

# *Masters in Trial on Damages*

**A Trial Demonstration  
with Special Emphasis on Damages**

**Friday, September 11, 2009  
Hyatt Regency Columbus, Columbus, Ohio**

*Sponsored by*  
**The Foundation of The American Board Of Trial Advocates  
and  
The Ohio State University Michael E. Moritz College of Law**  
*Presented by*  
**The Ohio Chapter of The American Board Of Trial Advocates**

*“I consider trial by Jury  
as the only anchor ever  
yet imagined by man, by  
which a government can  
be held to the principles  
of its constitution.”*

— **THOMAS JEFFERSON**

## **Comments from previous programs**

**“Program well  
thought-out and  
extremely well-  
presented.”**

**“The finest CLE  
that could be  
presented.”**

**“Outstanding  
speakers-well  
prepared-excellent  
demonstration of  
trial skills.”**

**“Great program!  
Had a great time  
and learned a lot.”**

**“Wonderful  
program-a fine  
treat and a wealth  
of information.”**

**“I was very pleased  
to be exposed to  
so many excellent  
trial attorneys.”**

**“This seminar was  
exceptionally well  
done.”**

**“One of the best I  
have ever attended  
on practical trial  
issues.”**



A  
TRIAL DEMONSTRATION  
FROM  
OPENING STATEMENT  
TO  
JURY DELIBERATION

Masters  
in Trial  
on  
Damages

Friday,  
September 11, 2009

Hyatt Regency  
Columbus  
Columbus, Ohio

Featuring some of the truly elite trial lawyers in Ohio

SCOPE AND PURPOSE

The fourteenth annual Trial Advocacy Institute, co-sponsored by the Foundation of the American Board of Trial Advocates and The Ohio State University Michael E. Moritz College of Law and presented by the Ohio Chapter of the American Board of Trial Advocates, will continue its tradition as the best seminar in trial practice in America.

Learn the techniques of presenting and defending a plaintiff's damages, including pain and suffering, permanency of injury, medical bills, wage loss, and diminution of future earning capacity as experienced plaintiff and defense trial lawyers use their techniques in voir dire, argument, and direct and cross of the plaintiff, the economist, and the plaintiff and defense medical expert in front of a jury recruited from the Franklin County Common Pleas jury pool. At the end of the trial you will see and hear real-time jury deliberations and have the opportunity to interact directly with the the trial participants.

This seminar is designed to teach by example with outstanding trial lawyers with different styles.

Net proceeds of the seminar will benefit the Lawyering Skills Competition Program at The Ohio State University Michael E. Moritz College of Law. This is a singular opportunity to learn from the best.

MCLE CREDIT

The Foundation for the American Board of Trial Advocates has requested from the Ohio Commission on Continuing Legal Education that this program be approved for **7.5 credit hours, including .5 hours of ethics.**



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Foundation of the American Board  
of Trial Advocates and  
The Ohio State University  
Michael E. Moritz College of Law

TRIAL COORDINATOR

**Richard D. Topper**, Attorney at Law, Columbus, is a member of the Ohio Association for Justice, the American Association for Justice and is listed in Best Lawyers in America and Ohio Super Lawyers. He specializes in medical malpractice and personal injury cases.

PRESIDING JUDGE

**The Honorable Guy L. Reece, II**, Court of Common Pleas, Franklin County, Columbus, was appointed to the bench in 2003 following a distinguished career in the United States Army as well as service in city and county government.

PLAINTIFF'S TEAM

**Jason A. Blue**, Blue Wilson + Blue, Columbus, received ABOTA's Michael F. Colley Award in 2006. He is past president of the Ohio Chapter of ABOTA, of the Ohio Academy of Trial Lawyers and the Franklin County Trial Lawyers Association and is ranked Advocate in ABOTA.

**William Hawal**, Spangenberg, Shibley & Liber, LLP, Cleveland, is Treasurer of the Ohio Chapter and past president of the Cleveland Academy of Trial Lawyers and is recognized as an Ohio SuperLawyer and in the Best Lawyers in America.

**Dale K. Perdue**, Clark, Perdue & List Co, LPA, Columbus, is past president of the Ohio Association for Justice and of the Franklin County Trial Lawyers Association. He is listed in the Best Lawyers in America and in Ohio's SuperLawyers.

