



Oregon Law Institute  
of Lewis & Clark Law School

# Current Issues in Workers' Compensation Cases

**Not to be missed,**  
this seminar will update you on timely  
topics in workers' compensation  
practice that are significant for you  
and your clients.

- ✓ Torts arising out of employment
- ✓ Primer on hearing loss cases
- ✓ Perspectives from the bench
- ✓ An update of the year's most important cases

**FRIDAY,  
OCTOBER 1, 2010**

Oregon Convention Center  
777 NE Martin Luther King Jr. Blvd.  
Portland, Oregon

**5.75** General MCLE Credits

# SCHEDULE

- 8:15 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 8:40 WELCOME AND INTRODUCTION
- 8:45–9:45 **Torts Arising Out of Employment**
- Overview—what to look for
  - Non-complying employers
  - Employment civil rights
  - Employer Liability Act
  - *Smothers* update
    - *Nelson R. Hall*
- 9:45–10:00 BREAK
- 10:00–11:00 **Combined Conditions and the *Kollias* Case—  
What Now?**
- Defense strategy for issuing and defending combined-condition denials
  - Claimant’s perspective on dealing with combined conditions
    - *H. Thomas Andersen*
    - *Donald M. Hooton*
- 11:00–12:00 **Appellate Case Law Update**
- Significant Workers’ Compensation Board cases
  - Analysis of Oregon Court of Appeals and Supreme Court cases
    - *Edward J. Harri*
    - *Rebecca A. Watkins*
- 12:00–1:15 LUNCH (on your own)
- 1:15–1:30 **Update at the Workers’ Compensation Board**
- Learn about the latest happenings at WCB involving hearings, mediations, and appeals on board review. Updates will also include administrative rule review, results of the etranscript pilot program, and the challenges facing WCB during the economic downturn.
    - *Abigail L. Herman*
- 1:30–2:45 **Perspectives from the Bench—Everything You  
Wanted to Know About the ALJ Decision Making  
Process But Were Afraid to Ask**
- When do they decide a case
  - Effective vs. poor case preparation and hearing presentation
    - *Martin L. Alvey*
    - *Neil W. Jones*
    - *John Mark Mills, ALJ*
    - *Jenny Ogawa, ALJ*
    - *Robert Pardington, ALJ*
- 2:45–3:00 BREAK
- 3:00–4:00 **Primer on Hearing Loss Cases**
- Medical terminology
  - Burden of proof issues and responsibility
  - Defense and claimant’s strategies
    - *John M. Pitcher*
    - *George J. Wall*
- 4:00 p.m. ADJOURN

# Program Faculty

**Martin L. Alvey**  
*Program Co-Planner*  
*Martin L. Alvey, PC*

**H. Thomas Andersen**  
*Attorney at Law*

**Nelson R. Hall**  
*Bennett Hartman Morris &*  
*Kaplan, LLP*

**Edward J. Harri**  
*Assistant Dean for Student Affairs*  
*& Instructor of Legal Research and*  
*Writing, Willamette University*  
*College of Law*

**Abigail L. Herman**  
*Chair, Workers' Compensation Board*

**Donald M. Hooton**  
*Hooton Wold & Okrent, LLP*

**Neil W. Jones**  
*Sheridan Levine, LLP*

**John Mark Mills, ALJ**  
*Workers' Compensation Board*

**Jenny Ogawa, ALJ**  
*Workers' Compensation Board*

**Robert Pardington, ALJ**  
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**John M. Pitcher**  
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**George J. Wall**  
*Attorney at Law*

**Rebecca A. Watkins**  
*Sather, Byerly & Holloway, LLP*

## LIVE PRESENTATION

**Portland – 10/1/10**  
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**MCLE CREDIT**  
*Current Issues in Workers'*  
*Compensation Cases* will receive **5.75**  
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## VIDEO REPLAYS

Please register at least one week prior to the replay date.

**Bend – 10/15/10**  
**Replay 8:30 a.m.**  
Bryant Lovlien & Jarvis  
591 Mill View Way

**Eugene – 10/8/10**  
**Replay 8:30 a.m.**  
Harrang Long Gary & Rudnick PC  
360 East 10th Avenue, Ste. 300

**Medford – 10/8/10**  
**Replay 8:30 a.m.**  
Kellington Krack Richmond  
Blackhurst & Glatte LLP  
23 Newtown Street

**Portland – 10/20/10**  
**Replay 9:00 a.m.**  
Oregon Law Institute  
Gus J. Solomon Courthouse  
620 SW Main Street, Ste. 706

# Current Issues in Workers' Compensation Cases

Friday, October 1, 2010

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Please "✓" appropriate box below:

- Live presentation
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## TUITION

*(Prices apply to live and video replays.)*

- \$179** Early registration (*received by September 27, 2010*)
- \$139** Early registration for new attorneys (admitted 2008–2010) and legal staff (*received by September 27, 2010*)
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**CONFIRMATION:** Confirmation will be sent via e-mail.**CANCELLATION POLICY:** Tuition minus a \$20 handling charge will be refunded if the cancellation request is *written and received* by Monday, September 27, 2010.**NEED ASSISTANCE:** If you are a person with a disability, please let OLI know in time to make any necessary accommodations for you.**TUITION ASSISTANCE:** A limited number of scholarships are available based on financial need. Contact OLI.