

AGENDA

FRIDAY, MAY 4

7:00 A	BREAKFAST BUFFET			Wheatley Terrace
8:00 A	Welcome & Introductions	Lisa Carper	<i>Preliminary introductions of our speakers, instructions for questions, and information about CLE certificates and filing</i>	Rooftop Ballroom
8:15 A	Introduction to Case Framing	Mark Mandell	<i>An introduction to the concept of Case Framing, including Framing and Sequencing, Case Frames, I Just Can't Get Over issues, and Echoes.</i>	Rooftop Ballroom
10:15 A	COFFEE BREAK			Wheatley Terrace
10:30 A	The Science of Case Framing	Craig Fox	<i>Using his expertise as a decision scientist, Dr. Fox will explain why Case Framing succeeds as an advocacy method.</i>	Rooftop Ballroom
12:30 P	LUNCH (ON YOUR OWN)			
1:30 P	Case Frames and I Just Can't Get Over Issues	David Wenner	<i>Identifying the "I just can't get over it" issues is a key component of the Case Framing methodology. In this hour, Mr. Wenner describes how to identify and use those issues and why and how they work.</i>	Rooftop Ballroom
2:20 P	Creating Echoes Part 1	Randi McGinn	<i>32 Echoes have been identified by Mr. Mandell in the Case Framing model. Ms. McGinn will discuss how to create some of those 32 Echoes.</i>	Rooftop Ballroom
3:10 P	SNACK BREAK			Wheatley Terrace
3:25 P	Creating echoes Part 2	Ben Rubinowitz	<i>Continuing the dialogue on creating Echoes, Mr. Rubinowitz will address different Echoes and describe how he creates them in his cases.</i>	Rooftop Ballroom
4:15	Case Framing and Discovery	Judy Livingston	<i>Ms. Livingston will explain how Case Framing can be applied to discovery.</i>	Rooftop Ballroom
5:00 P	WELCOME RECEPTION			Press Room
7:00 P	BONUS SESSION	Joseph A. Power, Jr.	<i>This bonus session is not included in the CLE credit calculation.</i>	Rooftop Ballroom
9:00 P	END OF DAY 1			

SATURDAY, MAY 5

7:00 A	BREAKFAST BUFFET			Wheatley Terrace
8:00 A	Overview of Case Framing	Mark Mandell	<i>Mr. Mandell completes the overview of Case Framing.</i>	Rooftop Ballroom
9:30 A	COFFEE BREAK			Wheatley Terrace
9:45 A	Case Framing and Damages	David Wenner and Randi McGinn	<i>Mr. Wenner and Ms. McGinn discuss how Case Framing can be used to maximize damages.</i>	Rooftop Ballroom
11:15	Case Framing in Settlement, Mediation, and Admitted Liability Cases	Ben Rubinowitz and Judy Livingston	<i>Case Framing is not merely a trial tactic; it can also be used in settlement, demand letters, mediation and admitted liability cases.</i>	Rooftop Ballroom
12:45 P	LUNCH (ON YOUR OWN)			
2:00 P	The Art of Case Framing Part 1	Mark Mandell, Judy Livingston, Randi McGinn, Ben Rubinowitz, and David Wenner	<i>Using cases submitted by the attendees, the panel interacts with the attendees to develop a Case Framing plan for the selected cases.</i>	Kennedy Room
3:45 P	SNACK BREAK			Kennedy Room
4:00 P	The Art of Case Framing Part 2	Mark Mandell, Judy Livingston, Randi McGinn, Ben Rubinowitz, and David Wenner	<i>Using cases submitted by the attendees, the panel interact with the attendees to develop a Case Framing plan for the selected cases.</i>	Kennedy Room
6:00 P	END OF DAY 2			

ACCREDITATION

TIME

15 hours and 30 minutes (930 minutes)
(approximately 15.5 hours for 60-minute states; 18.7 hours for 50-minute states)

APPROVALS

Delaware: 15.5 credits (TRI05042018CASE_)
Pennsylvania: 15.5 general credits
Rhode Island: 18.7 credits
Washington: 15.5 general credits
West Virginia: 18.7 credits (29289)

ELIGIBLE FOR CREDIT UNDER RECIPROCITY, NO PRE-APPROVAL OR OUT OF STATE RULES

AB, AK, AZ, CA, CT, HI, ME, NH, NJ, NY

APPLICATIONS IN PROCESS

IL, FL, GA, OH, MO, NC, OR, RI, TX, VA,

DENIALS:

