

# The Anatomy of a Brain Injury Case

May 13 & 14, 2011, Fairmont Waterfront Hotel

## FACULTY

**Nicholas Bogod's** educational background includes completion of an Honours BA in Psychology at McMaster University, followed by M.Sc. and Ph.D. degrees in the University of Victoria Clinical Neuropsychology Specialty Track under the supervision of Dr. Catherine Mateer. He subsequently completed a Neuropsychology track internship at Riverview Hospital in the Neuropsychiatry and General Psychiatry Programs under the supervision of Dr. Grant Iverson, followed by a two-year Post-Doctoral Fellowship in Clinical Neuropsychology in the Neurosciences Program at Vancouver General Hospital.

Since 2006, Dr. Bogod has been the staff Neuropsychologist for the Vancouver General Hospital Neurosciences Program, running a service that provides Neuropsychological assessment and consultation to in- and out-patient Neurology and Neurosurgery.

Dr. Bogod also has considerable direct experience in brain injury rehabilitation, having worked for a number of years in this area prior to and during his graduate training. He has published peer-reviewed articles about brain injury, acted as a reviewer of journal articles regarding brain injury, and as an adjudicator of the Ontario Neurotrauma Foundation's Ph.D. and Post-Doctoral Fellowship Awards in acquired brain injury.

Dr. Bogod holds a clinical faculty appointment in the Division of Neurology, UBC Department of Medicine.

**Daniel F. Corrin** works with Brian Webster QC at Webster & Associates, a firm which focusses on representing traumatic brain injury survivors. Daniel has represented TBI survivors both in British Columbia and in other jurisdictions. Daniel lectured at the Pacific Coast Brain Injury Conference and has lectured and written on brain injury and other legal issues in the legal, medical and rehabilitative communities. Daniel is a member of the Executive of TLABC and was a long time executive board member of Family Services of Greater Vancouver.

**Brad Fritz** is a family physician located in Point Grey for the last 35 years. He provides cradle to grave services to his patients, who range in age from 4 months to 101 years old.

He is a long time member of the Board of Directors of the British Columbia Medical Association and has been on the Board of the Canadian Medical Association for the last 4 years.

He has chaired the Negotiating Committee of the BCMA for 16 of the last 31 years as well.

He is a Clinical Associate Professor in the Department of Family Practice at the University of British Columbia.

He has extensive experience in medical legal matters, having acted for both plaintiff and defense counsels since 1980.

**Manraj Heran** graduated from the University of British Columbia medical school in 1996. After his rotating internship year at the Royal Columbian Hospital (New Westminster, BC), he completed his diagnostic radiology residency training through the University of British Columbia program in 2001. Having completed fellowships in Pediatric Radiology (BC Children's Hospital, 2001), Vascular and Interventional Radiology (Vancouver General Hospital, 2002), as well as in Diagnostic Neuroradiology (Duke University Medical Center, 2003), he returned to a joint staff position between Vancouver General Hospital and BC Children's Hospital in 2003. Dr. Heran is now Head of the Division of Neuroradiology at VGH and is also a staff pediatric interventional radiologist at British Columbia's Children's Hospital. He is heavily involved in all aspects of medical education and clinical research. With cross appointments in Neurology, Neurosurgery, and Pediatrics, Dr. Heran is heavily involved in all aspects of medical education and clinical research, and recently won the prestigious "Young Investigator's Award" from the Canadian Association of Radiology. Areas of specific interest include the diagnosis and management of vascular malformations, interventional neuroradiology (including acute stroke and other ischemic cerebrovascular disease), and orbital radiology.

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**Richard B. Lindsay QC** is a founding partner of Lindsay Kenney LLP and a lawyer in our downtown Vancouver office. Mr. Lindsay's practice focuses on general insurance litigation, with particular emphasis on products liability, engineering, energy and fire related matters.

He is known for his extensive trial and appellate court experience, including the Supreme Court of Canada.

Richard Lindsay's areas of specific interest include complex multi-party litigation, subrogation, fraudulent claims, coverage and catastrophic injury cases with significant liability issues. In select cases he will act as a mediator or arbitrator.

Appointed Queens Counsel in 2003, Richard Lindsay was admitted to the British Columbia Bar in 1978. He obtained a Bachelor of Engineering in 1971 from Carleton University and a Bachelor of Laws in 1977 at the University of British Columbia. His pre-law experience was as a Civil Engineer, and he has also completed courses in UBC's Masters Program in Fire Protection Engineering.

Richard is listed in *The International Who's Who of Insurance and Reinsurance Lawyers* and cited in Lexpert as a leading practitioner in the fields of commercial insurance, products liability and professional liability litigation. You will also find Richard Lindsay in *Best Lawyers in Canada* under Insurance Law, and he is Past President of the Canadian Defence Lawyers. In 2006 the Canadian Defence Lawyers presented Mr. Lindsay with the celebrated Lee Samis Award of Excellence. Recently, Mr. Lindsay was elected as a Fellow of the very prestigious American College of Trial Lawyers.