**Janica A. Pierce Tucker**, Chester, Willcox & Saxbe LLP, Columbus, is past president of the Women Lawyers of Franklin County and has held leadership positions in the Columbus Bar Association and the Central Ohio Association for Justice.

**Frank A. Ray**, Chester, Willcox & Saxbe LLP, Columbus, is past president of the Ohio Chapter of ABOTA, The Robert M. Duncan Chapter of the American Inns of Court, the Ohio Academy of Trial Lawyers, Franklin County Trial lawyers Association and the Columbus Bar Association. He was named "Columbus Bet-the-Company Litigator of the Year" by *Best Lawyers in America* in 2009.

**David I. Shroyer**, Colley, Shroyer & Abraham, Columbus, is past president of the Ohio Chapter of ABOTA, a member of the Ohio Academy of Trial Lawyers and an Ohio Super Lawyer in 2007, 2008 and 2009.

**Ellen S. Simon**, The Simon Law Firm, LLP, Cleveland, authors the legal blog *Employee Rights Post*. She achieved a successful jury verdict in the first discrimination case of its kind on behalf of an AIDS patient refused admission to a hospital, and in the first same-sex sexual harassment case tried before a jury. She is a fellow of the International Society of Barristers and past chair of the Employment Rights Section of ATLA.

DEFENSE TEAM

**Susan Blasik-Miller**, Freund, Freeze & Arnold, Dayton, is President of the Ohio Chapter of ABOTA, Vice President of the Society of Ohio Healthcare Attorneys and is listed in Best Lawyers in America.

**Thomas E. Boyle**, Wiles, Boyle, Burkholder & Bringardner, Columbus, is a member of the Defense Research Institute, the International Association of Defense Counsel and the Ohio Association of Civil Trial Attorneys. He is recognized by Ohio Super Lawyers in both standard and Corporate Counsel editions.

**Brian J. Bradigan**, Attorney at Law, Westerville, specializes in representation of insurance carriers. He is a member of the Defense Research Institute, the International Association of Defense Counsel and the Ohio Association of Civil Trial Lawyers.

**James D. Colner**, Shumaker, Loop & Kendrick, Columbus, specializes in business and tort litigation. He is Board Certified by the National Board of Trial Advocacy and is a member of NBTA and the Ohio Trial Lawyers Association.

**James E. Davidson**, Schottenstein Zox and Dunn, Columbus, focuses his practice on commercial and employment litigation. He is a member of the American Employment Law Council and has been recognized by the *Best Lawyers in America* and as an Ohio Super Lawyer.

**Joseph A. Gerling**, Lane, Alton & Horst LLC, Columbus, is currently Secretary of the Ohio Chapter of ABOTA and is past president of the Columbus Defense Association. He is a member of the Defense Research Institute and the International Association of Defense Counsel.

**Claudia L. Spriggs**, Lane, Alton & Horst LLC, Columbus has practiced extensively in California and in Ohio. She is a member of the American Trial Lawyers Association and the Southern California Defense Counsel, as well as Ohio organizations.

