

McKernan Law Auditorium, LSU Law Center

Litigation & Liability in the Workplace

Friday, September 23, 2011

7:30-8:30 a.m.

Registration and Continental Breakfast (provided)

Program Chair:

Edward J. Walters, Jr.

Walters, Papillion, Thomas, Cullens, LLC, Baton Rouge

8:30-9:00 a.m.

Course and Scope, Vicarious Liability, Vicarious Liability for Punitive Damages

(0.5 credit)

Laura Hart Bryan

Crawford Lewis, PLLC, Baton Rouge

9:00-9:30 a.m.

Intentional Acts and Dual Capacity

(0.5 credit)

Edward J. Walters, Jr.

Walters, Papillion, Thomas, Cullens, LLC, Baton Rouge

9:30-9:40 a.m.

Break

9:40-10:10 a.m.

Breach of Employment Contract

(0.5 credit)

Scott D. Huffstetler

Kean, Miller, Hawthorne, D'Armond, McCowan & Jarman, L.L.P., Baton Rouge

10:10-10:40 a.m.

Motions for Summary Judgment/Motions *in Limine* - Strategies for the Plaintiff and Defense

(0.5 credit)

The Honorable Elizabeth Erny Foote

United States District Court

Western District of Louisiana, Shreveport Division

10:40-10:50 a.m.

Break

10:50-11:50 a.m.

Medicare Set-Asides: How to Get it Done; and the Interplay of Medicaid Liens

(1.0 credit)

Kip Daniels

Executive Vice President of Strategic Services

Gould & Lamb, LLC, Bradenton, FL

11:50 a.m.-1:00 p.m.

Lunch (provided)

1:00-2:00 p.m.

Punitive Damages and Choice of Law

(1.0 credit)

Defense Perspective: Craig R. Isenberg

Barrasso, Usdin, Kupperman, Freeman & Sarver, LLC, New Orleans

Plaintiff Perspective: Gladstone N. Jones, III

Jones, Swanson, Huddell & Garrison, LLC, New Orleans

2:00-2:10 p.m.

Break

2:10-2:40 p.m. (0.5 credit)	Illnesses With Long Latency Periods Jennifer M. Hoekstra Neblett, Beard & Arsenault, Alexandria
2:40-3:10 p.m. (0.5 credit)	Electronic Media Issues in the Workplace: Why Small and Medium-Sized Businesses Need to Pay Attention John M. Church Harry S. Redmon, Jr. Professor of Law LSU Law Center
3:10-3:40 p.m. (0.5 credit)	Representing the Intervenor David M. Bienvenu, Jr. Taylor, Porter, Brooks & Phillips, L.L.P., Baton Rouge
3:40-3:50 p.m.	Break
3:50-4:20 p.m. (0.5 credit)	Statutory Employer John W. deGravelles deGravelles, Palmintier, Holthaus & Frugé, L.L.P., Baton Rouge
4:20-4:50 p.m. (0.5 credit)	If It's Not a Workers' Comp Case, Is It a Tort Case? Darrel J. Papillion Walters, Papillion, Thomas, Cullens, LLC, Baton Rouge

LSUcle deeply appreciates the generosity of our Planning Committee and speakers who volunteer their time and expertise toward the goal of presenting a program of the very highest quality.

Planning Committee

Edward J. Walters, Jr. (Program Chair)

Walters, Papillion, Thomas, Cullens, LLC
Baton Rouge

The Honorable Elizabeth Erny Foote

United States District Court
Western District of Louisiana
Shreveport Division

The Honorable Ulysses G. Thibodeaux

Chief Judge, Louisiana Third Circuit Court of Appeal
Lake Charles

Professor John M. Church

Harry S. Redmon, Jr. Professor of Law
LSU Law Center

John W. deGravelles

deGravelles, Palmintier, Holthaus & Frugé, L.L.P.
Baton Rouge

David M. Bienvenu, Jr.

Taylor, Porter, Brooks & Phillips, L.L.P.
Baton Rouge



Earn CLE and Title Insurance CE by watching our online videos at www.lsucle.org (click on "online CLE and CE courses")

Litigation & Liability in the Workplace

September 23, 2011

NAME _____
 FIRM _____
 ADDRESS _____
 CITY _____ State _____ Zip _____
 PHONE () _____ FAX () _____
 E-MAIL* _____ LA BAR # _____

* LSUcle does not sell e-mail addresses.