None received as of 2/9/18

EDUCATIONAL MATERIALS

Mandell, Mark. (2015) *Case Framing*. Portland, Oregon. Trial Guides. 210 pages

PRESENTERS

MARK MANDELL

- Partner, Mandell, Schwartz, and Boisclair, Ltd.
- Author, **Case Framing** (2015, Trial Guides)
- Board Certified, Civil Trial Specialist, National Board of Legal Specialty Certification
- Board Certified, Civil Pretrial Practice, National Board of Legal Specialty Certification
- Board Certified, Medical Negligence Litigation, American Board of Professional Liability Attorneys
- Member, Inner Circle of Advocates
- J.D., Georgetown University Law Center
- B.A., University of Alabama

Admissions: Rhode Island, Alabama, USDC of Rhode Island, 1st Circuit Court of Appeals and the United States Supreme Court

Mark Mandell is a senior partner in the Providence, Rhode Island, law firm of Mandell, Schwartz & Boisclair, Ltd. Mark focuses his practice on catastrophic personal injury cases, wrongful death cases, liquor liability cases, medical negligence cases, nursing home cases, and business litigation. Mark has obtained more verdicts of \$1 million or more than any other lawyer in Rhode Island history. He has five verdicts of \$10 million or more.

To help other attorneys replicate that success, Mark has developed new ways to try cases called "Case Framing," "Choice Theory," and the "Need for Protection." Mark released a book entitled **Case Framing**, published by Trial Guides in 2015.



WEBSITES

<http://www.mandellschwartzboisclair.com/lawyers-and-staff/mark-mandell/>

TRIAL GUIDES

<https://www.trialguides.com/authors/mark-mandell/>

NOTABLE AWARDS/HONORS

- Member, inner Circle of Advocates (Top 100 Plaintiff Trial Lawyers in the United States)
- Fellow, American College of Trial Lawyers
- Top 10 Lawyers in Rhode Island (2007 – Present)
- Providence Personal Injury Litigation Lawyer of the Year, 2016, Best Lawyers in America
- Providence Appellate Practice Lawyer of the Year, 2015, Best Lawyers in America
- Providence Personal Injury Lawyer of the Year, 2013, Best Lawyer sin America
- Past President, American Association of Justice

CRAIG FOX

- Professor, Anderson School of Management, UCLA
- Harold Williams Chair in Management, UCLA
- Co-Director, UCLA Interdisciplinary Research Group in Behavioral Decision Making
- Co-founder, Behavioral Science and Policy Association
- Co-founder and Editor, *Behavioral Science and Policy* journal
- Editorial Board Member: *Journal of Behavioral Decision Making* and *Judgment and Decision Making* journal
- Former Associate Editor, *Management Science* and *Organizational Behavior and Human Decision Process*
- Former Professor, Fuqua School of Business, Duke University
- Ph.D., Experimental Psychology, Stanford University
- M.A., Experimental Psychology, Stanford University
- B.A., Psychology and Economics, University of California at Berkeley

Craig R. Fox is Professor of Psychology in the College of Letters and Science at UCLA, Professor of Strategy and Policy at the UCLA Anderson School of Management, and Co-Director of the UCLA Interdisciplinary Research Group in Behavioral Decision Making. He joined the UCLA faculty in 2003 after six years at Duke University, where he remains an adjunct faculty member.

Professor Fox teaches courses in decision-making, negotiation, leadership, strategy, and dynamic management. He has previously taught courses at the University of Chicago Booth School of Business, the Kellogg Graduate School of Management (Northwestern University), Stanford University, and the Australian Graduate School of Management. In addition, Fox has been a visiting scholar at Columbia University, New York University, the University of Mannheim, and the Hebrew University in Jerusalem.

Fox's research focuses on decision behavior, especially under conditions of risk and uncertainty. He uses a variety of research methods, including surveys and lab experiments, field studies and analysis of archival data, and neuroimaging. His research has been published in top journals of management, psychology, economics, law, neuroscience and general science.



