

## AGENDA

### FRIDAY, JUNE 1

| Session | 7:00 A  | BREAKFAST BUFFET                           |                              |   | EDUCATIONAL MATERIALS   |
|---------|---------|--|------------------------------|---|---|
| 1       | 8:00 A  | Welcome & Introductions                    | Aaron DeShaw                 | <i>Preliminary introductions of our speakers, instructions for questions, and information about CLE certificates and filing</i>   | Attendee Information Packet   |
| 2       | 8:15 A  | Overview of Rules of the Road              | Patrick Malone               | <i>Based on the groundbreaking strategy model made famous in the <b>Rules of the Road</b> book he co-authored, Mr. Malone will provide an overall description of how best to incorporate rule development into your case preparation.</i>                               | <b>RoR</b><br>Chapter 3: Identifying the Rule of the Road<br>Chapter 4: Developing a Working List of Rules<br><b>FX</b><br>Chapter 4: Cross-Examination Case Building Rules   |
|         | 9:45 A  | <b>COFFEE BREAK</b>                        |                              |   |   |
| 3       | 10:00 A | Rules of the Road in Openings and Closings | Mike Kelly                   | <i>Building from Mr. Malone's session, Mr. Kelly will demonstrate how the right rules will improve the effectiveness of both your openings and closings.</i>  | <b>RoR</b><br>Chapter 16: Opening Statement.<br><b>MM</b><br>Chapter 3 Plaintiff's Opening Statement: Surgery Case<br>Chapter 12: Plaintiff's Opening Statement: Birth Injury<br>Chapter 15: Plaintiff's Opening Statement: Cancer Case |
|         | 11:30 A | <b>LUNCH (ON YOUR OWN)</b>                 |                              |   |   |
| 4       | 1:00 P  | Preparing a Witness Using Psychodrama      | Louise Lipman                | <i>Ms. Lipman will provide a brief overview of the purpose and process of using psychodrama to prepare your witnesses. The presentation will include a mock witness prep session.</i>   | Lipman, Louise. "The Double" 2 pp<br>Lipman Louise, "The Reversal" 2 pp   |
|         | 2:30 P  | <b>SNACK BREAK</b>                         |                              |   |   |
| 5       | 3:00 P  | Applying the Rules to Your Cases Part 1    | Panel Led by Dennis Donnelly | <i>Too much legal or medical thought can often obscure the true beating heart of the conflicts and controversies you are wrestling with in pending cases. Submit your case issues and let the panelists help you discover their core content and reframe your case.</i> | <b>FX</b><br>Chapter 3: Choosing the Weapons Right for You<br><b>MM</b><br>Chapter 21 Selection<br><b>Case Submittals</b> (see form)  |
|         | 5:00 P  | <b>WELCOME RECEPTION</b>                   |                              |   |   |
|         | 7:00 P  | <b>END OF DAY 1</b>                        |                              |   |   |

RoR = Friedman, Rick and Patrick Malone. **Rules of the Road - A Plaintiff's Guide to Proving Liability**. 2<sup>nd</sup> Edition (Portland, Oregon. Trial Guides, 2010) pp 335

FX = Malone, Patrick. **The Fearless Cross Examiner: Win the Witness, Win the Case**. (Portland, Oregon, 2016) pp 415

MM= Malone, Patrick with Rick Friedman. **Winning Medical Malpractice Cases with the Rules of the Road Technique**. (Portland, Oregon. Trial Guides, 2012) pp 593

