

CURRENT ISSUES



WORKERS' COMPENSATION SEMINAR

Friday, March 20, 2020

Vizcaya Sacramento

2019 21st Street, Sacramento, CA (916) 455-5243



8:00 a.m. - 9:00 a.m.

Registration



9:00 a.m. - 10:15 a.m.

**Introduction and Opening Comments:
CaseLaw Update**

Richard L. Montarbo, Esq.

Law Offices of Richard L. Montarbo



10:15 a.m. - 10:30 a.m.

Break



10:30 a.m. - 12:00 p.m.

Top Ten Decisions of The Last Decade

Joseph Capurro, Esq

Law Offices of Joseph V. Capurro

Ellen Langille, Esq

General Counsel-California Workers Compensation Institute



12:00 p.m. - 1:30 p.m.

Lunch



1:30 p.m. - 2:45 p.m.

Employer vs. Independent Contractor

*(Dynamex Operations West V. Superior Court of Los Angeles
And Assembly Bill 5)*

Michael Giachino, Esq

Hanna Brophy, et al

John Bloom, Esq

Law Office of John A. Bloom, Work Injury Law Center



2:45 p.m. - 3:00 p.m.

Break



3:00 p.m. - 4:30 p.m.

Neurology & Medical Legal Process

Dr. Frederick Newton

Newton Medical Group

Brian Egan, Esq.

Laughlin, Falbo, Levy & Moresi

Mark Gearheart, Esq.

Gearheart & Sonnicksen

This seminar will be held at The Vizcaya Hotel in Sacramento, 2019 21st Street, Sacramento, CA (916) 455-5243. As space is limited, please contact Tori Mays at the Law Offices of Richard L. Montarbo, 146 Main Street, Red Bluff, California 96080, Telephone (530) 529-9860; Fax (530) 529-9865. Handouts will include Electronic Course Syllabus and IOS/Droid CompCalcPlus 2019.

Registration Fee: \$265.00 for Attorneys; \$125.00 for Legal Support Staff; \$60.00 for Claims Examiners and Supervisors

Approved for 5.25 HOURS MCLE/QME WORKERS' COMPENSATION SPECIALIZATION AND WCCP CREDITS

This activity is approved for Minimum Continuing Legal Education credit by the State Bar of California in the amount of 5.25 hours, of which 0 hours will apply to legal ethics/law practice management/prevention, detection, and treatment of substance abuse and emotional distress/elimination of bias credit, as appropriate to the content of the activity. QME credit is pending with the Industrial Medical Council. Law Offices of Richard L. Montarbo certifies that this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bar of California governing Minimum Continuing Legal Education.

(One registration form per person. Photocopies accepted.)

Registrant: _____

Firm/Office: _____

Address: _____

City, State & Zip: _____

Telephone: (____) _____ **Fax:** (____) _____

All cancellations must be received in writing no later than March 6, 2020.

**Please make checks payable to LAW OFFICES OF RICHARD L. MONTARBO*

Pre-registration:

\$265 - Attorneys

\$125 - Legal Support Staff

\$60 - Claims Examiners & Supervisors

At-Door

\$275 - Attorneys

\$150 - Legal Support Staff

Pre-registration, including payment must be received at the Law Offices of Richard L. Montarbo no later than Monday, February 24, 2020.

FEATURED AGAIN THIS YEAR

Following this year's Current Issues Workers' Compensation Seminar, the conference will conclude with hors d'oeuvres pairing and wine tasting.

