




Trucking Litigation and D.O.T. Regulations in Florida



This one-day seminar is designed for attorneys, trucking company officials, safety professionals, presidents, vice presidents and insurance professionals, including risk managers and claims adjusters.



West Palm Beach, FL November 28, 2007

Moderator:

Steven George Calamusa

Gordon & Doner, P.A.

Martin H. Garcia, P.R.

Quest Engineering and Failure Analysis, Inc.

Robert Earle Gordon

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Critical Issues on the Agenda

This seminar will be presented by Steven George Calamusa, Martin H. Garcia, P.R., Robert Earle Gordon and Daniel G. Williams.

- 9:00 AM – 10:00 AM **Overview: Federal Motor Carrier Safety Regulations**
- 10:00 AM – 10:45 AM **Preservation of Evidence**
- Spoliation
 - Inspection and Purchasing of Vehicles
 - Scene Photographs
 - Aerial Photographs
 - 911 Tapes
 - News Video
- 10:45 AM – 11:00 AM **Break**
- 11:00 AM – 12:00 PM **Retention of Experts**
- Accident Reconstructionist
 - Human Factors Expert
 - Trucking and D.O.T. Compliance Expert
 - Life Care Expert and Economist
 - Jury Consultant
- 12:00 PM – 1:00 PM **Lunch (On Your Own)**
- 1:00 PM – 2:30 PM **Litigation – Discovery (Digging for Gold)**
- D.O.T. Mandated Records
 - Applications
 - Cell Phone Records
 - Medical Records
 - Maintenance Records
 - Hiring Criteria
 - Driving Record
 - FOIA Requests
 - Training Materials
 - Performance Evaluations and Disciplinary Actions
 - Former Employees
 - Key Current Employees
- 2:30 PM – 3:00 PM **Alternative Theories of Liability and Damages**
- Negligent Hiring
 - Negligent Training
 - Negligent Retention
 - Punitive Damages
- 3:00 PM – 3:15 PM **Break**
- 3:15 PM – 4:00 PM **Proving Damages**
- Photographs and Video of Injuries
 - Family Photographs and Video
 - Day-In-The-Life Video and Memorial Video
 - Life Care Plan
 - Economist
- 4:00 PM – 4:30 PM **Mediation, and Ethics in Trucking Litigation**
- Unauthorized Entities

The state of Florida has taken a very strong position on the issue of unauthorized entities. An unauthorized entity is an insurance company that is not licensed by the Florida Department of Insurance. Agents and brokers have responsibility for conducting reasonable research to ensure that they are not writing policies or placing business with unauthorized entities. It is the agent's and broker's responsibility to give fair and accurate information regarding the companies they represent. Any question about the authorized status of a company can be checked by calling the Florida Department of Insurance at 1-800-342-2762. We urge all agents and brokers to adhere to this admonition.

Lorman Education Services reserves the right to modify the agenda and the faculty when circumstances are beyond our control.

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