**SATURDAY, JUNE 2**

| Session  | 7:00 A  | <b>BREAKFAST BUFFET</b>   |                              | <b>EDUCATIONAL MATERIALS</b>  |
|----------|---------|---|------------------------------|---|
| <b>6</b> | 8:15 A  | Expert Witnesses:<br>Maximizing Impact from Yours and Minimizing the Impact of the Other Side's | Jim Lees                     | <i>A civil case often seemingly comes down to a battle of the experts. But what if you can avoid that battle altogether? Jim Lees explains how effective use of the Rules of the Road can elevate your expert while lowering theirs.</i>  |
|          | 9:45 A  | <b>COFFEE BREAK</b>   |                              |   |
| <b>7</b> | 10:00 A | Using Visuals to Better Illustrate the Rules in Your Case                                       | Zoe Littlepage               | <i>If a picture is worth a thousand words, then an effective graphic may well be worth ten thousand. Drawing on her success as a trial lawyer, Ms. Littlepage will demonstrate how to effectively incorporate visuals into your case to better tell your story.</i>   |
|          | 11:30 A | <b>LUNCH (ON YOUR OWN)</b>  |                              |   |
| <b>8</b> | 1:00 P  | Improving the Language of the Rules in Your Cases   | Cliff Atkinson               | <i>Drawing from his years of experience in effective communication training, Mr. Atkinson will describe how word choice and presentation can impact the success of the Rules for your case. To further demonstrate the process, Mr. Atkinson and Mr. Malone will highlight a recent case on which they worked together.</i> |
|          | 2:30 P  | <b>SNACK BREAK</b>  |                              |   |
| <b>9</b> | 3:00 P  | Applying the Rules to Your Cases Part 2   | Panel Led by Dennis Donnelly | <i>Too much legal or medical thought can often obscure the true beating heart of the conflicts and controversies you are wrestling with in pending cases. Submit your case issues and let the panelists help you discover their core content and reframe your case.</i>   |
|          | 5:00 P  | <b>END OF DAY 2</b>   |                              |   |

**TOTAL MINUTES: 780 MINUTES**

## **ADDITIONAL EDUCATIONAL MATERIALS**

All Attendees will receive a copy of *The Fearless Cross Examiner: Win the Witness, Win the Case*.

## **ACCREDITATION**

## PRESENTERS

### PATRICK MALONE

- Partner, Patrick Malone & Associates
- Co - Author, *Rules of the Road: A Plaintiff Lawyer's Guide to Proving Liability*
- Author, *Winning Medical Malpractice Cases with the Rules of the Road Technique*
- Author, *The Fearless Cross Examiner: Win the Witness, Win the Case*
- Author and Presenter, *The New Rules of Cross Examination*
- Author, *The Life You Save: Nine Steps to Finding the Best Medical Care*
- Member, Inner Circle of Advocates
- J.D, Yale Law School
- National Endowment for the Humanities, Journalism Fellowship, University of Michigan
- B.A., *summa cum laude*, University of Kansas

**Admissions:** District of Columbia, Maryland, Virginia

Patrick Malone learned how to ask questions and get answers as an award-winning investigative journalist. Now he is a leading attorney working on behalf of seriously injured people in lawsuits against hospitals, doctors, drug companies, government agencies, and other defendants. Over the last three decades, he has won a long string of exceptional results for his clients. Pat and his staff work out of offices in Washington, DC a few blocks north of the White House; they represent clients throughout Maryland, Virginia, and the District of Columbia.

Pat grew up in Wichita, Kansas, and is the oldest of seven children in an Irish Catholic family. After graduating *summa cum laude* from the University of Kansas, he worked as a reporter for United Press International in Kansas City, then won a prestigious journalism fellowship at the University of Michigan, where he studied public health issues and wrote freelance articles for the Washington Post. Malone then worked as a medical writer and investigative reporter for the Miami Herald, where he won a number of awards, including a finalist designation for the Pulitzer Prize for a series co-authored on "dangerous doctors."

One experience that has brought Mr. Malone closer to his clients' disabilities is his own work raising his autistic son Brendan. His story about Brendan appears as Chapter One in the book, *Up All Night: Practical Wisdom from Mothers and Fathers*, a collection of essays by parents at Blessed Sacrament Parish in Washington, D.C. Click [here](#) to read the chapter at Amazon.com.



#### WEBSITES

<https://www.patrickmalonelaw.com/>

#### LINKEDIN

<https://www.linkedin.com/in/patrickmalonelaw/>

#### TRIAL GUIDES

<https://www.trialguides.com/authors/patrick-malone/>

#### NOTABLE AWARDS/HONORS

- Member, Inner Circle of Advocates
- Fellow, International Academy of Trial Lawyers
- Certified Trial Advocate, National Board of Trial Advocacy
- Best Lawyers in America (since 2006)
- Lawyer of the Year, TLA of Met D.C. (1995)
- Finalist, Pulitzer Prize (1980), article series entitled *Dangerous Doctors*

## CLIFF ATKINSON

- Principal, Cliff Atkinson Consulting
- Author, *Beyond Bullet Points* (Microsoft Press, 2018)
- Author and Presenter, *The Attorney's Presentation Playbook*
- Former United States Air Force Captain
- M.B.A., Richmond, The American International University in London
- B.A., *magna cum laude*, Baylor University



Cliff Atkinson is an acclaimed writer, popular keynote speaker, and independent consultant to leading attorneys and Fortune 500 companies. He designed the presentations that helped persuade a jury to award a \$253 million verdict to the plaintiff in the nation's first Vioxx trial in 2005, which Fortune magazine called "frighteningly powerful."

