

Professional Mediation Conference (Day 1)

Presented by The Professional Mediation Institute (PMI)

(Pre-Registration is required. Refer to Registration Form on page 3.)



Separate registration required, see page 3.

Insights and Suggestions To Help Every Mediation Participant Get More Out of The Process

8:00 – 9:00 am Registration
Grand Ballroom 8A Foyer
Convention Level

9:00 – 5:00 pm Grand Ballrooms 8A & 8B
Convention Level
(Entrance through corridor between
Grand Ballrooms 7 & 8)

(Day 2 of this program is on Monday, December 13, 2021 beginning at 8:30 am in Grand Ballroom 8A. See page 36.)

Concurrent sessions to choose from:

Welcome and Introductions, Session 1A

Grand Ballroom 8A
Convention Level

Robin Caral Shaw, *Attorney and Mediator*
Chairperson PMI
Law Office of Robin Caral Shaw, PA
Boca Raton, FL

Welcome and Introductions, Session 1B

Grand Ballroom 8B
Convention Level

Stuart F. Suskin, *Attorney and Mediator*
Stuart F. Suskin Mediation
Gainesville, FL

9:00 – 10:00 am **Breakout Session 1A**
Course #100 **Thoughts from the Parking Lot:
Avoiding Impasse and Having to
Reconvene on the Courthouse
Steps**

Grand Ballroom 8A
Convention Level

Moderator:

Honorable Robert L. Dietz
Office of Judges of Compensation Claims
Sebastian, FL

Panel:

Honorable Richard H. Sapp, III
Administrative Law Judge
State Board of Workers' Compensation
Atlanta, GA

Honorable Tim Stanton
Judge of Compensation Claims
Division of Administrative Hearings
Gainesville, FL

Joe Giaramita, *Attorney*
Hankin & Giaramita, PA
Davie, FL

Caroline Minor, *Attorney and Mediator*
Louisiana Workforce Commission
Baton Rouge, LA

A panel of mediators from Florida, Louisiana, Georgia, and Virginia will share their tips on avoiding impasse. From the use of humor, to bracketing, to reality testing, learn techniques to get past posturing and settle the case. With war stories from the parking lot, this session promises to be both fun and educational.

**Professional Mediation Conference (Day 1)
(Continued)**

Grand Ballrooms 8A & 8B, Convention Level

9:00 – 10:00 am **Session 1B**
Course #101 **Preparation of Mediation Reports
and Agreements: What Can
Ethically be Included in Writing?**

Grand Ballroom 8B
Convention Level

Moderator:
Honorable Gregory Johnsen
*Office of the Judges of Compensation Claims
West Palm Beach, FL*

Panel:
Thomas E. Glick, *Attorney and Mediator
Center for Conflict Resolution
Miami, FL*

Bruce Blitman, *Attorney and Mediator
Law Office of Bruce Blitman
Palm Beach Gardens, FL*

Joe Hankin, *Attorney
Hankin & Giaramita, PA
Davie, FL*

Preparation of the mediation report and agreement should seem basic but as will be developed, it is not. What goes into the report (who was in attendance, not in attendance, agreement reached, impasse) will be discussed. Who drafts the agreement? What does it contain? What about using “bullet points?” When is it appropriate to start drafting the agreement before resolution of the entire case? What about contingent agreements and agreements requiring third-party approval? Mediation agreements are usually enforceable, but what are the exceptions to that?

10:00 – 11:00 am **Breakout Session 2B**
Course #103 **Demystifying Marketing of
Mediators: Understanding Your
Target Market’s Six Psychological
Stages from Brand Awareness to
Raving Fans**

Grand Ballroom 8B
Convention Level

Speaker:
Tee Persad, *Attorney
The Center for Professional Legal Services
Orlando, FL*

You might be the best mediator in the area. You may have read all the books on human dynamics, “Getting to Yes,” and breaking an impasse. But, if you can’t market your abilities, you won’t get attorneys and business clients to ever give you a chance to prove your value. In this session, you will learn how to develop a marketing plan to get clients as well as keep and grow your client base.

11:10 – 12:00 pm **Breakout Session 3**
Course #104 **Keynote: Highlights and Insights
Into Investigative Services**

Grand Ballroom 8A
Convention Level

Speaker:
Marc Hurwitz
*President
Crossroads Investigations
Miami, FL*

Marc Hurwitz, is a Florida Board Certified Investigator, a National Board Accredited Investigator, a Certified International Investigator, and a member of the Association of Private Investigators. He will be sharing highlights and insights into the world of topics the company investigates, ranging from asset searches to bug sweeps, and from jury consulting to surveillance.

