

NATA 2021 SPRING SEMINAR
Representing the TBI Client:
Identifying Mild TBI Injuries; Neuropsych Testing Concerns;
and Rehabilitation for the TBI Patient
 Friday, April 23, 2021

NAME _____
 PHONE _____ FAX# _____
 ADDRESS _____
 CITY _____ STATE _____ ZIP _____
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 For Nebraska CLE Requirement – Nebraska State Bar ID # _____

SEMINAR REGISTRATION FEES:

Registration fees are the same for the in-person seminar at the Scott Center or for the live webinar. Fees include electronic materials.

Please select your choice of live seminar or live webinar:

Live Seminar at the Scott Conference Center
 Live Webinar Link

NATA Member	\$ 195.00	\$ _____
Non-Member	\$ 250.00	\$ _____
NATA Sustaining Members	\$ 97.50	\$ _____
Members of the NATA CIRCLE OF ADVOCATES	No Charge	\$ 0
<i>(Registration must be sent in as notification you will be attending the seminar.)</i>		
Judiciary & NATA Student Members	No Charge	\$ 0
Paralegal Attending with an Attorney	\$ 170.00	\$ _____
Paralegal Attending without an Attorney	\$ 195.00	\$ _____

Join NATA and pay the member registration fee. Dues apply to full year of membership.

ANNUAL DUES*

Admitted to Practice 0-2 Years	\$ 180.00	\$ _____
Admitted to Practice 3-5 Years	\$ 205.00	\$ _____
Admitted to Practice 6-9 Years	\$ 280.00	\$ _____
Admitted to Practice 10 Years & Over	\$ 305.00	\$ _____
Sustaining Member	\$1100.00	\$ _____
Circle of Advocates	\$1750.00	\$ _____
Month and Year Admitted to Practice _____		

First-time Members of NATA, deduct \$25.00 from your registration fee and dues total.

Total \$ _____

METHOD OF PAYMENT:

Check Visa MasterCard AMEX DISCOVER

Credit Card # _____

Expiration Date _____ Security Code _____

Signature _____

Please make checks payable to and remit to:

NATA
 P.O. BOX 391247
 OMAHA, NE 68139



*Dues to the Nebraska Association of Trial Attorneys are not deductible as a charitable contribution but may be deductible as an ordinary business expense. A portion of dues, however, is not deductible to the extent that the Nebraska Association of Trial Attorneys engages in lobbying. The non-deductible portion of annual dues is 40%

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FRIDAY, APRIL 23, 2021

SCOTT CONFERENCE CENTER
 6450 PINE STREET | OMAHA
 OR LIVE WEBINAR



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FRIDAY, APRIL 23, 2021

**SCOTT CONFERENCE CENTER | 6450 PINE STREET | OMAHA, NEBRASKA
 OR LIVE WEBINAR**

Program Co-Chairs:

TERRENCE J. SALERNO, SALERNO & LEAVITT, OMAHA
DANNY C. LEAVITT, SALERNO & LEAVITT, OMAHA

Live or online, NATA is offering a hybrid seminar combining the best of both worlds. Attend in person at the Scott Conference Center in Omaha **OR** online from the comfort of your home or office.

All seminars will feature live Q & A.

APPROVED FOR NEBRASKA & IOWA MCLE CREDIT

6 HOURS INCLUDING 1 HOUR OF ETHICS

Nebraska MCLE Activity #s: Live Seminar - #209815; Live Webinar - #209817

Iowa MCLE Activity #s: Live Seminar - #362621; Live Webinar - #362622



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SCOTT CONFERENCE CENTER | 6450 PINE STREET | OMAHA OR LIVE WEBINAR

SEMINAR PROGRAM SCHEDULE

8:00 A.M. In-Person Registration/Login to Webinar

MORNING SESSION

8:20 – 8:30 A.M. Opening Remarks

Terrence J. Salerno, Program Co-chair, *Salerno & Leavitt*, Omaha
Danny C. Leavitt, Program Co-chair, *Salerno & Leavitt*, Omaha

8:30 – 9:30 Ethical Considerations for Dealing with Clients (and Fellow Attorneys) with Diminished Capacity

Mark A. Weber, *Counsel for Discipline, Nebraska Supreme Court*, Lincoln
(This segment is at no charge for all Nebraska attorneys)