WEBSITES

<http://fox-lab.org/people/craig/>
<http://www.anderson.ucla.edu/faculty-and-research/strategy/faculty/fox>

LINKEDIN

<https://www.linkedin.com/in/craig-fox-355687a/>

NOTABLE AWARDS/HONORS

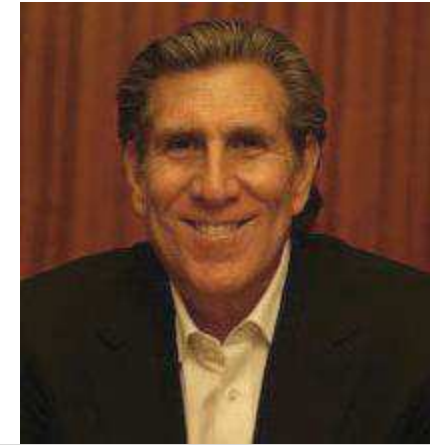
- Finalist, Exeter Prize in Behavioral/ Experimental Econ & Decision Theory
- Best Paper in Decision Analysis, 2005, INFORMS (Fox & Clemen)
- Professional Article of the Year, Center for Public Resources Dispute Resolution Inst. (Birke & Fox, 1999)

DAVID WENNER

- Partner, Snyder and Wenner, P.C.>
- Applied Jury Scientist/Behavioral Realist, Jury Bias Institute/Winning Works
- Board of Trustees, American Association of Justice national College of Advocacy
- J.D., Arizona State University
- M.S.W., Individual and Group Psychotherapy, Family Therapy and Social Casework, University of Washington
- B.A., Social Psychology, Wayne State University

Admissions: Arizona, USDC of Arizona, 9th Circuit Court of Appeals, United States Supreme Court

As a partner in the Phoenix law firm of Snyder & Wenner, P.C., Mr. Wenner has spent the last two decades prosecuting wrongful death and catastrophic injury accident cases, speaking to lawyers across the country on juror bias and decision-making, and creating a successful juror bias model.



WEBSITES

<http://www.snyderwenner.com/david-wenner/>

LINKEDIN

<https://www.linkedin.com/in/randi-mcginn-ba488784>

TRIAL GUIDES

<https://www.trialguides.com/authors/david-wenner/>

NOTABLE AWARDS/HONORS

- Best Lawyers in America, 2000–present
- Super Lawyers 2007–present
- Diplomate of Trial of Advocacy – National College of Advocacy, 1997
- Advanced Studies in Trial Advocacy, 2007
- Co-Developer of ATLA’s Overcoming Juror Bias Program
- Co-Developer of Descriptive and Jury Bias Model™

RANDI MCGINN

- Partner, McGinn, Carpenter, Montoya & Love, P.A.
- Author, *Changing Laws, Saving Lives: How to Take on Corporate Giants and Win*
- First Female President, Inner Circle of Advocates
- Author and Presenter, *Closing Statements that Touch the Heart* video
- Author and Presenter, *Creating Magic in Trial* video
- J.D., University of New Mexico School of Law
- B.A., New Mexico State University

Admissions: New Mexico, US District Courts of New Mexico and Colorado

Randi McGinn is known for her creativity in the courtroom and her use of demonstrative evidence to visualize opening, direct, cross-examination, and closing argument. She has destroyed adverse witnesses by leaving a pretentious Beverly Hills doctor standing in front of the jury covered with post-it notes and clutching a grapefruit to his chest, by grilling a government snitch until he threw up, and by exposing the fact that a world-renowned polygraph expert had been polygraphing his own sperm cells in the dead of night. In some particularly hard-won police shooting case, the local SWAT officers once put her face on their Christmas piñata and took turns whacking it with a big stick.

Randi started her career by giving birth to daughter Heather the day before the three-day bar examination.

Her most famous client was Billy the Kid – for whom she sought a pardon. She was recently appointed as a special prosecutor in the first murder case in over 50 years against an Albuquerque police officer for an on the job shooting.

Ms. McGinn is a former governor of the American Association for Justice, a past president of the New Mexico Trial Lawyers Association, and a former board member of the National Association of Criminal Defense Lawyers. Randi has taught trial practice for the National Institute for Trial Advocacy and the National Criminal Defense College, and as an adjunct professor for the University of New Mexico Law School.



WEBSITES

<http://mcginnlaw.com/>

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<https://www.linkedin.com/in/randi-mcginn-ba488784>

TRIAL GUIDES

<https://www.trialguides.com/authors/randi-mcginn/>

NOTABLE AWARDS/HONORS

- Best Lawyers in America, Plaintiff's Personal Injury Law and Criminal Law
- Southwest Superlawyers Top 25 Lawyers in New Mexico
- *Albuquerque Magazine* Rated Top 10 Lawyers
- President, Inner Circle of Advocates (Top 100 Plaintiff Trial Lawyers in the United States)
- Fellow, International Academy of Trial Lawyers

BEN RUBINOWITZ

- Managing Partner, Gair, Gair, Conason, Rubinowitz, Bloom, Hershenhorn, Steigman, & Mackauf
- Member, Inner Circle of Advocates
- Chair Elect, Board of Directors, National Institute for Trial Advocacy
- Member, Board of Directors, N.I.T.A.
- Fellow, International Society of Barristers
- Fellow, The International Academy of Trial Lawyers
- J.D., Hofstra University
- B.A., *magna cum laude*, Boston University

