

TIMED AGENDA

:00	Introduction
:04	Pain and Pain Management <ul style="list-style-type: none"> • Definition • Assessment • Treatment
:14	Suffering <ul style="list-style-type: none"> • Definition • Experience of Suffering
:19	Effects of Pain and Suffering <ul style="list-style-type: none"> • Physical • Functional • Psychological • Social
:29	Finding Pain and Suffering Evidence
:33	Special Considerations <ul style="list-style-type: none"> • Elderly • Children • Living short periods of time or coma
:38	The Defense and Plaintiff Perspectives
:43	Making the invisible visible, or not <ul style="list-style-type: none"> • The Pain & Suffering Report • Testifying on pain & suffering
:58	Making the invisible visible, or not <ul style="list-style-type: none"> • Mediation and Trial exhibits
1:15	Q & A up to 15 mins
Total Minutes: 90 minutes	

EDUCATIONAL MATERIALS

Total Pages: 67 pages

Handout, Power Point presentation

COURSE NO. 200608W00

DESCRIPTION

Non-economic damages are arguably the most difficult to present and for jurors to understand, since these may be visible or not visible. *No two people will experience pain and suffering the same way; nor have the same pain and suffering response to the same provoking incident. Along the same lines, no two health care providers will document a plaintiff's pain and suffering complaints the same way, and some not at all. Thus, identifying and understanding evidence of pain and suffering as a result of injury, and the care required for treatment of the injuries can be a significant issue in your case.*

In this program, Ms. Cohen discusses the pain and suffering damages in personal injury cases. She explains the differences between the two, where to find the evidence you need and how to present it to opposing counsel and a jury.

PRESENTER**• MINDY COHEN, MSN, RN, LNCC**

- *Principal, OnPoint Legal Nurse Consulting*
- *MSN, University of Pennsylvania*
- *BSN, University of Pennsylvania*



Since 1995, Mindy has worked in the medical – legal arena as President of Mindy Cohen & Associates, now OnPoint LNC. Mindy’s practice includes medical record chronologies and analysis, locating expert witnesses, pain and suffering analysis, attendance at defense medical exams, mediation and trial support, medical research, life care planning, Medicare set aside reports, and billing analysis. She provides litigation support in the areas of medical mal, nursing home/assisted living, PI, WC, mass tort, product liability, toxic tort, and criminal cases.

Mindy has more than 25 years of staff, nurse educator and administrative nursing experience in the hospital, home care and rehabilitation settings. She is an author and conference presenter. Mindy received her Bachelor’s and Master’s degree in Nursing with honors from the University of Pennsylvania and is past President of the American Association of Legal Nurse Consultants. Mindy also holds the credential of Legal Nurse Consultant, Certified.

WEBSITES

<https://www.onpointlnc.com/>

LINKEDIN

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**AARON DESHAW**

- Principal, DeShaw Trial Lawyers
- CEO and Owner, Trial Guides LLC
- Executive Board Member, Brain Injury Alliance of Oregon
- Author, *Colossus: What Every Trial Lawyer Needs to Know* (out of print)
- Author, *Colossus: What Every Physician Needs to Know* (out of print)
- J.D., Willamette University College of Law
- Pepperdine University College of Law (London, England)
- D.C., Western States Chiropractic College
- B.S., Willamette University

Admissions: Oregon, Washington

Dr. Aaron DeShaw, Esq. has individually, and in cooperation with other law firms, obtained settlements and verdicts for his clients in excess of \$1 Billion. He is the leading author in the U.S. about Colossus, the computer assessment program used by most auto insurance companies for evaluating personal injury claims. DeShaw is author of three books and is featured in multiple professional education videos on the topics of traumatic injuries and insurance.

Presently, more than 90% of Aaron's cases involve traumatic brain injuries, with the remainder of his personal injury cases being catastrophic injuries such as quadriplegia, spinal cord injuries, amputation, and wrongful death cases. He has extensive experience doing jury trials on complex medical injury cases. Known for his unusual frontal attack of defense medical witnesses' opinions, his cross-examination of one witness uncovered the "doctor's" lack of an M.D. degree. Other defense doctors simply refuse to show up to testify against his clients.

He is also a father, musician, and photographer.

WEBSITES

<http://deshawlaw.com/>

LINKEDIN

<https://www.linkedin.com/in/aaron-deshaw-9a901975/>

TRIAL GUIDES

<https://www.trialguides.com/authors/aaron-deshaw/>

NOTABLE PUBLISHED WORKS

- Mastering Motor Vehicle Cases (DVD and CD sets)
- Mastering Personal Injury Cases (Physician DVD set)
- Anatomy of a Personal Injury Lawsuit, 4th Ed. (Multi-book set)
- Traumatic Injuries (DVD set)
- Working with Chiropractors on Auto Cases (CD/DVD set)
- Colossus: Understanding Auto Insurance Claims (Physician DVD)
- Colossus: Maximizing Auto Settlement Values (Legal DVD)
- Colossus: The Legal Forms CD
- Colossus: The Physician Forms CD
- Increasing Value on Neck Injury Cases (CD/DVD set)
- Overcoming "Minor Impact" Defenses in Auto Cases (CD/DVD set)
- Procedure & Billing Denials: What Every Physician Needs to Know (out of print)