

WEST VIRGINIA ASSOCIATION FOR JUSTICE

2020 Mid-Winter Convention & Seminar

January 30 - 31, 2020



Embassy Suites Hotel
Charleston, West Virginia

**15.1 hours of continuing legal education credits,
including 3.6 in ethics and law office management**

General Convention Information

Continuing Legal Education Hours

This seminar is worth 15.1 hours of CLE credit, including 3.6 in ethics and law office management for the West Virginia Bar. In states with 60-minute credit hours, it is worth 12.5 hours, including 3.0 in ethics. (Pending)

Convention Materials

Seminar materials are provided to registrants electronically free of charge. You may select either a flash drive or Internet download. If you want printed materials, a convention notebook is available for an additional charge of \$30. If you prefer a notebook, it is best to pre-register for the convention. A limited number of extra convention notebooks will be available for those who register onsite.

Paralegals Attend Attorney Seminar

The two-day WVAJ seminar program is open to legal assistants who are employed by WVAJ members. In addition to the general program, special paralegal breakout sessions are scheduled. An early registration fee of just \$70 for both days is available to a legal assistant who registers in conjunction with an attorney; the regular registration fee is \$90.

Accommodations

The Embassy Suites Hotel is located at 300 Court Street, Charleston. The convention rate of \$134 is available through Friday, January 10, 2020. The convention rate includes the hotel's complimentary breakfast and manager's reception. To reserve your suite, phone (304)347-8700 or reserve your room through the online link at www.wvaj.org/2020WVAJMidWinter. You must use the code JUS to receive the convention rate. Regular rates will apply for reservations made after January 10.

Cancellation Policy

Cancellations must be sent to WVAJ in writing. For a refund, minus a \$25 processing fee, your cancellation must be received no later than January 17. For cancellations received January 18 - 23, you will be refunded 50 percent of your fee. There will be no refunds after January 23, but seminar materials will be sent to you.

***Questions? Call (304)344-0692 or email debra.lee@wvaj.org
www.wvaj.org/2020MidWinterConvention***

Seminar Program

Thursday, January 30, 2020

8:00 a.m. Registration

8:50 - 9:00 a.m. Welcome

Kristina Thomas Whiteaker, President

9:00 - 9:50 a.m.

Identifying and Evaluating All Relevant Claims for Your Client: Don't Learn What You Should Have Filed in the Defendant's Motion for Summary Judgment

Matthew Stonestreet - The Giatras Law Firm, Charleston

**9:50 - 10:40 a.m.
(Choose One)**

Drilling Deeper into Oil and Gas in West Virginia: Emerging Issues in Oil and Gas Law

Cynthia Loomis Hardesty - Loomis Law Office, Salem; David McMahon - Law Office of David McMahon, Charleston; Kristina Thomas Whiteaker - Grubb Law Group, Charleston; Scott Windom - Windom Law Offices, Harrisville

NEW LAWYERS DIVISION *Don't Get Stuck with a Case You Never Should Have Filed: Making Good Intake Decisions and Avoiding Cases from Hell*

J. R. Carter - Bailey, Javins and Carter, Charleston and Kelly R. Reed - Law Offices of Kelly R. Reed, Morgantown

10:40 - 10:50 a.m.

Break *Sponsored by ADR Office of Edd McDevitt*

10:50 - 11:00 a.m.

Meet the Exhibitors and Special Announcements

11:00 - 12:15 p.m.

Exposing and Defeating the Defense Case: Issue Contamination Strategies

John Romano - Romano Law Group, Palm Beach, Florida

12:15 - 1:30 p.m.

WVAJ Membership Meeting and Luncheon

1:30 - 1:40 p.m.

Meet the Exhibitors and Special Announcements

1:40 - 2:55 p.m.

Good Faith Settlement Offers: The Metrics That Matter the Most When Adjusters Evaluate Claims

Stuart Setcavage - Grant Street Claims, Pittsburgh

Seminar Program

- 2:55 - 3:55 p.m.** ***Don't Make Matters Worse When You Receive an Ethics Complaint: The Do's and Don'ts When Responding to Complaints from the Office of Disciplinary Counsel***
J. B. Akers - Akers Law Offices, Charleston; Mark W. Kelley - Ray, Winton and Kelley, Charleston; Ancil Ramey - Steptoe and Johnson, Charleston
- 3:55 - 4:05 p.m.** **Break**
- 4:05 - 4:15 p.m.** **Meet the Exhibitors and Special Announcements**
- 4:15 - 5:05 p.m.** ***What's Going On Under the Capitol Dome: 2020 Legislative Session Update***
Invited Panelists: Senate President Mitch Carmichael; Speaker Roger Hanshaw; Sen. Charles Trump IV, Chair - Senate Judiciary Committee; Del. John Shott, Chair - House Judiciary Committee; Sen. Michael Romano; Del. Tim Miley; Brian Abraham, General Counsel - Office of the Governor; Kristina Whiteaker, Moderator

