

COURSE INFORMATION

LIVE IN PERSON
Wednesday, September 9, 2026
Minnesota CLE Conference Center
600 Nicollet Mall, Suite 370
Third Floor City Center, Minneapolis

ONLINE REPLAY
Monday, October 12, 2026
Monday, October 19, 2026
View online at www.minncle.org
A moderator will be available to answer questions by email.

HOW TO REGISTER
Register online at www.minncle.org.
Email customerservice@minncle.org or call **800-759-8840** for assistance.

COURSE MATERIALS
In-person attendees will receive hard copies of any course materials submitted. All attendees will have access to all course materials via their Minnesota CLE online accounts.

CREDITS
Minnesota CLE is applying to the Minnesota State Board of CLE for **5.5 standard CLE credits**. Application also is being made to the MSBA for **5.5 civil trial law specialist credits**. The maximum number of total credits attendees may report for this seminar is 5.5.

SCHOLARSHIPS AVAILABLE
Minnesota CLE maintains a scholarship program for those with a financial need. Contact customerservice@minncle.org for further details or to obtain an application.

ACCOMMODATION
If you have a disability and need an accommodation in order to attend this seminar, contact Minnesota CLE as soon as possible at **800-759-8840** or customerservice@minncle.org.

CANCELLATION POLICY / NO-SHOW POLICY
Paid registrants who cancel before the seminar will receive a refund. Paid registrants who do not cancel and are unable to attend will retain access to all seminar materials through their Minnesota CLE website account.

QUESTIONS?
customerservice@minncle.org
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DATED MATERIAL – PLEASE EXPEDITE!



View information on
your mobile device or register
online.



**NEW
SEMINAR!**

THE CIVIL LITIGATOR'S GUIDE TO **Remedies & Damages**



**Wednesday, September 9, 2026 –
Attend In Person**

**MINNESOTA CONTINUING
LEGAL EDUCATION**
Your Success Is Our Goal

**NEW
SEMINAR!**

THE CIVIL LITIGATOR'S GUIDE TO **Remedies & Damages**

This all-new seminar will provide you with **practical strategies** for selecting, proving, defending, and limiting **damages in civil litigation**.

Explore contract, tort, equitable, and statutory **remedies** from pleadings and discovery through experts, trial, and appeal.

For plaintiff and defense counsel!



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8:30 – 9:00 a.m.
CHECK-IN & CONTINENTAL BREAKFAST

9:00 – 9:05 a.m.
WELCOME & ANNOUNCEMENTS

9:05 – 9:35 a.m. Understanding the Civil Remedies Framework – Choosing the Right Remedy Before You Plead

- Sources of the Right to Collect
 - Measure of Recovery
 - Legal vs. Equitable Remedies
 - Overall Strategy Considerations
- *Bryan K. Washburn*

9:35 – 10:20 a.m. Contract Remedies – Measuring and Limiting Recovery

- Expectation, Reliance and Restitution
 - Incidental and Consequential Damages
 - Lost Profits and Lost Business Value
 - Liquidated Damages vs. Unenforceable Penalties
 - And More!
- *Arthur G. Boylan*
Ryan M. Lawrence

10:20 – 10:30 a.m.
BREAK

10:30 – 11:15 a.m. Proving and Defending Business Tort Damages

- Fraud, Tortious Interference, and Trade Secrets
 - Economic Loss and Lost Profits
 - Reputational Harm
 - Reasonable Certainty, Foreseeability, and Causation
 - Mitigation
 - Navigating Multiple Actors
- *Wade S. Davis*
Jeffrey W. Post

11:15 – 11:45 a.m.

A Deeper Dive into Personal and Punitive Damages

- Reputational Damages – Defamation and Invasion of Privacy
 - Emotional Distress
 - Admissibility, Discoverability and Damage Awards
 - State vs. Federal Action
- *Josh Jacobson*

11:45 a.m. – 12:30 p.m.
LUNCH BREAK (on your own)

12:30 – 1:15 p.m. Proving and Defending Damages in Discovery from a Plaintiff and Defense Perspective

- Buden of Proof
 - Liability vs. Damages Causation
 - Developing the Record
 - Lay vs. Expert Foundation & Discovery
 - And More!
- *Bryan K. Washburn*
Joshua T. Peterson

1:15 – 2:15 p.m. Financial Mechanics Every Litigator Needs to Understand from an Expert’s Perspective

- Prejudgment and Post-judgment Interest
 - Costs and Attorney Fees
 - Present Value and Discount Rate Selection
 - Inflation, Growth Assumptions, Taxation and Gross-Up Issues
- *Thomas J. Gorowsky*
Anna E. Reding

2:15 – 2:25 p.m.
BREAK

2:25 – 3:25 p.m.

Advanced Damages Issues – Experts, Motions, Trial, and Post-Trial Preservation

- Daubert/Rule 702 Challenges
 - Attacking Unsupported Assumptions, Failure to Apportion, Flawed Methodologies and Unreliable But-For Models
 - Proving Damages at Trial through Law Witnesses, Experts, Summaries, and Demonstratives
 - Preserving Issues on Appeal
 - And More!
- *Jan M. Conlin*
Kyle W. Wislocky

3:25 – 3:40 p.m.

Questions & Answers

- *Jan M. Conlin*
- *Kyle W. Wislocky*

Bryan K. Washburn

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THE CIVIL LITIGATOR’S GUIDE TO Remedies & Damages

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TUITION:

\$295 MSBA member

\$295 paralegal

\$345 standard rate

SEASON PASSHOLDERS:

- **Super Passholders** may attend the in-person seminar or an online replay at no charge.
- **In-Person Passholders** may attend the in-person seminar at no charge or an online replay for 50% off.
- **Online Passholders** may attend the in-person seminar for 50% off or an online replay at no charge.

NEW LAWYER DISCOUNT!

New lawyers who have been admitted to the bar less than 5 years receive a 50% discount.

SCHOLARSHIPS AVAILABLE

Minnesota CLE maintains a scholarship program for those individuals with a financial need. To obtain a scholarship application, contact customerservice@minncle.org.

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