12:00 – 1:00 pm **Lunch (on your own)**

1:00 – 2:00 pm **Breakout Session 4A**
Course #105 **No More Walking on Eggshells:
What You Need to Know About
Interpersonal Violence and Sexual
Harassment in the Workplace
(Part 1)**

Grand Ballroom 8A
Convention Level

Speakers:
Liz Bradshaw, MS
*Victim Advocate/SVU Ft Lauderdale Police
Department
Ft Lauderdale, FL*

Sarah deLaurentis, *Attorney and Mediator
Boca Raton, FL*

Part 1: Interpersonal violence (IPV) and sexual harassment in the workplace have gained attention in recent years. It’s important to develop strategies to better manage the issues so employers and employees don’t feel caught off guard when either occurs. These distressing situations bring challenges to companies, employees, victims, and perpetrators especially when policies and mitigation strategies are lacking. The speakers will focus on how IPV manifests itself, provide some strategies for addressing it in the workplace, and cover insights for mediators and others attending mediation when dealing with sexual harassment cases in the age of #MeToo. These “lessons learned” have application to efforts at mediation in the workers’ compensation arena.

**Professional Mediation Conference (Day 1)
(Continued)**

Grand Ballrooms 8A & 8B, Convention Level

**1:00 – 2:00 pm Breakout Session 4B
Course #106 Shall We Dance? Different Styles
of Mediation**

Grand Ballroom 8B
Convention Level

Moderator:
John B. Marion, IV, *Attorney and Mediator
Upchurch Watson White and Max
West Palm Beach, FL*

Panel:
Robin Caral Shaw, *Attorney and Mediator
Law Office of Robin Caral Shaw, PA
Boca Raton, FL*

Eric V. Hires, *Attorney and Mediator
Eric V. Hires, LLC
Orlando, FL*

Books on mediation frequently discuss different styles of mediation including Transformative, Facilitative, and Evaluative styles. Some mediators adopt one; others are like jugglers and tend to integrate all three styles into each case. This panel will share which styles are most effective for them, and how they can be mixed and matched in different settings to achieve the best result for the parties.

**2:00 – 3:00 pm Breakout Session 5A
Course #107 No More Walking on Eggshells:
What You Need to Know About
Interpersonal Violence and Sexual
Harassment in the Workplace
(Part 2)**

Grand Ballroom 8A
Convention Level

Speakers:
Liz Bradshaw, MS
*Victim Advocate/SVU Ft Lauderdale Police
Department
Ft Lauderdale, FL*

Sarah deLaurentis, *Attorney and Mediator
Boca Raton, FL*

Part 2: Interpersonal violence (IPV) and sexual harassment in the workplace have gained attention in recent years. It's important to develop strategies to better manage the issues so employers and employees don't feel caught off guard when either occurs. These distressing situations bring challenges to companies, employees, victims, and perpetrators especially when policies and mitigation strategies are lacking. The speakers will focus on how IPV manifests itself, provide some strategies for addressing it in the workplace, and cover insights for mediators and others attending mediation when dealing with sexual harassment cases in the age of #MeToo. These "lessons learned" have application to efforts at mediation in the workers' compensation arena.

**2:00 – 3:00 pm Breakout Session 5B
Course #108 The Apology: It's the Law – or is It?**

Grand Ballroom 8B
Convention Level

Moderator:
Thomas E. Glick, *Attorney and Mediator
Center for Conflict Resolution
Miami, FL*

Panel:
Carey Moreland, *Attorney
Moreland & Mendez, PA
Maitland, FL*

Joe Hankin, *Attorney
Hankin & Giaramita, PA
Davie, FL*

A simple statement of regret sounds easy but may not be so easy to express. We'll examine the use of apology: when it is appropriate and when it is not? Who initiates the apology and what role does the mediator play? The use of apology is actually written into the Florida evidence code. When is an apology admissible...and when it is not, especially in mediation proceedings?

**3:00 – 4:00 pm Breakout Session 6A
Course #109 Confidentiality and Caucus:
Intersections, Separate Roads,
and Collisions**

Grand Ballroom 8A
Convention Level

Speakers:
Robin Caral Shaw, *Attorney and Mediator
Law Office of Robin Caral Shaw, PA
Boca Raton, FL*

Christine Harter, *Attorney and Mediator
Christine L. Harter, PA
Ocala, FL*

Everything in mediation is confidential – except when it's not. There's a long list of exceptions. Caucus (separate meeting) is an option in mediation but separating the parties often heightens distrust and may create a fear of mediator bias. Emotions run high in mediation but is it real or feigned? Is it something the parties need to work through to reach a resolution? Two experienced mediators will use war stories and law to explore these issues.

**Professional Mediation Conference (Day 1)
(Continued)**

Grand Ballrooms 8A & 8B, Convention Level

**3:00 – 4:00 pm Breakout Session 6B
Course #110 Technology Insights, Updates,
Unknowns, and Challenges**

Grand Ballroom 8B
Convention Level

Speakers:
Renee Thompson, *Attorney and Mediator*
Upchurch Watson White & Max
Ocala, FL

Jay Berkowitz, *Founder & Partner*
Ten Golden Rules
Boca Raton, FL

Most of us know we should be doing more – more to protect our computer systems and information, and more to market our services. But there never seems to be enough time or enough in the budget to do it properly! Come learn to be smarter and more efficient as you invest your time and money in technology.