Cliff's bestselling book *Beyond Bullet Points* (published by Microsoft Press) was named a Best Book of 2007 by the editors of Amazon.com and has been published in three editions and translated into a dozen languages. The book expands on a communications approach Cliff has taught internationally at top law firms, government agencies, business schools, and corporations, including Sony, Toyota, Del Monte, Nestlé, Nokia, Deloitte, BBDO, The NPD Group, Ipsos, Facebook, Amgen, Bristol-Myers Squibb, Intel, Microsoft, GE, the American Bar Association, and the United Nations International Criminal Tribunal.

Cliff's work has been featured in the *New York Times*, *Los Angeles Times*, and *Wall Street Journal* and on Fox News.

### WEBSITES

<https://www.cliffatkinson.com/>

### LINKEDIN

<https://www.linkedin.com/in/cliffatkinson/>

### TRIAL GUIDES

<https://www.trialguides.com/authors/cliff-atkinson/>

## DENNIS DONNELLY

- Partner, The Donnelly Law Firm
- Past President, Inner Circle of Advocates
- J.D, Rutgers University Law School
- M.A., New York University

**Admissions:** New Jersey

Dennis Donnelly is an internationally acclaimed attorney specializing in medical malpractice and products liability. In the last six years, he has successfully tried 6 cases to jury verdicts over \$1 million and settled more than 20 additional cases for more than a million dollars during the same time. With a \$14 million verdict in New Jersey and a \$3.6 million verdict in New York in his medical malpractice subspecialty, pre-natal screening, Mr. Donnelly has become an in-demand speaker for continuing education for both attorneys and practicing obstetricians. He has also been an appointed member of the New Jersey Supreme Court's Committee on Model Civil Jury charges for the last 10 years..

In seminars throughout the United States, and in Montreal, London, Paris and Amsterdam, Dennis has lectured to doctors and lawyers on electronic medical records, safe medical care and the use of the internet and of computer presentations to expose negligent care and negligent practices. He has helped hundreds of other plaintiffs' lawyers who turned out to hear his expertise at each site prove substandard medical care and defects in car design. Dennis also regularly publishes articles in national legal publications on medical malpractice and trial tactics and on his two subspecialties: failures in prenatal diagnosis and design defects which make cars dangerous and unsafe.



### WEBSITES

<https://www.njciviljustice.com/>

### LINKEDIN

<https://www.linkedin.com/in/dennis-donnelly-664b189/>

### NOTABLE AWARDS/HONORS

- Past President, Inner Circle of Advocates
- Trial Bar Award, Trial Attorneys of New Jersey (2015)
- Pioneers Award, The Consumers for Civil Justice (2001)
- Civil Trial Attorney Achievement Award, Essex County Bar Association (2001)
- Past President, Northern New Jersey chapter of the American Board of Trial Advocates

## MICHAEL KELLY

- Shareholder, Walkup, Melodia, Kelly & Schoenberger
- Member, Inner Circle of Advocates
- Member International Academy of Trial Lawyers
- Fellow, Past President, Member – Board of Governors, International Society of Barristers
- Past President, San Francisco Trial Lawyers Association
- J.D, U.C. Hastings College of Law
- B.A., *summa cum laude*, St. Mary's College of California

**Admissions:** California

Knowing that he wanted to make the world a better place, Michael A. "Mike" Kelly saw three career options when he was young – physician, minister or attorney. Four decades into a stellar legal career, it's safe to say that Kelly made the right choice. His interest in "social justice and righting wrongs" is reflected in the breadth of case types he has brought for injured plaintiffs. The San Francisco-born Kelly, a named partner at Walkup Melodia Kelly & Schoenberger, stayed in his home city for law school at Hastings College of the Law and for his career.

Mike Kelly, an Inner Circle of Advocates member, has spent more than 35 years honing his skills as one of the nation's top personal injury attorneys. Throughout that time, he has focused on protecting consumers from medical mistakes, dangerous automobiles, flawed household products, unsafe drugs and devices, roadway accidents and a host of other injury producing causes. He has tried, arbitrated or settled more than 200 cases where the recovery by his client exceeded \$1 million. At various times, he has held or shared the record for the highest verdict amount in particular case types in San Francisco, Sacramento, Santa Clara and Sonoma Counties. His jury verdict in a medical negligence case in Minnesota in 2010 ranks among the nation's largest verdicts for obstetrical injury.