9:30 – 10:00 The Physical Therapist's Role in Traumatic Brain Injury

Eric Washkuhn, *Integrated Rehab*, Omaha

10:00 – 10:15 Break

10:15 – 11:45 Objective Testing and Reporting for Traumatic Brain Injury Utilizing the MedTrak Battery of Tests Which Include Videonystagmography (VNG), Computerized Posturography and Computerized Neurocognitive Testing

Scott Auerbach, PT, *President, MedTrak VNG, Inc.*, Henderson, Nevada
Richard P. Newman, MD, *FAAN, MedTrak VNG, Inc.*, Melbourne, Florida

The presentation will cover VNG testing and its reliability and objectivity; the manner in which the testing is performed; the process for interpreting the results; and the manner in which to determine the various therapies that are appropriate to address any deficits that are identified.

11:45 – 12:45 Lunch Break

AFTERNOON SESSION

12:45 – 2:15 Neuropsych Testing and Deceptive Defense Doctors

Dorothy Clay Sims, *Law Offices of Dorothy Clay Sims, PA*, Ocala, Florida
Dr. Oregon Hunter, *Law Offices of Dorothy Clay Sims, PA*, Ocala, Florida

The presentation will address typical defenses and how to expose them: e.g. Normal MRI; The Herniation Occurred Before the Crash; It's only soft tissue; Pre-existing; etc.

Expert Epidemiology: The Fundamentals of How to Simplify Causation Arguments

Michael Freeman, *MedDr PhD MPH FAAFS*, Lake Oswego, Oregon

2:15 – 2:30 Break

2:30 – 4:00 Neuropsych Testing and Deceptive Defense Doctors, Continued

The presentation continues with common lies DMEs tell on physical exams and how to spot when they misrepresent what really happened. Tests claimed by experts versus what should have been tested.

FACULTY

Mark A. Weber, *Nebraska Counsel for Discipline*, was a trial attorney for nearly 30 years, focusing his practice on personal injury, criminal cases, insurance litigation, and commercial work. He tried approximately 25 jury trials involving both civil and criminal cases, and had a significant civil and criminal appellate practice which included many capital cases. He served as a member of the Nebraska Supreme Court Advisory Committee (which advises on attorney ethics issues) since 2004, and chaired the committee from 2007 until his appointment as Counsel for Discipline in 2014.

Scott Auerbach, PT, is the owner and founder of *MedTrak Diagnostics* which currently supports objective brain injury testing, reporting and clinical treatment consultations for more than 50 testing facilities. During the last two decades his focus has been the testing, reporting, treatment, consultation and research regarding patients with vestibular dysfunction and mild traumatic brain injuries. His companies have provided equipment, technical support and clinical services to practitioners in all 50 US states and internationally including the United States Military. He has been a member of the American Physical Therapy Association for more than 35 years. Over that time his accomplishments include being a practicing clinician, clinical instructor, multiple facility private practice owner, researcher, inventor, FDA 510K holder, medical device manufacturer and distributor, multiple company founder and co-founder, COO, CFO, President/CEO and innovator.

Richard P. Newman, MD is a *Board-Certified Neurologist* who is an independent contractor for *MedTrak VNG*, *Interpra* and *MedTrak Diagnostics* which currently supports objective brain injury testing, reporting and clinical treatment consultations for more than 50 testing facilities. During the last two decades Dr. Newman has focused on the testing, reporting, treatment, consultation, and research regarding patients with vestibular dysfunction and mild traumatic brain injuries. Dr. Newman has been a member and Fellow of the American Academy of Neurology for more than 35 years. His accomplishments over that time include: Practicing clinician, Clinical Assistant Professor, Private practice owner, Researcher, Consultant, Expert witness, Innovator.

