

DRI delivers resources to build your practice

Litigation Skills

Enhancing Your Skills: Walker v. Brewster & Safe Security

A Case Involving an Accidental Shooting

Observe some of the best lawyers in the country conduct a full mock litigation of a complex multidefendant case.

Four modules: how to prepare corporate witnesses for deposition, how to depose sympathetic fact witnesses, how to cross-examine expert witnesses, and how to handle evidentiary hearings.

Mock exercises, presentations on best practices, and hands-on learning experiences.

Improve your skills while networking with attorneys and clients from around the country





March 18-20, 2020 Paris Las Vegas Las Vegas, NV The 2020 seminar will feature litigation skills modules on four phases of litigation. Watch some of the best trial lawyers in the country litigate *Walker v. Brewster & Safe Security*, a case arising out of the paralysis of a five-year-old child who was accidentally shot by his half-brother at a college basketball game. Mock litigation sessions will include learning cutting-edge techniques for preparing a corporate representative for deposition, how to depose difficult and sympathetic fact witnesses/parties, how to cross-examine well-trained experts on liability and damages, and how to handle oral argument on a motion for summary judgment. These interactive, hands-on sessions will provide members of the audience with a unique opportunity to improve their skills. Please join us to learn from and network with some of the best trial lawyers in America, all while enjoying the great restaurants and entertainment that Vegas offers in March!



Patrick M. Causey
Program (hair



Guy E. **Hughes** Committee Chair



Pamela N. **Lee** Program Vice Chair



Kyle A. **Lansberry** Committee Vice Chair



Jennifer Snyder **Heis** Law Institute

PRESENTED BY DRI's Litigation Skills Committee

What You Will Learn



- Cutting-edge techniques for preparing a corporate representative for deposition
- How to depose sympathetic fact witnesses
- How to attack the opinions of expert witnesses effectively
- How to argue complex issues on summary judgment effectively
- How to utilize the latest and greatest technology at hearings, during depositions, and in trials

Members Get More

- Access to LegalPoint → at dri.org: Committee newsletters, seminar course materials, and other publications.
- Access to the DRI Litigation Skills Committee Community: Share articles, post blogs, and connect with others on the latest trends in your area of practice.
- Access to **dri circles**, where lawyer-to-lawyer connections happen. Search **dri circles** in your app store:



Use dri^{*} Dividends
Points to **reduce your registration fee**:

- Recruit a member
- Attend a seminar
- Participate on a committee
- ...and more!

Visit **dri.org**, go to **My DRI** and click on **DRI Dividends** to see your balance.

Get engaged, get recognized, and get rewarded.

Ш

PROGRAM SCHEDULE

WEDNESDAY, MARCH 18

2:00 p.m. Registration

3:00 p.m. When Things Go Terribly Wrong: Ethics Lessons from the Dewey LeBoeuf Scandal

This ethics presentation takes a look at what happened to one of the oldest and most prestigious law firms in the country, with more than 1,000 lawyers in 26 offices around the world. The firm's demise has been called "one of the greatest law firm collapses of all time." How did such a firm go from being the most prestigious to tabloid fodder in such a short time? More importantly, what lessons can we learn from this event that is as tragic as it is ironic?

Kile T. Turner, *Norman Wood Kendrick & Turner*, Birmingham, AL

4:00 p.m. Counter-Anchoring and the Reverse
Reptile: The Offensive Use of Plaintiff's
Strategy for the Defense Lawyer

Learn how to counter plaintiffs' use of the reptile theory and to counter-anchor the damages plaintiffs seek at trial.

Nicholas A. Rauch, *Lind Jensen Sullivan & Peterson PA*. Minneapolis. MN

Mark A. Solheim, Larson King LLP, Saint Paul, MN

5:00 p.m. Adjourn

6:00 p.m. **Networking Reception**

SPONSORED BY MDD Forensic Accountants

7:30 p.m. **Dine-Arounds** | Join colleagues and friends at selected restaurants for dinner (*on your own*). More details on-site.

THURSDAY, MARCH 19

7:00 a.m. **Registration**

7:00 a.m. Continental Breakfast

8:15 a.m. Welcome and Introduction of Fact Pattern

Jennifer Snyder Heis, *Ulmer & Berne LLP*,

Cincinnati, OH

Patrick M. Causey, *Trenam Law*, Saint Petersburg, FL

Click on any speaker name to view bio.

MODULE ONE

Fact Witness Depositions: These interactive sessions will provide hands-on training on how to handle difficult facts in depositions of the plaintiff and a minor co-defendant.

