., received a Bachelor of Science degree in Mechanical Engineering from the University of Missouri-Columbia in 1983 and a Master of Science degree in Engineering Mechanics from the University of Missouri-Rolla in 1986. He has provided expert testimony in numerous state and federal courts regarding his reconstruction of passenger and commercial vehicle accidents. Fred has the knowledge and equipment necessary to download information from the event data recorders onboard these vehicles, and from electronic devices such as Garmin navigators and iPhones.



Russell F. Watters is a shareholder and founder of Brown & James. Considered one of the leading authorities in first-party insurance law, product liability litigation, and third-party bad faith insurance litigation, he has twice been awarded the “No. 1 Defense Verdict” in Missouri by Missouri Lawyers Weekly.

Register online at www.brownjames.com on our Events page under “News & Publications” or mail in the form on back.

A separate registration is needed for each registrant (you may copy the form on back).

The hotel has set aside 30 rooms at a Brown & James discount rate of \$109.
Must book by Jan. 5, 2012