Friday, January 31, 2020

- 8:00 - 8:50 a.m.** ***Medicare and Medicaid Compliance in the New Age: Managing the Subrogation Red Tape in 2020***
Rodd Santomauro - Synergy Settlement Services, Washington, D. C.
- 8:50 - 10:05 a.m.** ***Unifying Juries in a Dangerously Divided World***
Artemis H. Malekpour - Malekpour and Ball Consulting, Chapel Hill, North Carolina
- 10:05 - 10:15 a.m.** **Break**
- 10:15 - 10:25 a.m.** **Meet the Exhibitors and Special Announcements**
- 10:25 - 11:15 a.m.** ***Litigating in the West Virginia Supreme Court of Appeals in 2020: Preparing and Presenting Cases in the Brave New World of West Virginia Appellate Litigation***
(Choose One)
Elbert Lin - Hunton Andrews Kirth, Richmond, Virginia and Anthony Majestro - Powell Majestro, Charleston

Seminar Program

NEW LAWYERS DIVISION *Mediation from Start to Finish: Advocacy, Ethics and a Little Fun*

Monica Haddad, Morgantown and Edd McDevitt, Charleston

PARALEGAL DIVISION *Handling Medicare and Medicaid Liens: What a Paralegal Needs to Know*

Rodd Santomauro - Synergy Settlement Services, Washington, D. C.

11:15 - 12:05 p.m.

Getting Your Clients What They Deserve: Maximizing Damages in Small and Medium Size Cases

David Romano - Romano Law Offices, Clarksburg

12:05 - 1:30 p.m.

WVAJ Board of Governors Meeting and Luncheon

1:30 - 1:40 p.m.

Meet the Exhibitors and Special Announcements

1:40 - 2:30 p.m.

The View from the Bench: Litigating Discovery Disputes in Federal and State Court

The Honorable Omar J. Aboulhosn, Judge - U. S. District Court Southern District of West Virginia; the Honorable Gregory Howard, Judge - 6th Judicial Circuit Court; and the Honorable Joseph Reeder, Judge - 29th Judicial Circuit Court

PARALEGAL DIVISION *Building the Client File: What You Need to Know to Protect Your Client and Your Firm*

Rachael Fletcher Cipoletti, Chief Lawer Disciplinary Counsel - West Virginia Office of Disciplinary Counsel

2:30 - 3:30 p.m.

Navigating the Cybersecurity Landscape: Protecting Your Clients, Your Practice and Your Law License

Scott Edwards and Hannah Haynes - Netranom, Hurricane and Rachael Fletcher Cipoletti - West Virginia Office of Disciplinary Counsel

3:30 - 4:30 p.m.

Lawyer Impairment and Well-Being: Are We Fit to Practice?

Yvette Hourigan, Director - Kentucky Lawyer Assistance Program, Frankfort, Kentucky

Featured National Speakers

John Romano ♦ Romano Law Group



John F. Romano is a partner at Romano Law Group in West Palm Beach, Florida, and is one of the nation's leading civil trial advocates. He is board certified as a civil trial advocate by the Florida Bar and the National Board of Trial Advocacy as well as the American Board of Professional Liability Attorneys. John is the author of *Strategic Use of Circumstantial Evidence*, *The Deposition Field Manual* and *Opening Statement: Winning the Jury*. He also served as the editor of the

American Association for Justice's *Anatomy of a Personal Injury Lawsuit*, 4th Edition. He has authored dozens of published articles and book chapters, and he has presented more than 700 continuing legal education lectures and programs. He has gone to verdict in nearly every type of personal injury and wrongful death case, and has had an extensive criminal defense practice as well. He is a graduate of Florida State University and earned his J. D. from South Texas College of Law. He is a past president of the Florida Justice Association, the Southern Trial Lawyers Association and the Melvin M. Belli Association. John Romano is a 2016 Inductee into the Trial Lawyer Hall of Fame.