Are you an LSU Law Alumnus? Yes/No _____
 If so, what year did you graduate? _____

Registration Fees*:

I would like a printed book and have added \$30 to my payment. I understand that the book fee is non-refundable after September 16, 2011.


Full Seminar (6.5 hrs.) \$309**
 \$289** thru Sept. 16
 \$339*** Walk-in w/book


* Includes continental breakfast, coffee, refreshments and lunch


** Price includes seminar materials in electronic format; if you want a printed book please be sure to check the the first box under "Registration Fees" and add \$30 to your payment.

***Walk-in registrations include a printed book by default, supply limited


3 Easy Ways to Register:

 **REGISTER ONLINE NOW!** www.LSUcle.org
 (credit card payment only)

 Mail this form with payment to: **LSUcle**
 (credit card or check payable to LSU) **W203 LSU Law Center**
Baton Rouge, LA 70803

 Fax this form with payment to: **225.578.5842**
 (credit card payment only)

Unable to Attend? Purchase the Course Book.

 Check here and submit this form with payment to the address above. Book will be shipped after seminar. **\$60**
 Please allow 2-3 weeks for delivery.

Select your credit card type:



Card #	_____
Expires	_____
Signature	_____

FOR OFFICE USE ONLY		Fax	_____
Amount \$	_____	Pay Code	_____
Check #	_____	Rec'd	_____

GENERAL INFORMATION

The attendance fee includes seminar materials (electronically), continental breakfast, lunch, coffee and refreshments. Seminar materials will be posted online approx. one week before the seminar. We will send you a link to the materials by email, so **be sure to include your email address on the registration form.** Note: LSUcle will not sell or share your email address with third parties. To view the materials electronically during the seminar, we suggest that you download the materials to a laptop computer as internet access may not be available at the seminar.

A printed book can be purchased, in advance, for an additional \$30. Make your selection on the registration form. Note: The book fee is non-refundable after September 16, 2011.

Cancellation Policy

Cancellation requests must be received in our office in writing, by fax or mail, no later than 4:30 p.m., September 16, 2011 to receive a refund less a \$50 cancellation fee. Requests must be addressed to our office: LSUcle, W203 LSU Law Center, Baton Rouge, LA 70803, and may be faxed to (225) 578-5842 or e-mailed to lsucle@law.lsu.edu.

Additional Information

- People with Special Needs: Call us at (225) 578-5837 with your requests.
- Tape Recorders: Tape recording is prohibited.
- Publications: Written materials may be purchased. Use the registration form above (see checkbox).
- Things to do, places to see in Baton Rouge: For information, visit
 - www.visitbatonrouge.com
 - www.2theadvocate.com

UPCOMING PROGRAMS

LSUcle Geaux to Fort Worth (LSU vs. Oregon, Sept. 3)
September 2-3, 2011, The Worthington Renaissance Hotel, Fort Worth, TX

Recent Developments in Legislation & Jurisprudence
September 9-10, 2011, LSU Law Center

Recent Developments in Legislation & Jurisprudence
September 15-16, 2011, Shreveport Convention Center

15th Annual Family Law Seminar
September 29-October 1, 2011, Embassy Suites Hotel, Baton Rouge

Insurance Law Seminar
October 7, 2011, LSU Law Center

41st Annual Estate Planning Seminar
October 13-14, 2011, LSU Law Center

17th Annual Bankruptcy Law Seminar
October 20-21, 2011, LSU Law Center

Recent Developments in Legislation & Jurisprudence
October 27-28, 2011, L'Auberge du Lac Resort, Lake Charles

Recent Developments in Legislation & Jurisprudence
November 4-5, 2011, LSU Law Center

Recent Developments in Legislation & Jurisprudence
November 10-11, 2011, Cajundome Convention Center, Lafayette

Recent Developments in Legislation & Jurisprudence
November 17-18, 2011, Monroe Convention Center

Recent Developments in Legislation & Jurisprudence
December 1-2, 2011, Kenner Pontchartrain Center

Recent Developments in Legislation & Jurisprudence
December 9-10, 2011, New Orleans Marriott at the Convention Center

CLE by the Hour
December 14-16, 2011, LSU Law Center

For More Information or to Register:

www.lsucler.org
lsucler@law.lsu.edu
225.578.5837
225.578.5842 (fax)

Non-Profit Org.
U.S. Postage
PAID
Permit No. 733
Baton Rouge, LA

Center of Continuing Professional Development
W203 LSU Law Center
Baton Rouge, LA 70803-0001

LSUcle

LSU LAW
LOUISIANA STATE UNIVERSITY

Litigation & Liability in the Workplace

September 23, 2011 **LSU Law Center**

A worker is injured on the job.