Admissions: New York, U.S. District Court Eastern and Southern Districts of New York

Throughout his 30-year legal career, New York Attorney Ben Rubinowitz has made his mark as a leading trial lawyer combining hard work and dedication with his remarkable courtroom skills and presence. This year Mr. Rubinowitz received the highest honor from Best Lawyers In America by being named the "Lawyer Of The Year" for personal injury in the New York Metropolitan Area. Ben began his career as a prosecutor, where he honed the trial skills that would become his hallmark. From there, he began serving as a trial lawyer representing severely injured plaintiffs in personal injury cases, eventually joining GGCSMB&R in 1989. Mr. Rubinowitz was featured in New York Magazines' article on "Best Lawyers in New York" and was one of ten GGCSMB&R attorneys who were listed in "The Best Lawyers in America"—which is more than any other New York plaintiff's personal injury firm. For the past 5 years he has been recognized in the New York Times as one of the "Top 100" lawyers in the New York Metro area, by New York Super Lawyers.

His meticulous approach to the preparation and trial of cases has produced 26 verdicts and over 150 settlements in excess of one million dollars in cases arising out of automobile accidents, premises accidents, construction accidents, medical malpractice, civil rights violations and products liability. Mr. Rubinowitz has a thorough grasp of the nuances of complex issues. This, coupled with his ability to translate complicated information into clear terms for a jury, has left an indelible impression on all those who have witnessed him in action—including even defendants' medical experts that he has cross-examined. In addition to his skills as a trial lawyer, Mr. Rubinowitz has successfully argued appellate cases before the Appellate Division and the highest court in the State of New York, the Court of Appeals.



WEBSITES

<https://www.gairgair.com/ben-b-rubinowitz.html>

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<https://www.linkedin.com/in/ben-rubinowitz-7482a49/>

NOTABLE AWARDS/HONORS

- Best Lawyers "Lawyer of the Year"
 - 2018 – Malpractice Litigation
 - 2017 – Personal Injury Litigation – Plaintiff's
 - 2016 – Product Liability Litigation – Plaintiff's
 - 2013 – New York City
- Robert E. Keeton Award for Excellence in Teaching (2014)
- Prentice Marshal Award, New England Regional NITA

JUDITH LIVINGSTON

- Senior Partner, Kramer, Dillof, Livingston, and Moore
- Member, Inner Circle of Advocates
- Fellow, International Academy of Trial Lawyers
- Board of Directors, New York State Trial Lawyers
- Board of Directors, Judges and Lawyers Breast Cancer Alert (former Co-President)
- Honorary Doctor of Laws, Hofstra University School of Laws
- Honorary Degree, Fordham University School of Law
- J.D., Hofstra University School of Law
- B.A., *magna cum laude*, State University of New York, Stony Brook, New York

Admissions: New York

Judith Livingston has long been one of the most successful plaintiff's attorneys in the United States. Reserved, methodical and precise, Ms. Livingston has been called "A Legal Legend" by Law Dragon. Since 1989 she has been a partner at the law firm of Kramer, Dillof, Livingston & Moore.

To date, Ms. Livingston has won 33 trials with verdicts in excess of \$1 million, and has negotiated hundreds of settlements that have resulted in payments to her clients of almost a half-billion dollars. She specializes in medical malpractice and personal injury cases. In recognition of her trial skills, Judith Livingston was the first woman in the United States admitted to the Inner Circle of Advocates - an invitation-only professional group limited to the top 100 trial lawyers in America. And she was the youngest person to be invited to be a member.

A fellow of the International Academy of Trial Lawyers, Judith Livingston has participated nationally in lectures and seminars on subjects ranging from trial strategy to women in the courtroom.



WEBSITES

<http://www.kdlm.com/About-Us/Judith-A-Livingston.shtml>

NOTABLE AWARDS/HONORS

- Member, Inner Circle of Advocates (Top 100 Plaintiff Trial Lawyers in the United States)
- Legal Legend, Law Dragon
- New York Medical Malpractice Lawyer of the Year, 2011 & 2013, *Best Lawyers* magazine
- Top 40 Lawyers who have made their mark in health care law, *National Law Journal*
- To 50 most influential women lawyers in America, *New York* magazine
- American College of Trial Lawyers
- International Society of Barristers
- Presidential Medal, Hofstra University
- Founder's Award, Fordham

JOSEPH A. POWER, JR.

