

2013 Fall Seminar Schedule*

Hilton Portland & Executive Tower
921 SW 6th Avenue
Portland, Oregon
Friday, November 22, 2013

OADC 2013 Fall Seminar

To register for the OADC 2013 Fall Seminar on November 22, 2013, please complete the following information and mail it to the OADC office with payment by November 15, 2013.

Registration Information

Fees: The registration fee for the Fall Seminar is \$165 per person for a full day registration or \$100 per person for a morning only or afternoon only registration. Payment must accompany this registration form. The fee includes instruction and course materials for the sections you register for, continental breakfast (full day and morning only registrations) and lunch. Lunch is included for all of the registration options. There will be no reduction in fees for partial attendance of any section. Please make checks payable to OADC.

Cancellation Policy: Cancellations received prior to November 15, will receive the full registration amount back, minus a \$50 administrative fee. Cancellations received after November 15, no shows, and same-day cancellations will not be refunded. In the event of inadequate registration, weather problems or other events beyond OADC's control, a seminar may occasionally be cancelled. Should this occur, an attempt will be made to contact all registrants and fees will be refunded. OADC will not be responsible for any other expenses incurred by registrants should the seminar be cancelled.

Space Limitations: Space is limited, so early registration is encouraged. In the event that room space becomes filled to capacity, late registrants cannot be accommodated.

OADC 2013 Fall Seminar Registration Form

Name: _____

Firm/Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Email: _____

OSB #: _____ WSB #: _____

Special Needs (i.e.: vegetarian entree, handicap access, etc.): _____

I am: OADC Member Industry Representative

I am registering for:

- Full day attendance - \$165
- Morning only attendance - \$100 (includes lunch)
- Afternoon only attendance - \$100 (includes lunch)

Enclosed is my check payable to OADC in the amount of \$ _____

-OR-

Please charge my VISA Mastercard American Express

In the amount of \$ _____

Card number: _____ Expiration date: _____

Name on card: _____

Signature: _____

Card Billing Address: _____

City: _____ State: _____ Zip: _____

8:00 – 8:25 am Registration, Continental Breakfast & Exhibits

8:25 – 8:30 am Welcome

By Fall Seminar Chairs Mary-Anne Rayburn, Martin Bischoff LLP and Vicki Smith, Bodyfelt Mount

8:30 – 9:20 am Tort Liability or Extra-Contractual Damages for Not Paying UIM Benefits?

Presented by Brian Williams, Hitt Hiller Monfils Williams LLP and FJ Maloney, Maloney, Lauersdorf & Reiner PC

The next wave of UIM litigation focuses on the insurer's handling of the claim. Hear from attorneys who have defended against complaints pleading tort liability against insurers for not paying UIM benefits and seeking extra-contractual damages as part of the breach of contract claim.

9:20 – 10:10 am Insurance Coverage for Cyber Losses

Presented by Lloyd Bernstein, Gordon & Polsker LLC

This presentation will analyze potential first party and liability exposures that exist in the new world of doing business in cyber space. Learn strategy and other considerations for handling cyber related claims.

10:10 – 10:20 am Break & Exhibits

10:20 – 11:10 am Appellate Update

Presented by Janet Schroer, Hart Wagner LLP and Lindsey Hughes, Keating Jones Hughes PC

Learn about the other recent appellate decisions - those not addressed during the OADC Annual Convention and also key Washington and Ninth Circuit cases.

11:10 am – 12 pm Are Insurers Really Limited by the Complaint and Insurance Policy to Determine if a Party is an Insured?

Presented by Richard Lee, Bodyfelt Mount LLP and Chris Carson, Kilmer Voorhees & Laurick PC

We know that insurers are limited to the complaint and insurance policy when determining the duty to defend. But what can an insurer rely on to determine the initial question--whether the party is even an insured under the policy? This presentation will explore the conflict between the Bresee Homes decision that limits an insurer to the complaint and insurance policy language with prior appellate decisions that allow insurers to look to extrinsic evidence to determine if the party is an insured.

12:00 – 1:15 pm Lunch – Changes in the Court System that Will Affect Us All

Presented by the Honorable Nan Waller, Presiding Judge, Multnomah County Circuit Court

Judge Nan Waller will discuss the current state of eCourt, what we may expect when our counties go live with eCourt, and the proposed changes to the civil case management rules in Multnomah County.

1:15 – 1:45 pm Legislative Update - The Good, The Bad, and The Ugly

Presented by Drake Hood, Brisbee & Stockton LLC

The 2013 legislative session is over. Hear the effect on defense practice of the bills that passed, the bills that did not pass but we wished would have, and the bills we are happy did not pass.

1:45 – 2:35 pm Using a Vocational Expert

Presented by Scott Stipe, Scott Stipe & Associates, Inc. DBA Career Directions Northwest and Kristin Olson, Olson Brooksby PC

Learn tips and strategies about how to use a vocational expert to reduce the plaintiff's damages.

2:35 – 2:45 pm Break & Exhibits

2:45 – 3:35 pm Challenging Attorney Fees

Presented by Stacy Tela-Kerber, Elkins Zipse & Mitchell and Robert May, Smith Freed & Eberhard PC

You've lost liability and now the plaintiff is seeking attorney fees. Learn how to challenge attorney fee petitions filed under ORS 20.080 and 20.082 and ORS 742.061.

*Schedule & Speakers Subject to Change

Application has been made for approximately 5.5 CLE hours.

OADC

**Oregon Association
of Defense Counsel**

2013 Fall Seminar

Friday, November 22, 2013

Hilton Portland & Executive Tower

Portland, Oregon

Return Service Requested

147 SE 102nd Avenue
Portland, OR 97216

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of Defense Counsel