**4:00 – 5:00 pm Breakout Session 7A
Course #111 Diversity – Are You Sinking in
Quicksand?**

Grand Ballroom 8A
Convention Level

Speakers:
Celia Mendez, *Attorney and Mediator*
Moreland & Mendez, PA
Maitland, FL

Honorable Geraldine Hogan (Ret.)
Attorney and Mediator
Geraldine Hogan, PA
Miami Lakes, FL

The purpose of this presentation is to heighten audience awareness of several potential issues that may be present in a mediation involving diversity. The panel will delve into many hot topic areas involving mediation participants of different race, ethnicity, religion, sexual preference, physical and emotional handicaps, and age-related matters through fictional scenarios. Audience participation is strongly encouraged for a full exchange of thoughts and ideas.

**4:00 – 5:00 pm Breakout Session 7B
Course #112 True and Chilling Ethical
Nightmare War Stories Forced on
the Mediator**

Grand Ballroom 8B
Convention Level

Moderator:
Adam Ross, *Attorney and Mediator*
Office of Judges of Compensation Claims
Lauderdale Lakes, FL

Panel:
Stuart F. Suskin, *Attorney and Mediator*
Stuart F. Suskin Mediation
Gainesville, FL

Jeff Breslow, *Attorney and Mediator*
Office of Judges of Compensation Claims
Lauderdale Lakes, FL

Taysha Carmody, *Attorney*
McConnaughay, Coonrod, Pope, Weaver
& Stern, PA
Ft Lauderdale, FL

The panel will share some unusual real-life ethical dilemmas experienced at mediation and how the participants dealt with them. These stories will be interspersed with the Rules of Ethics that govern all parties in mediation to both instruct and advise how to smoothly navigate often complex issues faced at mediation.

Professional Mediation Conference (Day 2)

Presented by The Professional Mediation Institute (PMI)

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Separate registration required, see page 3.

Insights and Suggestions To Help Every Mediation Participant Get More Out of The Process

8:30 – 12:00 pm Grand Ballroom 8A
Convention Level

Welcome and Introductions

Robin Caral Shaw, *Attorney and Mediator*
Chairperson PMI
Law Office of Robin Caral Shaw, PA
Boca Raton, FL

8:30 – 9:30 am **Breakout Session 8**
Course #1000 **From the Kitchen Table to the
Mediation Table: An Adjuster's
Perspective**

Moderator:
John Brooks, *Attorney and Mediator*
Office of Judges of Compensation Claims
Daytona Beach, FL

Panel:
Paula Eatman, CWC, CWCL
Human Resources Department, City of
Daytona Beach
Daytona Beach, FL

Pam Schlegel, ACA, CWCL
Cannon Cochran Management Services
Maitland, FL

Regina C. Cedeno, CLMP
Blackboard Insurance
New York, NY

Before the defense attorney's involvement, there is an adjuster who begins evaluating the case. Understanding the evaluation process and the perspective that the adjuster brings to a settlement negotiation (including mediation) can be critical to a successful resolution. Whether adjusters are actively involved in the mediation or operate behind the scenes, understanding the adjuster's viewpoint on the value of a case can affect how a mediator handles the process and can often provide a key to opening the door to resolution.

9:30 – 10:30 am **Breakout Session 9**
Course #1001 **It Ain't One Size Fits All: Best
Mediation Practices for Adjusters
and Attorneys (Includes Thorny
Lien and Medicare Issues)**

Moderator:
Stuart F. Suskin, *Attorney and Mediator*
Stuart F. Suskin Mediation
Gainesville, FL

Panel:
Adam Ross, *Attorney and Mediator*
Office of Judges of Compensation Claims
Lauderdale Lakes, FL

Richard Thompson, *Attorney*
VP of Claims-Legal
Zenith Insurance Company
Sarasota, FL

To obtain the best results at mediation, some essential planning is needed. It starts long before the mediation conference begins. This panel will share some of the most effective tips and suggestions on how to prepare and present your case to get the best result for your clients. They will also discuss some critical items to consider and plan for in order to avoid Medicare lien and double damages liability problems. We guarantee you will be educated and entertained!

10:30 – 12:00 pm **Breakout Session 10**
Course #1002 **Come On! Do I Really Need To
Worry About Medicare? Avoiding
Penalties, Lawsuits and Treasury/
Justice Traps And Pitfalls**

Speakers:
Rafael Gonzalez, *Attorney*
Cattie & Gonzalez, PLLC
Lithia, FL

Mark Popolizio, *Attorney*
Vice President, MSP Compliance and Policy
ISO Claims Partners
Sunny Isles Beach, FL

Roll up your sleeves and bring your note pad. Time to look at Medicare in real time. This interactive session uses real life fact patterns to help you spot the Medicare issues as part of the settlement process. Go beyond theory – and help Rafael and Mark work through the issues and questions to hone your practice skills.