



Medical Malpractice Survival Training for Physicians

September 18-19, 2014

Falmouth, Cape Cod, Massachusetts

www.seak.com

SEAK Medical Malpractice Survival Training

Registration Information

LOCATION/HOTEL ACCOMMODATIONS: A limited block of rooms will be available at special rates at the site hotel, the Sea Crest Beach Hotel (Single/Double \$159). To make your reservations please call 1-800-225-3110 and mention that you are with SEAK, Inc. **Rooms are limited and this rate expires on August 31, 2014 so you are strongly encouraged to make your reservations as soon as possible.** Please see page 3 for additional information.

SPECIAL EARLY REGISTRATION BONUS: All persons registering prior to July 15, 2014 will receive a complimentary copy of the best-selling 52-minute DVD The Expert Deposition: How To Be An Effective and Ethical Witness (a \$104 value).

GROUP DISCOUNTS: Group discounts are available for two or more persons registering from the same organization. Discount prices depend on the size of the group. Our programs can also be brought onsite to your organization. Please call 508-457-1111.

CONTINUING MEDICAL EDUCATION CREDIT: Please see page 4 for CME information.

CANCELLATIONS: Conference cancellations received in writing prior to September 1, 2014 will receive a full tuition refund. Persons cancelling after September 1, 2014 will receive a full tuition credit.

MAIL to: SEAK, Inc., P.O. Box 729, Falmouth, MA 02541 **FAX to:** 508.540.8304
CALL: 508.457.1111 or **REGISTER ONLINE:** www.seak.com

PLEASE REGISTER ME FOR:

- Medical Malpractice Survival Training for Physicians**
(\$1295) September 18-19, 2014

Please print or type all items to assure accuracy.

All confirmations will be sent via email to the individual indicated. **Priority Code: MedMal14**

<input type="checkbox"/> Check here if you require special accommodations to fully participate.		
First Name (as it will appear on name badge):		
Last Name:		
Title:		
Company/Organization:		
Specialty/Area of Expertise (to be included on your nametag for networking purposes):		
Mailing Address:		
City:	State:	Zip:
Phone:	Fax:	
E-Mail: (Please print neatly - confirmations and other information will be sent via e-mail)		
<input type="checkbox"/> I've enclosed a check payable to: SEAK, Inc., P.O. Box 729 Falmouth, MA 02541		
OR I'm Paying by Credit Card (please circle card type) MC / Visa / Amex / Discover		
Card Number:	Exp. Date:	
Name as it appears on the card:	Security Code:	
Signature:		

Hotel And Travel Information

Falmouth is one of the Cape's best playgrounds for vacationers of all ages and interests. It features over 75 miles of scenic coastline, three ferries to Martha's Vineyard, countless dining options, numerous antique shops, the Shining Sea bike trail, the Woods Hole Oceanographic Institution (which found the *Titanic* and *Bismarck*, among other famous accomplishments), numerous public golf courses, warm ocean temperatures and daytime high temperatures which average in the 70s during the month of September. Nantucket ferries run from Hyannis, which is approximately thirty minutes (by car) from Falmouth.

The Sea Crest Beach Hotel is a full-service beach front hotel nestled in a beautiful oceanfront location and has just undergone an \$18,000,000 renovation during the winter of 2011 (www.seacrestbeachhotel.com, 800-225-3110).

It features:

- 700 feet of private white sandy beach
- Full service restaurant and Sports Pub
- Entertainment
- Heated indoor pool, Jacuzzi, and atrium for sun and relaxation
- Outdoor pool, Jacuzzi, deck, and cabana bar for lounging or cocktails
- Fitness Center
- Water-craft rentals, windsurfing instructions, Jet Ski rentals and Bike rentals
- Volleyball Net, Basketball and Teen Hangout Room

Getting to Falmouth:

The two major airports closest to Cape Cod are Logan International Airport in Boston, MA (70 miles) and T.F. Green Airport in Warwick, Rhode Island (65 miles). Barnstable Airport is 22 miles from the Sea Crest Beach Hotel, but this is a commuter airport that has smaller planes and fewer flights. T.F. Green is preferred over Logan (if you can get a direct flight) as it is usually less congested. Rental cars, taxis and car service are available at all three airports.