Eric Washkuhn, is the owner of *Integrated Rehab* with two Omaha locations. *Integrated Rehab* is a physical rehabilitation and occupational health clinic focused on creating and ensuring health, and offers chiropractic care, physical rehabilitation, occupational health services, personal injury care, and local treatment for traumatic brain injury developed by *MedTrak Diagnostic, Inc.*

Dorothy Clay Sims, *Law Offices of Dorothy Clay Sims, PA*, is the author of "Exposing Deceptive Defense Doctors," a number one best seller for three years in a row, and has also authored chapters in books with David Ball, Don Keenan, and Dr. Michael Freeman. She is the master on all things related to neuropsych testing and is a celebrated authority on the limitations of TBI diagnostic testing. Dorothy consults with attorneys throughout the United States to provide methods of expert testimony cross-examination and also to conduct cross-examination of expert witnesses. She has given over 350 speeches internationally on medical/legal issues throughout the world. She has spoken in almost every state in the United States including Hawaii and Alaska, and has been a featured speaker in Paris, France, Jaipur, India, and twice in Kyoto, Japan.

Dr. Oregon K. Hunter, MD, *Law Offices of Dorothy Clay Sims, PA*, is board certified in Rehabilitation Medicine, with special interest in TBI and pain. He has over 45 years of experience in medicine practicing in Hawaii, California and Florida. He is a past president of the Florida Society of Physical Medicine & Rehabilitation. His forensic activity included expert testimony in thousands of workers compensation, personal injury and medical malpractice cases. He has spoken extensively & published a number of chapters and articles in multiple medical journals and co-authored the Florida Impairment Rating Guide. His professional activity is limited to non-testifying forensic medical consultation for the Law Offices of Dorothy Clay Sims, PA.

Dr. Michael Freeman is a consultant in forensic medicine, and as such is a member of the Faculty of Forensic and Legal Medicine (FFLM) of the Royal College of Physicians in the United Kingdom. He has provided expert testimony in a wide variety of civil and criminal cases, and has published around 220 scientific papers, books, and book chapters, primarily focusing on issues relating to forensic applications of epidemiology and general and specific causation. Dr. Freeman is the co-editor and co-author of the authoritative text on forensic applications of epidemiology; *Forensic Epidemiology: Principles and Practice*. His published 3-step approach has been adopted by U.S. courts as a generally accepted injury causation methodology, as described in the 2016 10th circuit US DCA *Etherton* decision. He is a tenured associate professor of forensic medicine and epidemiology at Maastricht University Medical Center and a joint clinical professor of psychiatry and public health and preventative medicine at Oregon Health & Science University School of Medicine.

INFORMATION FOR REGISTRANTS

SEMINAR REGISTRATION FEES:

The registration fee is \$250.00 for non-members. The discounted registration fee for NATA members is \$195.00. Registration fees are the same for both the live seminar at the Scott Conference Center and the Live Webinar. The seminar registration fee includes lectures, electronic course materials, and payment for registrants' Nebraska MCLE credit.

For those planning to attend in person, there will be space for social distancing and masks will be required. Register early if you plan to attend in person. There will be no at door registration.

For those registering for the live webinar, a link will be sent prior to the seminar to join the webinar.

The written materials for NATA's seminar will be in electronic format and will be available on NATA's website prior to the seminar. A link to the materials will be e mailed 3-4 days in advance of the seminar to all those who pre-registered. Wireless Internet is available at the seminar so that materials can be viewed online. We encourage registrants to bring their laptops or iPads.

CANCELLATIONS AND REFUNDS:

Refunds in full will be made if cancellations are received by April 16, 2021. After that date there will be an administrative fee charged for late cancellation.

TAX DEDUCTION:

Educational expenses, including registration fees, hotel and travel expenses are deductible if the course aids or improves in maintaining educational skills.

(See *Treasury reg. 1-162-5*)

MANDATORY CLE:

ATA is an accredited sponsor under the regulations of the Nebraska, Iowa and Colorado Supreme Court Boards of Continuing Legal Education. The seminar has been approved for 6 hours of Nebraska and Iowa MCLE credit, including 1 hour of ethics, which will apply to the mandatory requirements.

Nebraska MCLE Activity #209815 for Live Seminar; #209817 for Live Webinar.

Iowa MCLE Activity #362621 for Live Seminar; #362622 for Live Webinar.

SPECIAL OFFER TO NEW MEMBERS OF NATA:

Join NATA now and pay a special new member seminar registration fee of \$170.00. Dues paid now apply to a full year of membership.

THREE EASY WAYS TO REGISTER:



Online:

Go to www.nebraskatrial.com for secure online registration.



By Phone:

(402) 435-5526.
We will take your registration by credit card.



By Mail:

Fill out the registration form and send to

NATA
P.O. Box 391247
Omaha, NE 68139



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