Beyond his stellar results in the courtroom, Kelly is proud of his contributions to the legal community locally, nationally and globally. He has presented more than two hundred invited lectures, tutorials, presentations, seminars and advocacy demonstrations across the United States, and in Asia, South America, the United Kingdom and Eastern Europe. Most recently he travelled to Japan at the request of the Japanese Federation of Bar Associations to teach litigation advocacy courses in Osaka and Tokyo.



### WEBSITES

<https://www.walkuplawoffice.com/>

### LINKEDIN

<https://www.linkedin.com/in/michael-kelly-181308ab/>

### TRIAL GUIDES

<https://www.trialguides.com/authors/mike-kelly/>

### NOTABLE AWARDS/HONORS

- Member, Inner Circle of Advocates
- Trial Lawyer of the Year, CAL-ABOTA, San Francisco Chapter
- Cartwright Award for Teaching Litigation Advocacy, 2012, CAOC
- Robert Oliphant A. Award, 2011, NIT
- Trial Lawyer of the Year, 2010, San Francisco Trial Lawyers Association (also nominated 199, 2001, and 2008)

## JAMES LEES, JR.

- Partner, Hunt and Lees
- Former Deputy District Attorney, Pittsburgh, Pennsylvania
- Co-author and presenter, "Commanding the Courtroom" – a five part DVD series (along with Greg Cusimano)
- Former anchor for a statewide radio program in West Virginia
- Former columnist for a statewide newspaper in West Virginia
- J.D, Wake Forest University School of Law
- B.A., West Virginia University

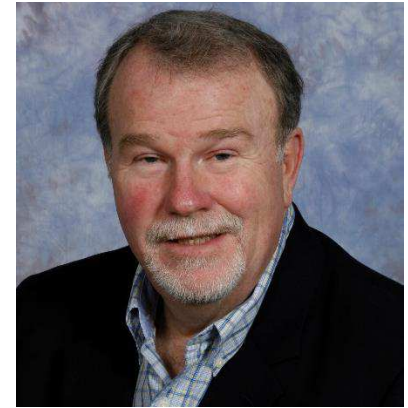
**Admissions:** Pennsylvania, West Virginia, United States District Court for Maryland, United States District Court for the southern districts of West Virginia and United States District Court for the Western District of Pennsylvania

Nationally recognized trial attorney and communications consultant, Jim Lees owns and operates Hunt & Lees law firm in Charleston, WV. He continues to practice and litigate cases throughout the United States as well as provide communication consulting services to attorneys and businesses both nationally and internationally.

Mr. Lees is a former Deputy District Attorney in Pittsburgh, PA where he successfully prosecuted 44 first degree murder cases and 6 death penalty cases. Litigating both civil and criminal cases in private practice throughout the United States since 1984, Mr. Lees has now tried over 250 jury trials to verdict.

Mr. Lees now consults frequently throughout North America on persuasive communications for attorneys, businesses, and political candidates. A frequent lecturer on the use of psychology and persuasion Mr. Lees has lectured throughout the United States and Canada. In addition, he conducts focus groups to help formulate strategic persuasion plans for various clients and has personally conducted over 900 focus groups over the past ten plus years.

Jim Lees has appeared as a guest on ABC Television's Good Morning America, anchored a state-wide radio talk show, taught persuasion techniques at Harvard Law School and written a monthly newspaper column for a state-wide newspaper. Mr. Lees also ran unsuccessfully for Governor of West Virginia in 2000.



### TRIAL GUIDES

<https://www.trialguides.com/authors/james-b-lees-jr-2/>

### NOTABLE AWARDS/HONORS

-



## LOUISE LIPMAN, LCSW-R, TEP, CGP

- Owner, Psychodrama & Creative Arts Therapy Institute
- Trial and Attorney Consultant since 2009
- Instructor, Gerry Spence's Trial Lawyer College
- Co-Author and Presenter, Rules of the Road Series Session V
- Chapter Author, *Psychodrama in the 21st Century*, edited by Jacob Gershoni
- M.S.W., Yeshiva University
- B.A., New York University

Louise Lipman, LCSW-R, TEP, CGP is a licensed psychotherapist and a certified trainer, educator, and practitioner of psychodrama, sociometry, and group psychotherapy in private practice in NYC. She works with individuals, couples, families, and groups. Ms. Lipman teaches at Gerry Spence's Trial Lawyers College in Wyoming and is a trial consultant specializing in witness preparation and group dynamics in the courtroom. Ms. Lipman has also worked with law firms to facilitate increased creativity and productivity in the work place. She is the director of training at the Psychodrama & Creative Arts Therapy Institute in NYC, which offers a full training program in psychodrama, sociometry and group dynamics.