**Shaohua Lu** completed his psychiatric training at the University of Ottawa and a clinical addiction psychiatry fellowship from Harvard University. He is one of the few American Board Certified Addiction Psychiatrists in BC. He has also been a consult psychiatrist at the Vancouver General Hospital for over ten years. He has extensive clinical experience in assessing and treating patients with addiction, brain injury, chronic pain and other general psychiatric conditions. He has presented on the topics of addiction and chronic pain in both local and international conferences. He was the co-medical director at the Burnaby Centre for Mental Health and Addiction.

Dr. Lu has provided over 800 independent medical examinations for both plaintiff and defense counsels for personal injury claims, and for disability assessments for various national insurance companies. Dr. Lu is a vice delegate Board member for the BC Medical Associate. He played a leadership position in supporting the BC Ministry of Health's decision to classify addiction as a chronic medical disease; the first provincial jurisdiction to do so in Canada.

**Avon Mersey**, partner, is the National Chair of the firm's Insurance and Product Liability Practice Group. He has been practising exclusively in civil litigation for more than 35 years. Avon concentrates on insurance defence, aviation and product liability. He has defended product liability claims, professional liability claims, claims for disability and life carriers, aviation insurers, motor vehicle carriers, C.G.L. carriers, fire and property carriers, excess carriers, and environmental risk carriers such as in asbestos litigation. He has appeared as counsel at all levels of court, including the British Columbia Supreme Court, British Columbia Court of Appeal, and the Supreme Court of Canada. Avon has represented clients on a variety of insurance related matters including coverage. He has an appellate practice and has argued coverage, liability, and conflict of law test cases before the British Columbia Court of Appeal and the Supreme Court of Canada.

**Ricardo Nuno** entered the rehabilitation field in 1992, working closely with Occupational Therapists as a Rehabilitation Assistant in a return-to-work clinic program. In 1996, he founded JR Rehab Services Inc. and also began his formal education as an Occupational Therapist. He began practicing in 1999 and since that time, JR Rehab Services Inc. has grown to a team of more than 26 occupational therapists, kinesiologists, and rehab assistants. JR Rehab Services Inc. provides community based rehabilitation throughout the lower mainland, Victoria, and Duncan, BC.

In addition to directing the overall operations at JR Rehab Services Inc., Ricardo continues to provide occupational therapy in: Work Capacity Screens, Work Site Evaluations, Ergonomic Assessments, Return to Work Programs, Brain Injury Assessment and Rehabilitation, Home Health Assessments, Disability Management Consultation and Workplace Education. He is a certified AMPS evaluator (Assessment of Motor and Process Skills), provides Cost of Future plans, and has presented expert testimony within the Supreme Court of Canada. He is co-developer of the Assessment of Functional Cognition (AFC), a comprehensive evaluation of a TBI survivor's cognitive functional capacities for everyday living. He has guest lectured at UBC's School of Rehabilitation Sciences Masters OT Program, and was a part-time clinical instructor at Capilano University's Rehabilitation Assistant Diploma Program.

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**Albert Roos** is a founding partner of Sugden, McFee & Roos and was named Vancouver's Personal Injury Lawyer of the Year for 2010 by Best Lawyers in Canada. Acting exclusively for plaintiffs in personal injury claims including medical negligence matters, Albert is consistently rated one of the leading lawyers in British Columbia for both personal injury and medical malpractice cases by both Lexpert and Best Lawyers in Canada. Albert also maintains a significant practice in administrative law and acts in a wide variety of professional negligence matters. He has appeared before all levels of the Courts, including the Supreme Court of British Columbia, the British Columbia Court of Appeal and the Supreme Court of Canada. Albert is an active member of the legal community and regularly participates as a speaker in various educational programs for the legal profession, including those offered by the Continuing Legal Education Society of British Columbia, the Trial Lawyers Association of British Columbia and the Inns of Court Program for young lawyers.

**Michael J. Slater QC** is a partner in the Vancouver law firm of Slater Vecchio LLP. The majority of his practice is confined to traumatic brain injury (TBI) cases. He has authored many articles on litigating TBI cases. He is a frequent presenter at TLABC seminars and has chaired previous TLABC TBI conferences. Mr. Slater has some of the largest judgments in TBI cases including verdicts of over \$7 million in judge alone and jury trials. He has been selected by his peers to be included in The Best Lawyers in Canada in the speciality of Personal Injury Litigation.

**Neil Sugarman** qualified as a solicitor in 1981. Since that time he has practised almost exclusively in the field of personal injury litigation. He has been the managing partner of GLP Solicitors of Bury, Manchester, England since 1999.

Neil has experience of all types of personal injury work. He is a member of the Law Society Personal Injury Panel. In addition, he is a Fellow and Executive Committee member of the Association of Personal Injury Lawyers (APIL), a 5000 strong body dedicated to representing the interests of victims of accident and injury, and he lectures widely to the APIL membership. He is a member of Headway, the association for victims of head and brain injury and their families and is a former APIL delegate to the Bodily Injury Claims Management Association, and a member of APIL's sub-committee on Rehabilitation and Criminal Injuries Compensation issues.