SEAK Medical Malpractice Survival Training**Medical Malpractice Survival Training for Physicians****The Sea Crest Beach Hotel, Falmouth, Cape Cod, Massachusetts****Thursday–Friday, September 18-19, 2014**

Executive Summary: Malpractice Survival Training for Physicians is essential training for any physician who is currently being sued or is at risk for being sued over the course of his or her career. We will teach you how to give yourself the best chance of successfully defending an accusation of medical malpractice. We utilize interactive testifying skills workshops to show you how to be a more effective witness in your own defense. In addition, we teach you what you can and should do to assist in your own defense including making sure the insurance company hires the right lawyer, assisting in case preparation and expert selection, and making a favorable impression upon the jury. We also flag common and avoidable mistakes that can destroy an otherwise defensible case. **This course will only be offered once in 2014.**

Learning Objectives: You will learn:

- How to be a more effective witness in your own defense at deposition and trial
- How to make sure you are represented by the right lawyer and that that lawyer hires the best expert witnesses
- How to best work with and assist your defense counsel
- What makes plaintiffs angry enough to sue and how to avoid getting sued
- How to make a favorable impression on the jury
- How to understand and enforce your rights under liability insurance policies
- Factors to consider in order to decide whether or not to settle a case and if so, how much to settle for
- How to avoid common mistakes that can sink your case
- How to avoid or minimize damage to your reputation

Here's What Past Attendees Had To Say:*"High Quality"**"Outstanding Seminar"**"Superb"**"Good pace, key information"**"The personal attention was most useful"**"Loved the videos which demonstrated the points"**"Terrific"**"Faculty is excellent!"*

Registration Information: To register, please use the form on page 2. The \$1,295 tuition includes continental breakfast and lunch with faculty each day and a printed conference manual. All persons registering prior to July 15, 2014 will receive a complimentary copy of the best-selling 52-minute DVD *The Expert Deposition: How To Be An Effective and Ethical Witness* (a \$104 value).

Continuing Education Credits: SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this live activity for a maximum of **14 AMA PRA Category 1 Credit(s)**[™]. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

**Distinguished Faculty:**

Nadine Nasser Donovan, Esq., is a former trial lawyer with extensive litigation experience. She is a SEAK trainer and consultant, having been on the SEAK Faculty since 2002 and having trained hundreds of experts via SEAK's scheduled courses, customized on site expert witness training programs, and one-on-one consulting for physicians and other disciplines. She is licensed to practice law in New York, Massachusetts, and Rhode Island.

In addition to her work consulting and teaching for SEAK, Ms. Donovan is a partner in the Boston-based firm of Mulvey, Ennis, Keefe, and Donovan, LLC. Her practice area includes the defense of medical professionals in medical malpractice actions and before medical licensing boards. In addition, Ms. Donovan is a Legal Writing Instructor at Boston University School of Law, and an Adjunct Professor at New England School of Law, Boston, where she teaches a course in Medical Malpractice. Ms. Donovan also serves as a Dispute Resolution Arbitrator for the Financial Industry Regulatory Authority.

Ms. Donovan previously practiced litigation in New York City, first as a prosecutor in Queens, and then as counsel for the City of New York. Ms. Donovan received her J.D. *cum laude* from Boston College Law School. She graduated from Fordham University *summa cum laude* with a B.A. in French Literature. She can be reached at nadine@seak.com.

Registration is limited. Register Today! To register, please see page 2. Please see page 2 for Special Early Registration Bonus!

Medical Malpractice Survival Training for Physicians

The Sea Crest Beach Hotel, Falmouth, Cape Cod, Massachusetts

Day One (Thursday, September 18, 2014)

7:30-8:00 CONTINENTAL BREAKFAST & REGISTRATION

8:00-8:30 What To Do After an Adverse Event

This section will introduce the principles of medical malpractice law and the types of real world circumstances that typically lead to such claims. You will be provided with a to-do checklist for when you are first apprised of an adverse medical event. We will also discuss how to best deal with the stress of being sued. **Questions & Answers**

8:30-9:15 What the Plaintiff Needs to Prove

You will learn the essential elements of a medical malpractice claim so that you can understand what the plaintiff needs to prove and why. **Questions & Answers**

9:15-9:45 How to Assist in Disproving That You Breached the Standard of Care

The faculty will demystify the legal definition of the standard of care in a medical malpractice case and explain how you can help your lawyer to disprove breach of this critical element, including the use of medical literature, standards, evidence-based medicine, and learned treatises. **Questions & Answers**

