

# NRRDA Newsletter...

---

## **BECOME A MEMBER OF NRRDA**

If you are not already a NRRDA member, here is how you can join this list of growing restaurant and retail professionals working together to reduce and manage the claims in our industry. [www.joinnrrda.org](http://www.joinnrrda.org)

Submitted by Caryn Siebert

Carl Warren & Company

Revised Implementation Timeline for TPOC Liability Insurance (Including Self-Insurance) Settlements, Judgments, Awards or Other Payments

1. Extension of Current Dollar Thresholds for Liability Insurance (Including Self-Insurance) and Workers' Compensation

To read this alert in its entirety [Click Here](#).

## **EVIDENCE OF MEDICAL DISCOUNTING: A VICTORY FOR THE DEFENSE BAR IN INDIANA**

© Carrie Koontz Gaines, KPDE, 2010

Submitted by Bob Kopka of Kopka, Pinkus, Dolin & Eads

Historically, the collateral source rule has barred the admissibility of evidence at trial to show that a plaintiff's losses have been compensated from other sources, such as the plaintiff's insurance or workers' compensation carrier. This rule has been extended

not only to actual payments by insurance companies or employers, but also to the practice of discounting of bills. It is often argued that the collateral source evidence rule keeps important information relevant to the determination of damages from reaching the jury,

allowing plaintiffs to leave the jury with the false impression that medical bills would be paid in full, when in fact the bills had been substantially discounted.

To read this article in its entirety, [Click Here](#).

## **ANOTHER POSTPONEMENT OF A MEDICARE REPORTING DEADLINE**

By: Randall Graff of Kopka, Pinkus, Dolin & Eads

Submitted by Robert Kopka of Kopka, Pinkus, Dolin & Eads

Medicare has once again extended certain deadlines relating to Mandatory Insurance

Reporting. This latest postponement applies only to certain types of matters. The net result will be that the system is phased in sooner for workers' compensation and no-fault coverage. Liability insurers can breathe a little easier on matters that do not have on Ongoing Responsibility for Medical (ORM).

To read this article in its entirety, [Click Here](#).

**Ninth Circuit Upholds Certification of Nationwide Gender Discrimination Class Action of 1.5 Million Current and Former Female Employees**

by Cathy L. Arias, Robert M. Bodzin and Brendan M. Brownfield, Burnham Brown, Oakland, CA

Submitted by Paul Caleo – Burnham Brown

In a ruling that should make all employers a little uncomfortable, regardless of their size, the Ninth Circuit Court of Appeals recently upheld the Northern District of California's historic decision to certify a nationwide class of over 1.5 million current and former female employees who claim to have been the victims of gender discrimination. *Dukes v. Wal-Mart Stores, Inc.*, 603 F. 3d 571 (9th Cir. 2010) (en banc).

To read this article in its entirety, [Click Here](#).

**John Shuler vs. Angela Costa, et al.**

By: Jan Trendowski of Trendowski & Allen, PC

On June 3, 2010, a Bridgeport jury returned a defendant's verdict in favor of Club Sixx, a hip hop club in Bridgeport after determining that the plaintiff was more than 50% liable for a fall down incident. The 39 year old plaintiff, a car salesman, claimed he was injured when he was pushed off a ledge by patrons after security attempted to clear a crowded stage.

To read this article in its entirety, [Click Here](#).

**Submitting an Article for the Newsletter**

As a part of the newsletter, we would like to provide summaries of cases throughout the country which may be of interest to our members. We encourage you to bring such cases to our attention or to submit your own summaries and articles pertaining to items of interest and developing trends relevant to the retail and restaurant industries. Please forward your proposed submissions to Beth Boggs, c/o NRRDA at [nrrda@nrrda.org](mailto:nrrda@nrrda.org).

## **What is NRRDA?**

NRRDA is an independent, non-profit, networking association of legal and claims professionals in the retail and restaurant industries. Membership in NRRDA places you at the forefront of the development of strategies to reduce the number and severity of claims, manage common risks, and enhance our defense position in litigated matters.

## **CMS Alert – Medicare Secondary Payer Mandatory Reporting Provisions**

### **NRRDA 2011 ANNUAL CONFERENCE**

The 2011 NRRDA Annual Conference will be held in Orlando, FL at the Orlando Airport Marriott from Wednesday, February 23 to Friday, February 25, 2011. Registration for the Annual Conference can be made on-line at [www.nrrda.org](http://www.nrrda.org).

Hotel reservations can be made by calling the Orlando Airport Marriott at 800-380-6751. NRRDA's group rate of \$139.00/night extends three days prior to and after the event, making this an affordable option for families wishing to travel to Orlando with NRRDA Annual Conference participants. [Click Here](#) for the 2011 Annual Brochure.

Please direct any questions to the NRRDA office at 847-324-7050 or [nrrda@nrrda.org](mailto:nrrda@nrrda.org).

For addition information contact: Joe Hassinger at [jhassinger@gjtbs.com](mailto:jhassinger@gjtbs.com) or (504) 525-6802.