

# PUBLIC JUSTICE

## RIGHTING WRONGS

The Cleveland Academy of Trial Attorneys (CATA) is providing the following seminar during the CATA lunch seminar series.

### Slaying the Dragon: How to Beat ERISA Reimbursement Liens in Your Personal Injury Cases



**Date:** Thursday, October 18, 2012

**Time:** 12:00 to 1:30 p.m.

**(Lunch held 12:00 to 12:30 p.m.  
and the 1 hour CLE accredited seminar is held 12:30 to 1:30 p.m.)**

**Location:** Ritz Carlton  
Skylight Space 1<sup>st</sup> floor (used to be the restaurant Bice)  
1515 West 3rd Street  
Cleveland, OH 44113

The seminar will be presented by **Public Justice Kazen-Budd Attorney Matt Wessler**. He will focus on the watershed ERISA reimbursement decisions in *U.S. Airways v. McCutchen* and *CGI v. Rose*, where the Third and Ninth Circuits set new limits on insurers' ability to seize personal injury victims' damage recoveries. The U.S. Supreme Court has just granted review in *McCutchen*, so the stakes are growing ever higher.

Matt is one of the lead appellate counsel in *McCutchen* and argued the case. Seminar participants will learn how to use *McCutchen* to successfully resist ERISA insurer liens in the future.

Please be aware the seminar is **free to all current Public Justice Foundation Members of CATA**. However, if you are not a member, we encourage you to join Public Justice at an introductory Member Level rate of \$150 (**50% savings**). As a member of the Public Justice Foundation, you will receive information throughout the year about Public Justice's cutting-edge activities.

To register for the seminar fill out the registration form attached to this email announcement and return, with your check, to Ellen Hobbs Hirshman, CATA Secretary.

**Don't miss out on this important discussion!**

## Bio of Matt Wessler



Matt Wessler is the Kazan-Budd Attorney at Public Justice in Washington, D.C. He represents clients in a wide range of public interest areas, with a particular focus on issues surrounding the environment and access to justice, including ERISA, mandatory arbitration, preemption, and civil rights. He has briefed and argued several important ERISA cases, including the landmark cases of *US Airways v. McCutchen* and *CGI Technologies v. Rose*, in which the Third and Ninth Circuits held that an ERISA plan could not obtain 100% reimbursement and that any recovery must be limited by principles of equity.

Matt is also counsel in a number of post-*Concepcion* cases involving the use of pre-dispute mandatory arbitration cases, including *Homa v. American Express*, pending in the Third Circuit. He has an active practice before the U.S. Supreme Court at both the petition and merits stage, including in *Priester v. Ford* (successful petition for certiorari in a vehicle preemption case) and *Rent-A-Center v. Jackson* (merits briefing in a case concerning pre-dispute mandatory arbitration), and has co-authored several amicus briefs, including in *Williamson v. Mazda Motor of America, Inc.*, *AT&T Mobility v. Concepcion*, and *AEP v. Connecticut*. He routinely speaks across the country on issues affecting consumers, employees, the environment, and access to justice. Before coming to Public Justice, Matt was an associate at the law firm Williams & Connolly LLP in Washington, D.C. and clerked on the U.S. Court of Appeals for the Third Circuit and the U.S. District Court for the District of Rhode Island. He is a graduate of Cornell Law School and Williams College.

Matt is admitted to the bars of the Commonwealth of Massachusetts, the District of Columbia and numerous federal courts.