- Is it a Workers' Compensation case? Is it a tort case? Is it both?
- Is he an employee? Whose employee?
- Is he in the "course and scope" of his employment?
- Who are the parties?
- Is there insurance coverage?
- Is there a contract? Does it help?
- What is the role of the intervenor? Is he on your side?
- What are the defenses?
- What about punitive damages?
- Can the case be disposed of by a Motion for Summary Judgment? Can you win it?
- How do you handle Medicare and Medicaid issues?
- Why do even small and medium-sized business need to pay attention to electronic media issues?

The legal issues related to handling an on-the-job injury or employment case get more and more complex each year. The ever-changing interrelationship between workers' compensation and tort law and the overlap of new state and federal laws related to Medicare and Medicaid create new and challenging issues for the attorney handling either side of employment-related cases.

REGISTER TODAY
LSUcle.org



Litigation & Liability in the Workplace

September 23, 2011

LSU Law Center
McKernan Law Auditorium
Baton Rouge, LA



PAUL M. HEBERT LAW CENTER
LSU LAW
LOUISIANA STATE UNIVERSITY

- Course and Scope, Vicarious Liability, Vicarious Liability for Punitive Damages
- Intentional Acts and Dual Capacity
- Breach of Employment Contract
- Motions for Summary Judgment/Motions *in Limine*
- Medicare Set-Asides
- Punitive Damages & Choice of Law
- Illnesses with Long Latency Periods
- Electronic Media Issues in the Workplace
- Representing the Intervenor
- Statutory Employer
- If It's Not a Workers' Comp Case, Is It a Tort Case?

6.5 CLE credits

Litigation & Liability in the Workplace

McKernan Law Auditorium, LSU Law Center

Friday, September 23, 2011

7:30-8:30 a.m.	Registration and Continental Breakfast (provided)
	Program Chair: Edward J. Walters, Jr. Walters, Papillion, Thomas, Cullens, LLC, Baton Rouge
8:30-9:00 a.m.	Course and Scope, Vicarious Liability, Vicarious Liability for Punitive Damages
(0.5 credit)	Laura Hart Bryan Crawford Lewis, PLLC, Baton Rouge
9:00-9:30 a.m.	Intentional Acts and Dual Capacity
(0.5 credit)	Edward J. Walters, Jr. Walters, Papillion, Thomas, Cullens, LLC, Baton Rouge
9:30-9:40 a.m.	Break
9:40-10:10 a.m.	Breach of Employment Contract
(0.5 credit)	Scott D. Huffstetler Kean, Miller, Hawthorne, D'Armond, McCowan & Jarman, L.L.P., Baton Rouge
10:10-10:40 a.m.	Motions for Summary Judgment/Motions <i>in Limine</i> - Strategies for the Plaintiff and Defense
(0.5 credit)	The Honorable Elizabeth Erny Foote United States District Court Western District of Louisiana, Shreveport Division
10:40-10:50 a.m.	Break
10:50-11:50 a.m.	Medicare Set-Asides: How to Get it Done; and the Interplay of Medicaid Liens
(1.0 credit)	Kip Daniels Executive Vice President of Strategic Services Gould & Lamb, LLC, Bradenton, FL
11:50 a.m.-1:00 p.m.	Lunch (provided)
1:00-2:00 p.m.	Punitive Damages and Choice of Law
(1.0 credit)	Defense Perspective: Richard A. Sarver Barrasso, Usdin, Kupperman, Freeman & Sarver, LLC, New Orleans Plaintiff Perspective: Gladstone N. Jones, III Jones, Swanson, Huddell & Garrison, LLC, New Orleans
2:00-2:10 p.m.	Break
2:10-2:40 p.m.	Illnesses With Long Latency Periods
(0.5 credit)	Richard J. Arsenaault Neblett, Beard & Arsenaault, Alexandria