8:20 a.m. **Deposition of T.J. Brewster**

T.J. Brewster snuck a loaded handgun into the New Columbia State's college basketball game and accidentally shot his five-year-old half-brother, Jesse, resulting in his paralysis. Safe Security believes that the evidence shows that it was not reasonable for its security guards to have detected the gun based on T.J.'s efforts to conceal it prior to entering the stadium, and that T.J.'s father, Scott, failed to secure the handgun adequately.

John R. Owen, *Harman Claytor Corrigan & Wellman PC*, Glen Allen, VA

9:05 a.m. Critical Analysis of T.J. Brewster's Deposition Join Brandon Ehrie and John Owen as they discuss the approach taken for handling the deposition of T.J. Brewster. Questions, comments, and feedback are welcome.

Brandon W. Ehrie, *Lewis Wagner LLP*, Indianapolis, IN

John R. Owen, *Harman Claytor Corrigan & Wellman PC*, Glen Allen, VA

9:20 a.m. Deposition of Plaintiff Tanya Walker

Plaintiff Tanya Walker alleges that her fiveyear-old son, Jesse, was paralyzed after he was accidentally shot by T.J. Brewster, her 13-yearold son, with her ex-husband and co-defendant Scott Brewster's handgun. But evidence suggests that Tanya was drinking heavily during the New Columbia State's college basketball game and failed to supervise Jesse adequately.

John F. Kuppens, *Nelson Mullins Riley & Scarborough LLP*, Columbia, SC

10:05 a.m. **Critical Analysis of Tanya Walker's Deposition**Katy Lehman and John Kuppens lead the discussion on the deposition of Ms. Walker, seek-

ing feedback, questions, and comments from the audience.

John F. Kuppens, *Nelson Mullins Riley & Scarborough LLP*, Columbia, SC

Kathryn S. Lehman, *King & Spalding LLP*, Atlanta, GA

10:20 a.m. Refreshment Break

MODULE TWO

Corporate Representative Depositions: Learn cuttingedge techniques for preparing a corporate witness for deposition, then watch those techniques in action!

10:40 a.m. Introduction of New Facts Revealed in Discovery
An update is provided on newly discovered
evidence that provides a dramatic twist in
the case.

10:45 a.m. A Radical Approach to Deposition of the Company Witness

Watch as a corporate representative is prepared for the deposition live and on stage! Learn a new approach to company witness preparation, including specific tips and novel techniques to prepare the witness more effectively to testify.

Michael A. Gross, *CogentEdge LLC*, Saint Petersburg, FL

11:45 a.m. **Lunch** (on your own)

11:45 a.m. **Women's Networking Lunch** | Details to be provided.

1:15 p.m. **Deposition of Safe Security Corporate Representative**

Thirteen-year-old T.J. Brewster sneaks a gun into a college basketball tournament game and accidentally shoots his 5-year-old half-brother, Jesse Walker. Plaintiff Tanya Walker brings a negligent security claim against Safe Security, alleging that Safe Security failed to prevent T.J. from bringing a loaded gun into the stadium. Evidence suggests that Safe Security was aware of a loophole in its security, but it failed to correct it. Evidence also suggests that T.J.'s father, co-defendant Scott Brewster, failed to secure the handqun safely.

Brigid M. Carpenter, *Baker Donelson Bearman Caldwell Berkowitz PC*, Nashville, TN

2:00 p.m. **Critical Analysis of Corporate Representative Deposition**

Join Michael Gross, Brigid Carpenter, and Eddie Sikes for an interactive session discussing the corporate representative deposition.

Brigid M. Carpenter, *Baker Donelson Bearman Caldwell Berkowitz PC*, Nashville, TN

Michael A. Gross, *CogentEdge LLC*, Saint Petersburg, FL

Ewing E. (Eddie) Sikes III, *Royston Rayzor*, Brownsville, TX

MODULE THREE

Expert Witness Depositions: Learn how to cross examine well-trained experts on liability and damages.

2:15 p.m. **Deposition of Plaintiff's Damages Expert, Dr. Carson Jones**

Plaintiff's medical expert, Dr. Carson Jones, opines that Tanya is entitled to receive \$2.5 million in actual medical expenses, future medical expenses for Jesse's care, and loss of Jesse's companionship and services. Watch as a skilled litigator examines whether these damage claims are legitimate and reasonable.

Ricardo A. Woods, *Burr & Forman LLP*, Mobile, AL

3:00 p.m. Critical Analysis of Dr. Carson Jones

Join Ricardo Woods and Chris Balch for this discussion on the deposition of plaintiff's damages expert, Dr. Carson Jones.