Ms. Lipman is a past president of the American Society of Group Psychotherapy and Psychodrama. She is the current president of the New York Chapter of the ASGPP and has served on the Executive Council of the ASGPP for ten years. She is the current vice president of the American Board of Examiners in psychodrama, sociometry, and group therapy and she is a certified group therapist from the American Society of Group Psychotherapy.

Ms. Lipman is the 2015 recipient of the ASGPP's J. L. Moreno Award for thirty years of contributions to the field of psychodrama. She was also a recipient of the ASGPP's Innovator's Award and the Hannah Weiner Award for service to the field.

Ms. Lipman has written the opening chapter of the book: *Psychodrama in the 21st Century*, edited by Jacob Gershoni, and she coauthored an article on trauma for *The Warrior* magazine. She brings her background in theater (as a Broadway actress) and the creative arts to her practice.



### WEBSITES

<http://www.psychodramacertification.org/>

### LINKEDIN

<https://www.linkedin.com/in/louise-lipman-9197578/>

### TRIAL GUIDES

<https://www.trialguides.com/authors/louise-lipman/>

### NOTABLE AWARDS/HONORS

- Past President, American Society of Group Psychotherapy and Psychodrama (President of NYC chapter)
- Vice President, American Board of Examiners in Psychodrama, Sociometry and Group Therapy
- J.L. Moreno Award, 2015, ASGPP
- Member, International Association of Group Psychotherapy

## ZOE LITTLEPAGE

- Partner, Littlepage Booth
- Guest Presenter, *Trial Tactics*
- Member, Inner Circle of Advocates
- Co-Author, *Drug Injury: Liability, Analysis and Prevention, 2<sup>nd</sup> Edition (2005), Chapter 28, The Rezulin Litigation*
- J.D, with honors, Emory University School of Law and University of Houston Law Center
- B.A., Rice University

**Admissions:** Texas

Zoe Littlepage's practice focuses on complex cases including mass torts, defective medical product or drug cases as well as human rights issues. She typically spends months each year in trial, all across the country. Ms. Littlepage's jury awards made the list of the Top 10 Largest Verdicts in the country for 2007, 2009 and 2010.

Ms. Littlepage led the charge for the state court Rezulin litigation. Littlepage Booth reviewed more than six million pages of Rezulin documents, took more than 100 days of depositions and Ms. Littlepage tried five of the nine Rezulin trials nationwide, achieving jury verdicts of over \$40 million.

In 2003, Ms. Littlepage was appointed Lead Counsel of the Plaintiff's Steering Committee for the Hormone Replacement Therapy MDL Litigation. Ms. Littlepage went to trial more than a dozen times on hormone therapy cases and achieved jury verdicts in excess of \$260 million for her clients.

In 2011, Zoe Littlepage was inducted into The Inner Circle of Advocates. Founded in 1972, The Inner Circle of Advocates is an invitation only group of 100 of the best trial lawyers in America who are selected for their character, experience and success in the courtroom. The Inner Circle of Advocates was described by The Washington Post as, "A select group of 100 of the nation's most celebrated trial lawyers" and is recognized as one of the most exclusive groups of attorneys in the nation. Inner Circle members often work collectively to share experience, skills and knowledge in pursuit of justice.



### WEBSITES

[www.littlepagebooth.com](http://www.littlepagebooth.com)

### LINKEDIN

<https://www.linkedin.com/in/zoe-littlepage-996992101/>

### TRIAL GUIDES

<https://www.trialguides.com/authors/zoe-littlepage/>

### NOTABLE AWARDS/HONORS

- Member, Inner Circle of Advocates
- Pursuit of Justice Award, ABA TIPS Section (2015)
- Esteemed Lawyers of America (2014)
- The Round Table: America's 100 Most Influential Trial Lawyers, The National Trial Lawyers (2011-2012 & 2013-2014)
- Clarence Darrow Award, Best Mass Tort Lawyer of 2008, Mass Torts Made Perfect
- Top 100 Trial Lawyers, The American Trial Lawyers Association (2008-2009)
- Named on of the top 12 lawyers in the U.S. by *Fortune Magazine* (2007)