Artemis Malekpour ♦ Malekpour and Ball



Artemis Malekpour is a partner in the litigation consulting firm of Malekpour & Ball. With a background in psychology and psychiatric research, she specializes in focus groups, case strategy, damages and jury selection. Artemis did her undergraduate work at the University of North Carolina at Chapel Hill, followed by a Master's in Healthcare Administration from UNC's School of Public Health. After several years of working in the Department of Psychiatry at UNC Hospitals, Artemis went on to earn a degree with

honors from Duke Law. Artemis' path to litigation consulting began while still in law school, working as an intern with David Ball and interviewing jurors post trial in both civil and death penalty cases. This experience early on focused her attention on identifying what drives decision-making as well as the importance and skill of framing an argument in a more productive, simple and persuasive way. She has consulted on a wide variety of cases across the country. Through years of conducting jury research, observing deliberations and moderating discussions, she has a knack for identifying potential landmines, analyzing each case from the decisionmakers' perspective.

Meetings and Social Events

Wednesday, January 29, 2020

6:00 – 8:00 p.m.

Welcome Reception

The Block ♦ 201 Capitol Street, Charleston

Open to all registrants, sponsors and exhibitors

Sponsored by Physician Life Care Planning

Thursday, January 30, 2020

12:15 – 1:30 p.m.

WVAJ Membership Meeting & Luncheon

6:00 – 8:00 p.m.

Convention Party and Legislative Reception

Clay Center for the Arts and Sciences of West Virginia

1 Clay Square, Charleston

Open to all registrants, sponsors, exhibitors and guests

Coaches will transport guests from convention hotel

Sponsored by Physician Life Care Planning and Synergy

Settlement Services; music sponsored by Sage Settlement

Consulting

Friday, January 31, 2020

11:40 – 1:15 p.m.

WVAJ Board of Governors Meeting & Luncheon

Sponsors and Exhibitors

ADR Offices of Edd McDevitt

Bailey, Javins and Carter

Charleston City Reporters

Keystone Engineering Consultants

The Legal Wizards, LLC

Lexis Nexis

MDTimelines

Netranom

NFP Structured Settlements

Physician Life Care Planning

Robson Forensic

Sage Settlement Consulting

Saponaro, Inc.

Smart Advocate

Synergy Settlement Services

Tanner Legal Nurse Consulting

WVU College of Law

Convention Registration Form

	Early Registration (Thru 1/15/2020)	Regular Registration
WVAJ Member Attorney (admitted 3+ years)	<input type="checkbox"/> \$395	<input type="checkbox"/> \$425
WVAJ Member Attorney (0 - 3 years)	<input type="checkbox"/> \$320	<input type="checkbox"/> \$350
Non-Member Attorney (admitted 3+ years)	<input type="checkbox"/> \$445	<input type="checkbox"/> \$475
Non-Member Attorney (0 - 3 years)	<input type="checkbox"/> \$360	<input type="checkbox"/> \$390
Full-Time Govt/Public Service Attorney	<input type="checkbox"/> \$295	<input type="checkbox"/> \$325
Legal Asst. with WVAJ Attorney Registration	<input type="checkbox"/> \$70	<input type="checkbox"/> \$90
Legal Asst. without Attorney Registration	<input type="checkbox"/> \$110	<input type="checkbox"/> \$130
WVAJ Member Law Student	<input type="checkbox"/> \$40	<input type="checkbox"/> \$60
Non-Member Law Student	<input type="checkbox"/> \$60	<input type="checkbox"/> \$80
Judicial Law Clerks	<input type="checkbox"/> \$110	<input type="checkbox"/> \$140
Full-Time Law Professors	<input type="checkbox"/> \$130	<input type="checkbox"/> \$160
Judges and Justices	<input type="checkbox"/> Free	<input type="checkbox"/> Free

How would you like to receive your seminar materials? (Choose ONE)

Internet Download (Free) Flash Drive (Free) Notebook (\$30 due w/ registration)

Please complete all fields of the registration form.

Payment Method: Check (payable to WVAJ) Visa MC AMEX Discover

Card# _____ Exp. _____

Name on Card _____

Name _____

Name for Badge _____ WV Bar No. _____

Firm _____

Address _____

City _____ State _____ Zip _____

Phone _____

Email _____

States where CLE will be reported _____

Mail to: WVAJ, P. O. Box 3968, Charleston, WV 25339

Paying by Card? Register online at www.wvaj.org/61stAnnualConvention