He has developed a special interest in the presentation of claims to the Criminal Injuries Compensation Authority on behalf of shaken babies who have suffered catastrophic brain damage and has represented clients who are understood to have received the two highest award ever made under the Criminal Injuries Compensation Scheme. He received a commendation for this work in the UNICEF Child Rights Lawyer of the Year Awards 2001.

A contributor to a major legal text on the handling of serious personal injury claims, Neil is also an updating author to Butterworths Personal Injury Litigation Service and the writer of numerous academic articles. He has lectured widely to a variety of groups on the topic of personal injury.

**Joseph Tham** graduated from medical school at the University of Alberta in 1996 and completed his psychiatry residency at the University of Calgary in 2001. He has certification in neuropsychiatry after completing the Clinical Neuropsychiatry Fellowship at the University of British Columbia in 2003.

Since then, he has been working at the BC Provincial Neuropsychiatry Program with inpatient and outpatient privileges at UBC Hospital. He currently also consults to the George Pearson Hospital and is the physician manager of the "Alder Unit at Langara", a residential unit for neuropsychiatric patients with severe behavioural dysregulation. Clinical & research interests include neuropsychiatric treatment of multiple sclerosis patients, medical management of behavioural dysregulation in traumatic brain injury, and the treatment of somatoform disorders.

**R. Brian Webster** has been a practicing litigator for over 30 years, since his call in 1971 following his graduation from UBC. Mr. Webster's practice areas might best be described as 'having done everything, at least once'. He has practiced criminal law, family law, aviation and corporate commercial law, his longest civil trial going for more than a year. Mr. Webster prosecuted his first brain injury case over 20 years ago, without the assistance of CT or MRI scans as medical aids in the litigation process. Since that time Mr. Webster's practice has increasingly focussed on brain injury litigation. His client's have suffered their brain injuries from a myriad of sources and his cases have been prosecuted in Canada, England, Hong Kong and the US. He started Webster & Associates in 1998 to continue his practice focused in this area. Mr. Webster has been involved with and assisted organizations that support brain injury survivors on the local, national and international level. Mr. Webster has also presented at numerous brain injury conferences in Canada and internationally.

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**Cheryl Wellington** obtained her PhD in Microbiology at the University of British Columbia in 1991 and did postdoctoral training at Harvard Medical School, the University of Calgary, and the University of British Columbia. She joined the Department of Pathology and Laboratory Medicine at the University of British Columbia in 2000 and was promoted to Associate Professor in 2006.

Dr. Wellington's research interests encompass include lipid and lipoprotein metabolism in the brain and how this relates to chronic and acute neurological disorders. Dr. Wellington's group has made key contributions to the understanding of the role of apolipoprotein E (apoE) in Alzheimer's Disease. ApoE is the major cholesterol carrier in the brain and the best established genetic risk factor for late-onset Alzheimer's Disease. However, the mechanisms by which apoE affects Alzheimer's Disease pathogenesis is poorly understood. Dr. Wellington's laboratory has shown that the amount of lipids carried on apoE affects the metabolism of A $\beta$  peptides, which are toxic species that accumulate as amyloid plaques in the brains of patients with Alzheimer's Disease and also accumulate in individuals who have suffered traumatic brain injury.

Specifically, Dr. Wellington has identified the cholesterol transporter ABCA1 as the physiological transporter of lipids onto brain apoE. Her group has shown that mice deficient in ABCA1 have poorly-lipidated apoE in the brain and develop more amyloid, whereas transgenic mice that overexpress ABCA1 have lipid-rich apoE and have virtually no amyloid deposits. Her current research projects are aimed at developing methods to increase apoE lipidation in the brain for application to both Alzheimer's Disease and traumatic brain injury.

**Linda Wong** is a partner at Pacific Medical Law, a boutique firm practicing in the area of medical negligence and wrongful death. Linda has been co-counsel in a number of complex medical malpractice cases involving both infants and adults. She has appeared in both the BC Supreme Court and the BC Court of Appeal.

An active member of TLABC, Linda has spoken at and chaired a number of seminars, and has been published in the Verdict. She chairs the medical negligence litigation group for TLABC and is a member of the new rules litigation committee and the planning committee of the annual retreat for women members of TLABC.

Linda has also chaired seminars and been an invited speaker at the Law Society of BC's Continuing Legal Education programs. Linda also shares her knowledge and experience with those outside the legal community. She has been a speaker at the Vancouver Hospital & Health Sciences Centre Lunch and Learn series. She also finds time to mentor new and immigrant professionals. Linda has recently been featured on a television program focusing on a case involving a brain injured adult. By continuing to practice, teach and mentor Linda brings a well-rounded perspective to her clients at Pacific Medical Law.