2:40-3:10 p.m.	Electronic Media Issues in the Workplace: Why Small and Medium-Sized Businesses Need to Pay Attention
(0.5 credit)	John M. Church Harry S. Redmon, Jr. Professor of Law LSU Law Center
3:10-3:40 p.m.	Representing the Intervenor
(0.5 credit)	David M. Bienvenu, Jr. Taylor, Porter, Brooks & Phillips, L.L.P., Baton Rouge
3:40-3:50 p.m.	Break
3:50-4:20 p.m.	Statutory Employer
(0.5 credit)	John W. deGravelles deGravelles, Palmintier, Holthaus & Frugé, L.L.P., Baton Rouge
4:20-4:50 p.m.	If It's Not a Workers' Comp Case, Is It a Tort Case?
(0.5 credit)	Darrel J. Papillion Walters, Papillion, Thomas, Cullens, LLC, Baton Rouge

LSUcle deeply appreciates the generosity of our Planning Committee and speakers who volunteer their time and expertise toward the goal of presenting a program of the very highest quality.

Planning Committee

Edward J. Walters, Jr. (Program Chair)

Walters, Papillion, Thomas, Cullens, LLC
Baton Rouge

The Honorable Elizabeth Erny Foote

United States District Court
Western District of Louisiana
Shreveport Division

The Honorable Ulysses G. Thibodeaux

Chief Judge, Louisiana Third Circuit Court of Appeal
Lake Charles

Professor John M. Church

Harry S. Redmon, Jr. Professor of Law
LSU Law Center

John W. deGravelles

deGravelles, Palmintier, Holthaus & Frugé, L.L.P.
Baton Rouge

David M. Bienvenu, Jr.

Taylor, Porter, Brooks & Phillips, L.L.P.
Baton Rouge

Litigation & Liability in the Workplace

September 23, 2011

NAME _____
 FIRM _____
 ADDRESS _____
 CITY _____ State _____ Zip _____
 PHONE () _____ FAX () _____
 E-MAIL* _____ LA BAR # _____

* LSUcle does not sell e-mail addresses.

Are you an LSU Law Alumnus? Yes/No _____
 If so, what year did you graduate? _____

Registration Fees*:

I would like a printed book and have added \$30 to my payment. I understand that the book fee is non-refundable after September 16, 2011.

Full Seminar (6.5 hrs.) \$309**
 \$289** thru Sept. 16
 \$339*** Walk-in w/book

* Includes continental breakfast, coffee, refreshments and lunch

** Price includes seminar materials in electronic format; if you want a printed book please be sure to check the the first box under "Registration Fees" and add \$30 to your payment.

***Walk-in registrations include a printed book by default, supply limited

3 Easy Ways to Register:

REGISTER ONLINE NOW!
 (credit card payment only) www.LSUcle.org

Mail this form with payment to:
 (credit card or check payable to LSU) **LSUcle
 W203 LSU Law Center
 Baton Rouge, LA 70803**

Fax this form with payment to:
 (credit card payment only) **225.578.5842**

Unable to Attend? Purchase the Course Book.

Check here and submit this form with payment to the address above. Book will be shipped after seminar. **\$60**
 Please allow 2-3 weeks for delivery.

Select your credit card type:



Card #	_____
Expires	_____
Signature	_____

FOR OFFICE USE ONLY	Mail	Signature
Amount \$	Pay Code	Check #
		Rec'd

GENERAL INFORMATION

The attendance fee includes seminar materials (electronically), continental breakfast, lunch, coffee and refreshments. Seminar materials will be posted online approx. one week before the seminar. We will send you a link to the materials by email, so **be sure to include your email address on the registration form.** Note: LSUcle will not sell or share your email address with third parties. To view the materials electronically during the seminar, we suggest that you download the materials to a laptop computer as internet access may not be available at the seminar.

A printed book can be purchased, in advance, for an additional \$30. Make your selection on the registration form. Note: The book fee is non-refundable after September 16, 2011.

Cancellation Policy

Cancellation requests must be received in our office in writing, by fax or mail, no later than 4:30 p.m., September 16, 2011 to receive a refund less a \$50 cancellation fee. Requests must be addressed to our office: LSUcle, W203 LSU Law Center, Baton Rouge, LA 70803, and may be faxed to (225) 578-5842 or e-mailed to lsucle@law.lsu.edu.

Additional Information

- People with Special Needs: Call us at (225) 578-5837 with your requests.
- Tape Recorders: Tape recording is prohibited.
- Publications: Written materials may be purchased. Use the registration form above (see checkbox).
- Things to do, places to see in Baton Rouge: For information, visit
www.visitbatonrouge.com
www.2theadvocate.com



Earn CLE and Title Insurance CE by watching our online videos at www.lsucle.org (click on "online CLE and CE courses")