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**CWCDAA**  
California Workers' Compensation Defense Attorneys' Association

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## 2015 CWCDAA ANNUAL SUMMER CONFERENCE

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### 2015 CWCDAA Annual Summer Conference THE COSMOPOLITAN of LAS VEGAS

Las Vegas, NV  
May 28-31, 2015

#### Final Agenda

MCLE Credit listed below is being applied for but has not yet approved

#### Thursday, May 28, 2015

#### CWCDAA Board Meeting

**There will not be a Board Meeting at the Summer Conference**

The next Board Meeting will be on November 5th at Noon.

#### Registration

2:00 - 5:00 PM

**Location:** Gracia Registration, Third Level

#### CWCDAA General Membership Meeting

3:00 - 3:30 PM

**Location:** Gracia Ballroom, Third Level

No MCLE credit for this session. Handouts will be emailed to members and/or available in the session

The General Membership Meeting is open to all CWCDAA Members in good standing. We will be voting on amendments to the Bylaws.

#### Basic Orthopedics & Physical Examination for Attorneys

3:30 - 5:00 PM 1.5 hours of MCLE credit

**Location:** General Session Room - Gracia Ballroom, Third Level

[Download Session Handouts](#)

This presentation is aimed to provide the attorney with an understanding of an orthopedic physical examination, basic terminology and common orthopedic

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s. dowsing

conditions frequently seen in a workers' compensation case. The goal is to provide the attorney with basic fundamentals of an orthopedic physical examination and an understanding of terminology anatomy, and common pathologic conditions.

Presented by: [Gary Brazina, MD](#)

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**Friday, May 29, 2015**

### **Registration**

**7:00 AM**

**Location:** TBD

### **Continental Breakfast**

**7:00 - 8:00 AM**

**Location:** Exhibit Hall - Gracia Ballroom, Third Level

### **President's Welcome**

**8:00 - 8:15 AM**

**Location:** General Session Room - Gracia Ballroom, Third Level

No handouts or MCLE credit for this session

### **View From The 9th Floor**

**8:15 - 9:30 AM** 1.25 hours of MCLE credit

**Location:** General Session Room - Gracia Ballroom, Third Level

There will be no handouts for this session

"View from the 9th Floor" will provide your semi-annual update into the happenings of the Workers' Compensation Appeals Board through the eyes of Chairwoman Ronnie Caplane. Moderated by Martin Guzman and Roberto Gonzalez, Chairwoman Caplane will provide an overview as to the recent trends and decisions issued by the WCAB.

Presented by: WCAB Chairwoman Ronnie Caplane, [2011 CWCDAA President Martin Guzman](#), and [2016 President Roberto Gonzalez](#).

### **Exhibitor Networking Break**

**9:30 - 10:00 AM**

**Location:** Exhibit Hall - Gracia Ballroom, Third Level

### **Case Law Update**

**10:00 - 11:30 AM** 1.5 hours of MCLE credit

**Location:** General Session Room - Gracia Ballroom, Third Level

[Download Session Handouts](#)

Update of current cases relevant to the Workers' Compensation Attorney.

Presented by: [James Pettibone](#) and [Barry Lesch](#).

[A. Zargarian](#)

[H. Satzman, Barragan & Satzman LLP](#)

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### **Featured Members**

[Joe Smith](#)



Executive Director

## **CWCDAA Updates & Election Information**

**11:30 AM - Noon**

**Location:** General Session Room - Gracia Ballroom, Third Level

No handouts or MCLE credit for this session

Hear about our upcoming conferences, membership benefits, volunteer opportunities and our new Election Process. This is scheduled for 30 min to give time for Q&A but shouldn't run this long and will be followed immediately by lunch.

## **Lunch**

**Noon - 1:00 PM**

**Location:** Nolita Ballroom, Third Level

No Handouts or MCLE credit for this session

## **IMR/DUBON**

**1:00 - 2:00 PM** 1 hour of MCLE credit

**Location:** General Session Room - Gracia Ballroom, Third Level

[Download Session Handouts](#)

What constitutes a medical "dispute?" How are medical disputes resolved? What are the statistics on IMR outcomes? Is Dubon II limiting the jurisdiction of the WCAB? Will Stevens unravel the entire IMR process? Are changes to the UR process looming in Sacramento? Join our guest speaker to hear these topics discussed.

Presented by: [David Skaggs](#)

## **Cross over Issues in Defending a Professional Sports Team**

**2:00 - 3:00 PM** 1 hour of MCLE credit

**Location:** General Session Room - Gracia Ballroom, Third Level

No Session Handouts at this time

The topic will cover the unique exposures of professional sports teams. With the recent explosion of claims in both workers' compensation and liability, the panel will bring out the need for awareness of counsel to cross over issues and concerns over discovery.

Presented by: Kyra Buch, Robert Buch, Artin Avetisove and Alex Ginsberg from the Los Angeles Angels of Anaheim

## **Exhibitor Networking Break**

**3:00 - 3:30 PM**

**Location:** Exhibit Hall - Gracia Ballroom, Third Level

## **Science of 'Other Factors' and their relationship to Orthopedic Apportionment**

**3:30 - 5:00 PM** 1.5 hours of MCLE credit

**Location:** General Session Room - Gracia Ballroom, Third Level

[Download Session Handouts](#)

Apportionment can make or break the defense case. The other factors discussed

during this session will provide a basis for interrogatories and cross examination of physicians in order "to determine the extent of the industrial and non-industrial factors that have contributed to applicant's permanent disability". Panelists will discuss the effect of genetic and habit factors such as diabetes, obesity and smoking can have on permanent disability. This session will cover both advanced medical concepts and apportionment case law.