9:45-10:15 How to Help Make Sure Your Lawyers Hire the Best Experts

On both sides of the case, the medical experts play a critical role in evaluating, proving, and disproving medical malpractice allegations. This section will discuss the factors that counsel takes into account in selecting these witnesses, and how you can help ensure that counsel retains the most effective expert witness on your behalf. **Questions & Answers**

10:15-10:30 BREAK AND NETWORKING OPPORTUNITY

10:30-11:15 How to Make a Favorable Impression on The Jury

The ultimate decision maker in a medical malpractice case is the jury of lay people. In this segment, you will learn what jurors find persuasive from defendant physicians, what they do not find persuasive, what defense and plaintiff's counsel will do to make the best impression in front of the jury, and most importantly, what you can do to help. **Questions & Answers**

11:15-12:00 Understanding and Enforcing Your Rights Under Your Liability Insurance Policy

We will teach you to understand your rights and responsibilities stemming from your liability insurance, including your rights regarding the selection of defense counsel and the implication of settlement clauses and indemnity and expense limits. We will also focus on what can and should be done should you face personal exposure beyond available policy limits. **Questions & Answers**

12:00-12:45 LUNCH WITH FACULTY (Provided)

12:45-1:30 When Should I Settle?

This section will discuss what kinds of events might spark settlement, as well as other factors that should affect your decision in this regard. We will also cover who decides when to settle, who has the authority to settle, and how cases are valued. Included will be a discussion of potential conflicts in settlement decisions, avenues of settlement such as arbitration and mediation, and the impact of settlement on your practice, reputation, and malpractice coverage. **Questions & Answers**

1:30-2:45 How Plaintiff's Lawyers Investigate Cases and What Makes Patients Sue

You will learn how plaintiff's counsel evaluates and prosecutes medical malpractice claims. Included is a frank discussion of the economics of pursuing a malpractice claim, the selection of expert witnesses, researching the applicable medicine, conducting discovery, developing a theme of the case, evaluating potential damages and the likelihood of success on the merits, deciding when to settle, when to mediate, when to try, and developing a winning trial strategy. **Questions & Answers**

2:45-3:00 BREAK AND NETWORKING OPPORTUNITY

3:00-4:00 How Defense Lawyers Defend Doctors in Malpractice Cases

This section will give you an insider's view of defense counsel's role in defending a physician accused of malpractice, including how defense counsel evaluates plaintiff's allegations and selects appropriate defenses. You will learn defense counsel's strategies, including the procedural and substantive avenues they pursue to resolve these cases in the manner most advantageous to their physician clients. Included in this discussion is the dynamics between defense counsel and the liability insurance adjuster, and how defenses proceed when there are multiple-named medical defendants. **Questions & Answers**

4:00-5:00 How You Can Best Assist Defense Counsel

You will learn how to be an effective member of the defense team. You will learn how defense counsel evaluates and defends a case, how to assist counsel in investigation and preparation of the case, proper pre-trial and courtroom behavior and demeanor, and how to avoid potential pitfalls. **Questions & Answers**

SEAK Medical Malpractice Survival Training**Medical Malpractice Survival Training for Physicians****The Sea Crest Beach Hotel, Falmouth, Cape Cod, Massachusetts****Day Two (Friday, September 19, 2014)****6:30-7:00 CONTINENTAL BREAKFAST****7:00-8:45 How to Be a More Effective Witness at Your Deposition**

Physicians will learn the fundamental law of depositions, what plaintiff's counsel is after at deposition, and how to be an effective witness on your own behalf at deposition, both on issues of qualification and the medicine involved. A physician who is able to persuasively and accurately describe her credentials, both in the curriculum vitae and in testimony, increases her credibility and benefits the overall defense of the case. Likewise, a defendant physician should be prepared to confidently and convincingly explain her care of the patient to the layperson without being defensive or condescending. Included will be mock deposition demonstrations of volunteer attendees which will be critiqued by the faculty and attendees. **Questions & Answers**

8:45-9:00 BREAK AND NETWORKING OPPORTUNITY**9:00-10:30 How to Be a More Effective Witness During Your Direct Examination At Trial**