- Managing Partner, Power, Rogers, and Smith, LLP
- President, Inner Circle of Advocates
- Fellow, International Academy of Trial Lawyers
- J.D., Loyola University
- B.A., University of Notre Dame, with high honors in government and international relations

Admissions: Illinois; U.S. Court of Appeals, Seventh Circuit; United States Supreme Court, U.S. District Court for the Northern and Central Districts of Illinois

Joseph Power has obtained more than 200 jury verdicts and settlements in excess of \$1 Million, including the largest jury verdict in Illinois history for a medical malpractice case of \$55.4 Million and a recovery of \$100 Million in a trucking case which led to seventy-six criminal convictions, including the former Governor of Illinois in the “licenses for bribes” scandal, which triggered the retesting of over 2000 truck drivers. He has recovered over \$1 Billion for his clients. Recently, in the fall of 2017, Joseph Power and James Power obtained a verdict of \$95,477,464.00 for a plaintiff who lost both of his legs when he was working as a truck driver and the cargo he was transporting fell onto him. The day after obtaining that verdict, Joseph Power, Larry Rogers, Jr. and James Power set out on another complex trial and obtained a verdict of \$33.4 Million for their clients in a negligent security case against a security company, Allied Barton involving a shooting at a law firm by a disgruntled client of a patent attorney.

Mr. Power has never lost a medical malpractice case at trial. Mr. Power has tried and recovered numerous multi-million medical malpractice cases. Each one of his malpractice jury verdicts have resulted in the payment of between \$2 and \$43 million dollars, depending upon the amount of the defendant’s insurance policy.

Mr. Power is a past President of the Illinois Trial Lawyers Association, Public Justice, Celtic Legal Society and ABOTA (Illinois Chapter), and he is the current President of the Inner Circle of Advocates. In addition, he is a Fellow of the American College of Trial Lawyers and the International Academy of Trial Lawyers.

Mr. Power has been listed in the Harvard Law Graduates Naifeh and Smith book, The Best Lawyers in America, every year since 1987. The same publication names him the top personal injury lawyers in Illinois in 2014. The National Law Journal recognized him as one of the top ten litigators in the United States. Additionally, Joe has been repeatedly selected as one of the top lawyers by LawDragon, a group which selects the top 500 lawyers in the country.



WEBSITES

<https://www.prslaw.com/our-attorneys/joseph-a-power-jr>

NOTABLE AWARDS/HONORS

- President, Inner Circle of Advocates (Top 100 Plaintiff Trial Lawyers in the United States)
- Leading Lawyers Magazine
 - #1 Personal Injury Attorney, #1 Consumer Lawyer, and #2 Leading Lawyer Overall (2016)
 - Top Personal Injury and Consumer Lawyer (2015) (2014) (2010)
 - Top Vote Getter as Leading Personal Injury Lawyer (2013) (2012)(2009)
 - Top Ten Personal Injury and Consumer Attorney in Illinois (2011)
- Public Justice, Champion of Justice (2012)
- Law Dragon, One of the Best Lawyers in the US
- Many, many more.

DESCRIPTION OF EVENT

Building a case a jury can believe in is fundamental to obtaining a favorable verdict. Renowned trial attorney Mark Mandell designed and built the Case Framing Model to do precisely that. This model is based on the idea that "just verdicts result when everything presented at trial is framed and sequenced to focus juror attention on the points you most want to make." The key, then, is to focus the jury's attention on what really matters.

Mark has created a two-day seminar to teach the fundamentals of Case Framing. The program begins with an introduction to Case Framing, then delves into the latest developments in decision science and psychology, and ultimately finishes with practical guidance on how to apply the model to your cases. By the end of the seminar, you will have learned:

- To analyze your client's case to identify issues jurors "just can't get over"
- To create echoes of those issues that will be used throughout the trial
- To understand the latest developments in decision science and psychology and to apply them to your upcoming cases
- To incorporate practical Case Framing techniques into your litigation strategy

ATTENDANCE RESTRICTION

PLEASE NOTE: Both days of this event are open only to civil plaintiff's OR criminal defense counsel. *Lawyers who perform any work on behalf of insurance companies or any form of civil defense work are not allowed to attend.* All attendees will be required to sign and submit an [affidavit](#) to that effect before being allowed entry.

Attendees must also comply with the [Professional Conduct and Safety Policy for Trial Guides Events](#).

NO PHOTOGRAPHY OR AUDIO/VIDEO RECORDING IS ALLOWED