Presented by: [Dr. Steven Nagelberg](#) and [Yvonne Lang](#).

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**Saturday, May 30, 2015**

## **Golf Tournament**

**6:30 AM - Noon**

**Location:** [Bali Hai](#)

[Download Registration Form](#)



Treat yourself and your game to a round at Bali Hai Golf Club. You deserve it. This is the nationally-ranked Las Vegas golf course takes you from the hustle and bustle of the casino floor, to 7,002 yards of tropical golf paradise. Find yourself transported to the tranquility and beauty of the South Pacific, with the Strip still in your sights.

View the Bali Hai Golf Club Photo Gallery. Take a vacation from the ordinary game and escape to the unexpected.

## **Combating Egregious Medical Legal Reports and Almaraz/Guzman Ratings**

**1:00 - 2:00 PM** 1 hour of MCLE credit

**Location:** General Session Room - Gracia Ballroom, Third Level

[Download Session Handouts](#)

This presentation will focus on techniques for workers' compensation defense attorneys to recognize and combat egregious or questionable QME and AME reports. The presenters will cover the specifics of how to effectively communicate with medical legal physicians in terms of requesting and responding to reports. Topics covered will include dealing with hostile physicians, achieving positive results from depositions, reimbursement issues, defining substantial medical evidence, understanding subjective versus objective ADLs and what most accurate impairment means, dealing with symptom magnification and chronic pain issues, using functional capacity evaluations to the benefit of the defense, and revealing how best to use surveillance films.

Presented by: [Dr. Steven Feinberg](#) and [Bill Armstrong](#)

## **Getting Serious: Defending the S&W**

**2:00 - 3:00 PM** 1 hour of MCLE credit

**Location:** General Session Room - Gracia Ballroom, Third Level

[Download Session Handouts](#)

This session will discuss Labor Code sections 4551-4553.1 and how to defend Serious and Willful claims against an employer, as well as asserting a claim against an injured worker. Discussion will focus on the technical requirements needed to prosecute a claim against an employer and evidence to be developed to defend against the claim, as well as issues relating to conflict of interest in defending an employer and obtaining payment for services.

Presented by: [Michael G. McDonald](#)

### **Exhibitor Networking Break**

**3:00 - 3:30 PM**

**Location:** Exhibit Hall - Gracia Ballroom, Third Level

### **Reviewing Medical Legal Reports**

**3:30 - 4:30 PM** 1 hour of MCLE credit

**Location:** General Session Room - Gracia Ballroom, Third Level

[Download Session Handouts](#)

This session will review mandatory requirements for medical reporting and provide a detailed understanding of what constitutes substantial medical evidence. Leslie will also explore common physician reporting pitfalls that we see at iRatings in our review of thousands of medical legal reports. Finally guidance will be given on proven strategies for procuring an excellent medical report and how to defend against deficient reports.

Presented by: [Leslie Dilbeck](#)

### **Substance Abuse in the Legal Profession**

**4:30 - 5:30 PM** 1 hour of MCLE credit

**Location:** General Session Room - Gracia Ballroom, Third Level

[Download Session Handouts](#)

Sean Dowsing, Esq. and JoAnna Nardulli, Esq. will discuss the personal challenges and risks that are present when choosing to work in the legal profession. The daily pressures of the high stress, high volume nature of the business can be daunting. Because of this, individuals sometimes find themselves susceptible to issues with alcohol and prescription/illegal drug use. This presentation will discuss how to identify the risks, spot warning signs, and provide information on available resources to assist in dealing with substance abuse.

Presented by: [JoAnna-Marie Nardulli](#) and [Sean Dowsing](#)

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**Sunday, May 31, 2015**

### **Continental Breakfast**

**8:00 - 9:00 AM**

**Location:** Exhibit Hall

### **Ethical and Professional Issues under the ABA and California**

## **Rules of Professionalism**

**9:00 -10:00 AM** 1 hour of MCLE credit

**Location:** General Session Room - Gracia Ballroom, Third Level

[Download Session Handouts](#)

The presentation will give a primer on the current ABA and California Rules of Professional Conduct as well as ethical standards for Workers' Compensation Appeals Board Judges. There will be an emphasis on the impact social media has on how lawyers and judges communicate, advertise, and conduct themselves in the public domain.

Presented by: [Lalo Garcia](#)

## **Exhibitor Networking Break**

**10:00 - 10:15 AM**

**Location:** Exhibit Hall

## **The Art of Client Acquisition and Retention in the Legal Profession**

**10:15 - 11:15 AM** 1 hour of MCLE credit

**Location:** General Session Room - Gracia Ballroom, Third Level

No Session Handouts at this time

Session Description to follow.

Presented by: [Erwin Nepomuceno](#) and [Roberto Gonzalez](#)

## **The Use and Misuse of Psychiatry**

**11:15 AM - 12:15 PM** 1 hour of MCLE credit

**Location:** General Session Room - Gracia Ballroom, Third Level

[Download Session Handouts](#)

Substantial evidence and reasonable probability in diagnosis, causation, apportionment and the crucial role of psychological testing in the determination of these medical legal issues.

Presented by: [Dr. Scott Frazier, PhD, QME](#)

## **Raffle Drawing and Announcements**

**12:15 - 12:30 PM**

**Location:** General Session Room - Gracia Ballroom, Third Level

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