You will learn specific proven techniques on how to work with counsel to be an effective witness on your own behalf during direct examination at trial. Techniques to prepare to give your testimony will be explained, along with specific advice on how to be effective in front of the jury. These include a focus on demeanor and language, the proper use of visual aids, understanding the theme of the case and how to properly explain complicated medical concepts to the lay jury. Included will be mock direct examination demonstrations of volunteer attendees which will be critiqued by the faculty and attendees. **Questions & Answers**

10:30-10:45 BREAK AND NETWORKING OPPORTUNITY**10:45-12:00 How to Be a More Effective Witness During Cross Examination**

You will learn what plaintiff's counsel is after during cross-examination and how to be effective during even the most aggressive cross-examinations. Physicians will learn the specific advanced techniques to thrive during cross-examination by plaintiff's counsel, including how to properly prepare for cross examination, making concessions where appropriate, not being evasive or defensive, maintaining a calm demeanor, avoiding quibble, showing feeling, active listening and many more. Included will be mock demonstrations of volunteer attendees which will be critiqued by faculty and attendees. **Questions & Answers**

12:00-12:45 LUNCH (PROVIDED WITH FACULTY)**12:45-1:45 How To Avoid Getting Sued - Practical Risk Management Techniques**

Although as a physician you can never completely eliminate the chance of being sued, there are ways to minimize your risk. This section will provide practical strategies that you can use to reduce the chances you will get sued, including superior communication skills with your patient, diligent and complete record-taking practices, employing competent and patient-friendly office staff, dealing with adverse events, and developing specific office procedures regarding informed consent, follow-ups, and referrals. **Questions & Answers**

1:45-2:30 The Biggest Mistakes Malpractice Defendant Physicians Make, And How to Avoid Them

You will learn the types of costly mistakes that you can make once you become a defendant in a medical malpractice lawsuit, as well as strategies and techniques you can use to avoid them. The discussion of mistakes will include not knowing your rights under your liability contract, altering medical records, giving the appearance of a cover-up by not promptly responding to patients' records requests, discussing your case with your colleagues, not being adequately prepared for your deposition or trial testimony, thinking that defense counsel has a medical degree, not being responsive to defense counsel's requests, keeping important facts about yourself or the case from defense counsel, and mistakenly thinking that the malpractice insurer has only your best interests in mind. **Questions & Answers**

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SEAK Witness Testimony Preparation

SEAK has prepared thousands of witnesses, such as expert witnesses and medical defendants, for testimony. We are available to experts, medical defendants, and retaining counsel in malpractice and other cases to help prepare them for key depositions, hearings, and trial testimony. We have assisted witnesses who:

- Are medical defendants in hotly-contested malpractice cases with devastating damages on the line.
- Are medical defendants who are nervous about a particular issue in the case or their background that could damage their professional reputation.
- Are medical defendants who want the reassurance and confidence that results from additional preparation in the defense of their case.
- Are serving as medical experts in complex/high stakes malpractice cases.
- Are facing a very aggressive opposing counsel.
- Do not have extensive experience testifying.
- Are dealing with a retaining counsel who refuses to properly prepare them or who wants the witness to benefit from additional preparation.

**For a quote or further information please contact
Nadine Nasser Donovan, Esq. (617-791-4282 or nadine@seak.com)**

Here's what your colleagues have to say about our testimony preparation service:

"Thank you again ever so much [for your prep] on the [recent] case – the lawyer thinks I'm brilliant and I owe you tremendous credit for that!"

"I wanted to thank you so much for your time, it was immeasurable. I appreciate the sensitivity you demonstrated for the particulars of this case. So, again, thank you for your efforts, it was truly a fascinating experience, not to mention extremely helpful."

"Prep went great today. Thanks to our session, I had my ten pages of great prep material which [retaining counsel] clearly appreciated and were impressed by. I essentially lead the prep and I think [retaining lawyers] clearly saw how seriously [our firm] take[s] testimony and how prepared we are. I felt very studied and prepared. Thanks again"

"Things went very well with my testimony. Your [preparation session] was immensely helpful in dealing with both retaining and opposing counsel."

"Thank you for your help – [my depo] couldn't have gone better!!!"

"Very helpful and worthwhile. They asked me everything you said they would and I was very well prepared to answer their questions."

"You are amazing."

"[Our expert] rocked it today! Thanks 4 Ur Help"

"3 words. Ate Their Lunch. You're the best"

"Your prep helped immensely ... I would not have thought of all I needed had I not done that... I did MUCH better thanks to you!! Much appreciated!!!!!"

NEW!

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