

**DEFENSE CASE
INFORMATION SHEET FOR FILE**

Insurance Company:	Claim No.:	
Address:	Adjuster:	
	Phone:	
Insured:	Employer:	
Address:	Home Phone:	Work Phone:
Date of Loss:	Location:	
Date Served:	Attorney:	
Plaintiff:	Address:	
Case No.:		
Court:	Phone:	
Litigation Hold Letter to Client:	Completed:	
Preliminary Opinion to Company Due:	Completed:	
Status Report to Company (2) Due:	Completed:	
Status Report to Company (3) Due:	Completed:	

Document	Date Completed
Request for Production	
Motion to Compel	
Request for Admissions	
Discovery Supplemented	
Motion to Dismiss/Counterclaim ¹	
Motion for Summary Judgment ²	
ADR Certificate Filed, if applicable ³	
Offer of Judgment (ORCP 54E)	

Trial Date	Client Notified

Name of Witness	Address	Telephone	Interviewed	Subpoenaed

Hospital Records			
Hospital	14 Day Notice given to Plaintiff or Qualified Protective Order Prepared	HIPAA-compliant subpoena issued with Affidavit or Order (See ORCP 55H)	Records Destroyed or Returned

Medical Exam Scheduled:	Doctor:	Phone:
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Pretrial Evaluation and Opinion to Company:					
Liens:			Settlement Authorization:		
	<u>Amount</u>	<u>Date</u>		<u>Amount</u>	<u>Date</u>
Settlement Demand:	1)		Settlement Offer:	1)	
	2)			2)	
	3)			3)	
Settlement/Judgment Amount:			Judgment Signed:		
Is plaintiff receiving Medicare or Medicaid? If so, insurance company must submit certain information to the Centers for Medicare and Medicaid Services (CMS) upon claim resolution (settlement, judgment, award, or other payment, regardless of whether there is a determination or admission of liability). 42 USC 1395y(b)(8) (2015). All reporting must be submitted electronically. 42 USC 1395y(a)(22) (2015). Information about the reporting rules is available on the CMS Web site at www.cms.gov/Medicare/Medicare.html . Also see "Reporting Responsibilities Under Medicare" in the October 2012 issue of the PLF <i>In Brief</i> , available at www.osbplf.org .					
Release Obtained:			Closing Letter to Company:		

NOTICE OF APPEAL DUE: _____

1 If plaintiff has filed for bankruptcy, it may be necessary to obtain relief from the bankruptcy stay before moving to dismiss or bringing a counterclaim in a state court action. See *In re Enyedi*, 371 BR 327 (Bankr. N.D. Ill. 2007); *In re Muhlig*, 496 B.R. 755 (Bankr. S.D. Fla. 2013). Also see "Personal Injury Claims and Bankruptcy" in the February 2008 issue of the PLF *In Brief*, available at www.osbplf.org.

2 Must be filed 60 days prior to trial. If plaintiff is in bankruptcy, defense counsel may need to obtain relief from the bankruptcy stay before filing a Motion for Summary Judgment. See Endnote 1.

3 ADR Certificates must be filed in Multnomah County and in medical malpractice cases, regardless of jurisdiction. See S.L.R. 7.016; ORS 31.250.

4. If a co-defendant has filed for bankruptcy before trial and is a witness, defense counsel may want to obtain relief from stay before serving a subpoena on the co-defendant.

IMPORTANT NOTICES

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