Speakers ~ Curriculum Vitae

- **Richard L. Montarbo, Esq.** Admitted to California State Bar, 1987; Hawaii State Bar, 1989. *Education:* California State University at Sacramento (B.S. 1983 Business Economics and Computer Science); University of the Pacific, McGeorge School of Law (J.D., 1987). Admitted to Practice before U.S Court of Appeals for the Ninth Circuit; U.S State District Court, Northern District of California; State Courts of the State of California. Certified Workers' Compensation Specialist 1995. [U.S Navy, Flight active and reserve duty, 1987-1996.] Mr. Montarbo is a frequent presenter at various workers' compensation claims conferences including State Bar of California Section, CAJAPA, DVICA, as well as having provided the defense perspective on a number of occasions at the CAAA annual conference. Mr. Montarbo is an Adjunct Professor at McGeorge School of Law, as well as the author and assistant editor of the Work Comp Index: A Topic Guide to California Workers' Compensation Law, published by Lexis/Nexis, and is the developer of CompCalc Plus for Google, Apple and Microsoft AWS.
- **Joseph Capurro, Esq.** Graduated from California State University, Hayward, in 1977 with a BA in Political Science. Received his JD degree from Santa Clara University School of Law in 1980. Admitted to the California State Bar in 1980. Certified as a Workers' Compensation Specialist by the Board of Legal Certification of the State Bar of California since 1988. Frequent lecturer, particularly on the topic of recent case law developments, at educational Workers' Compensation programs sponsored by CAAA, various defense organizations, and the California State Bar. Mr. Capurro is a proud active member of CAAA. He is currently the CAAA President and is Co-Chair of the CAAA Amicus Curiae Committee since 1994, having argued appeal cases before the California Supreme Court Mr. Capurro was selected by the State Bar of California's Workers' Compensation Executive Committee to receive the Workers' Compensation Applicant Attorney of the Year Award in September 2016.
- **Ellen Langille, Esq.** Ms. Langille oversees CWCI's internal legal functions; serves as staff liaison to the Legal Committee, which directs the Institute's amicus activities; analyzes regulatory and legal issues affecting the workers' compensation industry; and helps develop and present CWCI research and legal programs for members and industry stakeholders. A graduate of the University of California, Santa Cruz and the University of California, Hastings College of Law, she joined the Institute in 2016. Her 25-year career in workers' compensation included service as a partner at the defense firm of Finnegan, Marks, Theofel & Desmond in San Francisco, where she specialized in appellate level workers' compensation cases and often served as CWCI amicus counsel.
- **Michael Giachino, Esq.** University of California, Berkeley B.S., 1974, graduated with honors. San Francisco Law School, graduated with a Juris Doctor. Mr. Giachino joined Hanna Brophy in 1985 becoming a Partner of the firm in 1989. Mr. Giachino is currently a Senior Partner and Managing Partner for Oakland office. He handles all types of workers' compensation claims at any level of complexity. Mr. Giachino provides Workers' Compensation Defense, Labor Code Section 132a, Serious and Willful Misconduct, Insurance Defense and Workers' Compensation Subrogation for Hanna Brophy.
- **John Bloom, Esq.** John A. Bloom is an attorney providing legal services covering Workers' Compensation and Employee Benefits. John Bloom, who practices law in Santa Rosa, California, was selected to Super Lawyers for 2006 - 2017. This peer designation is awarded only to a select number of accomplished attorneys in each state. The Super Lawyers selection process takes into account peer recognition, professional achievement in legal practice, and other cogent factors. Prior to becoming an attorney, he studied at Southwestern Law School. He graduated in 1976.
- **Brian Egan, Esq.** Brian Egan is a Senior Partner who has been with LFLM for more than 24 years. He is heavily involved in the marketing of LFLM and its personnel. From 1997 to 2000, he managed LFLM's Fresno office. Mr. Egan represents insurance carriers, third-party administrators and self-insured employers in all areas of state workers' compensation defense. Mr. Egan earned his undergraduate degree from University of Oregon and his law degree from Golden Gate University School of Law. Before starting law school, Mr. Egan was a writer. He began his workers' compensation career with California Casualty Management Company. Mr. Egan is past president of the California Workers' Compensation Defense Attorneys' Association. He has lectured and presented at numerous seminars and conventions during his career as a defense attorney.
- **Dr. Frederic Newton** Dr. Newton of Newton Medical Group/ExamWorks IME Service is a physician with decades of dedicated service in the field of Neurology. Dr. Newton graduated from University of Rochester, School of Medicine, performing his residency at the University of California, San Diego. Dr. Newton is board certified by the American Board of Electrodiagnostic Medicine and the American Board of Neurology and Psychiatry. Dr. Newton served in the United States Army from 1973 to 1975 as the Chief of Neurology at the Letterman Army Medical Center, Presidio of San Francisco. Dr. Newton has held positions at Mt. Zion Medical Center, and the Board of Examiners for the American Board of Psychiatry and Neurology as well as consulted with numerous hospitals including; Fairmont Hospital, Rockridge Health Center, Pacific Medical Center and served as the medical director for the Center for Rehabilitation and Occupational Health in San Francisco, Ca.
- **Mark Gearheart, Esq.** Admitted to the state bar in 1980, Mark Gearheart earned his JD Degree from University of California, Hastings College of the Law. Mr. Gearheart has been appointed as a Judge *Pro Tempore*, Workers' Compensation Appeals Board. In that capacity he occasionally assists the W.C.A.B. by sitting as a temporary Judge. Mr. Gearheart is a frequent speaker before the California Applicants' Attorneys Association, labor unions, bar groups and other organizations. Applicant Attorney of the Year Award from the State Bar of California Workers' Compensation Section, 2012. Voted a "California Super Lawyer" in Workers' Compensation by peers 2004 – present. Contra Costa County Bar Association, State Bar of California, California Applicants' Attorneys Association, American Association for Justice, Workers Injury Law and Advocacy Group. He presently serves on the Board of Directors of the California Applicants' Attorneys Association and as Co-Chair of its Regulations Committee. He has successfully litigated many appellate cases.