Presented by

The Ohio Chapter  
of The American Board  
of Trial Advocates

## SCHEDULE

- 7:45 a.m. Registration**
- 8:15 a.m. Welcome and Overview of Trial**  
Richard D. Topper, Columbus, OH, Trial Coordinator  
and the Moritz College of Law
- Presiding Judge**  
The Honorable Guy L. Reece, II  
Court of Common Pleas, Franklin County  
Columbus, OH
- 8:30 a.m. Voir Dire**  
Plaintiff David I. Shroyer, Columbus, OH  
Defense James D. Colner, Columbus, OH
- 9:30 a.m. Opening Statement**  
Plaintiff William Hawal, Cleveland, OH  
Defense Claudia L. Spriggs, Columbus, OH
- 10:15 a.m. Refreshment Break**
- 10:30 a.m. Examination of Plaintiff's Doctor - James Powers, M.D.**  
Direct Janica A. Pierce Tucker, Columbus, OH  
Cross Susan Blasik-Miller, Dayton, OH
- 11:15 a.m. Panel discussion on Strategy and Technique**  
*Panel Includes Trial Team Members*
- 12:00 p.m. Optional Box Lunch**
- 12:30 p.m. Optional Ethics Presentation: Ethical Responsibility, Civility and Professionalism in Litigation**  
David Shroyer, Columbus, OH
- 1:00 p.m. Examination of Plaintiff**  
Direct Dale K. Perdue, Columbus, OH  
Cross Joseph A. Gerling, Columbus, OH
- 1:35 p.m. Examination of Plaintiff's Economist - John Burke, Ph.D.**  
Direct Ellen S. Simon, Cleveland, OH  
Cross James E. Davidson, Columbus, OH
- 2:00 p.m. Examination of Defendant's Doctor - Karl Kumler, M.D.**  
Direct Brian J. Bradigan, Westerville, OH  
Cross Jason A. Blue, Columbus, OH
- 2:30 p.m. Panel Discussion**  
*Panel Includes Trial Team Members*
- 2:45 p.m. Refreshment Break**
- 3:00 p.m. Closing Argument**  
Plaintiff Frank A. Ray, Columbus, OH  
Defense Thomas E. Boyle, Columbus, OH
- 3:40 p.m. Jury Instructions**  
*The Honorable Guy L. Reece, II*
- 3:50 p.m. Jury Deliberation**  
*Broadcast Live to Audience*
- 5:00 p.m. Adjourn**

## MASTERS IN TRIAL REGISTRATION FORM

Friday, September 11, 2009  
Hyatt Regency Columbus  
Columbus, Ohio

Please mail or fax to:  
**ABOTA Foundation**  
**2001 Bryan Street, Suite 3000**  
**Dallas, TX 75201-3005**  
**Fax (214) 871-6025**  
**Phone (800) 779-5879**  
**www.abota.org**

Please type or print.

Name (Mr./Ms) \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

ZIP \_\_\_\_\_

Phone ( ) \_\_\_\_\_

Fax ( ) \_\_\_\_\_

State Bar # \_\_\_\_\_

E-Mail Address \_\_\_\_\_

States from which CLE Credit is Requested (Other than OH) \_\_\_\_\_

Name for Name Badge \_\_\_\_\_

## TUITION AND COURSE MATERIALS

**\$380.00 PER REGISTRANT** (A discounted rate of \$280.00 per person is offered for law firms sending 3 or more attorneys to the program.)

**\$25.00 Optional Box Lunch, Ethics Presentation**

\_\_\_\_\_ **TOTAL ENCLOSED**

Please select one of the following: (If CD is selected, it will be mailed with confirmation letter.)

**Course Materials on CD**

**Course Materials Printed**

**Refund Policy:** Prepaid tuition minus a \$40 administrative fee will be refunded only for requests received *in the ABOTA Foundation Office* by September 4, 2009.

**Audio Program:** To order the complete program in audio format and the case study book, enclose \$180.00 with the completed form above. (Allow 8 weeks from seminar date for processing.)

Make check payable to **ABOTA Foundation** or charge to:

Visa     MasterCard     American Express     Discover

Card # \_\_\_\_\_

Exp. Date \_\_\_\_\_

Name on Card \_\_\_\_\_

Signature \_\_\_\_\_

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## PROGRAM LOCATION

The Program will be held at the Hyatt Regency Columbus, 350 N. High Street, Columbus, 43215, 614-463-1234. A block of rooms has been reserved at a rate of \$99.00 plus tax per night. Please make your reservations by calling the hotel directly at 614-228-3800 by August 13. After that date the special rate may no longer apply.



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***Masters  
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**More talent and more experience than you'll find anywhere at any program!**

**A rare opportunity to see trial techniques and skills of leading lawyers. You will see a full-blown trial demonstration complete with premier trial lawyers, experts, witnesses and exhibits. Also, you will actually see and hear jury deliberations.**

**Don't miss this opportunity!**

**BY ATTENDING YOU WILL OBSERVE:**

- *The "best of the best" trial lawyers;*
- *A damages-focused voir dire demonstration with a real jury;*
- *Direct/cross examinations of witnesses and experts before a real judge and jury, complete with courtroom visuals;*
- *Real-time jury deliberations, broadcast live into the seminar room.*

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2001 Bryan Street Suite 3000 Dallas, Texas 75201

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American Board of Trial Advocates



***Masters  
In  
Trial***

Non-profit Org.  
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Dallas, TX