Christopher D. (Chris) Balch, *Balch Law Group*, Atlanta, GA

Ricardo A. Woods, *Burr & Forman LLP*, Mobile, AL

3:15 p.m. Refreshment Break

SPONSORED BY Acker & Whipple APC

Royston Rayzor Vickery & Williams LLP

3:40 p.m. **Deposition of Plaintiff's Security Expert, Peyton Smith**

Tanya Walker's security expert, Peyton Smith, opines that Safe Security was negligent in failing to prevent T.J. from bringing a loaded handgun into the New Columbia State basketball game. Peyton Smith also opines that codefendant Scott Brewster negligently failed to

secure the gun, which allowed T.J. to bring it to the game. But was it reasonable for Safe Security to stop T.J. from sneaking into the stadium? Watch a skilled litigator depose Peyton Smith on these complex liability issues.

Stacy L. Douglas, *Collinson Daehnke Inlow* & *Greco*, Torrance, CA

4:25 p.m. Critical Analysis of the Deposition of Peyton Smith

Stacy Douglas and David Goodman lead this interactive session with a discussion on the deposition of plaintiff's security expert, Peyton Smith.

Stacy L. Douglas, *Collinson Daehnke Inlow* & *Greco*, Torrance, CA

David M. Goodman, *Kenney Shelton Liptak Nowak LLP*, Buffalo, NY

4:40 p.m. Adjourn

4:50 p.m. Litigation Skills Committee Business Meeting

6:00 p.m. Networking Reception

SPONSORED BY Robson Forensic Inc.

7:30 p.m. **Dine-Arounds** | Join colleagues and friends at selected restaurants for dinner (*on your own*). Electronic details to come soon.

FRIDAY, MARCH 20

7:00 a.m. Registration

7:00 a.m. Continental Breakfast

8:15 a.m. Opening Remarks and Introduction

Pamela N. Lee, *Swift Currie McGhee & Hiers LLP*, Atlanta, GA

MODULE FOUR

Hearings: Learn how to prepare for and argue complex issues at hearings, including ways in which you can utilize technology to improve your arguments. The information you learn will apply to any number of motions, including motions for summary judgment, motions to dismiss, and motions in limine.

Denotes the DRI CLIENT CONNECTION: In-house and claims professional speakers

8:20 a.m. Effective Use of Technology in the Courtroom

This technology ethics presentation will teach lawyers how cutting-edge technology can help them improve their effectiveness at hearings, during depositions, and in trials.

Stephen E. (Steve) Embry, *The Embry Law Firm LLC*, Louisville, KY

9:20 a.m. Mock Summary Judgment Hearing

The mock litigation concludes with a mock oral argument on Safe Security's motion for summary judgment. Two skilled litigators discuss what they do to prepare for summary judgment and other evidentiary hearings, and then they argue the complex issues in this case.

Emily C. Baker, Jones Day, Atlanta, GA

Gary L. Howard, *Bradley Arant Boult Cummings LLP*, Birmingham, AL

The Honorable Philip M. Pro, (Ret.), *JAMS*, Las Vegas, NV

10:10 a.m. Critical Analysis of Summary Judgment Hearing

Stephen C. Pasarow, *Knapp Petersen & Clarke PC*, Glendale, CA

10:25 a.m. Refreshment Break

10:45 a.m. The Fine Art of Client–Trial Lawyer Communications

This panel discussion between trial lawyers and in-house attorneys who manage large litigation dockets will focus on defining best practices for communications before and during trial. What should you communicate without overcommunicating? What information needs to be communicated immediately and what can wait? How is the information best communicated?

Brenda Godfrey, Volkswagen of America Inc, Herndon, VA

→ **John Henley**, *UPC Insurance*, Saint Petersburg, FL

W. Ray Persons, *King & Spalding LLP*, Atlanta, GA

11:45 a.m. Closing Remarks

Pamela N. Lee, *Swift Currie McGhee & Hiers LLP*, Atlanta, GA

GENERAL INFORMATION

In-House Counsel

In-house counsel are eligible for free registration to DRI seminars. In-house counsel are defined as licensed attorneys who are employed exclusively by a corporation or other private sector organization for the purpose of providing legal representation and counsel only to that corporation, its affiliates, or its subsidiaries. To qualify for free registration, in-house counsel must be a DRI member and a member of the DRI Corporate Counsel Committee *or* be sponsored by a DRI member who is both registered and has paid for the seminar. Nonmember in-house counsel may utilize this offer only once. This offer excludes the DRI Annual Meeting and the DRI Business Management Principles for Lawvers Seminar.

Claims Executives

Claims professionals are eligible for free registration to DRI seminars. Claims professionals are defined as any individuals employed by a corporation or insurance company, who spend a substantial portion of their professional time hiring or supervising outside counsel in the representation of businesses, insurance companies or their insureds, associations, or governmental entities in civil litigation. To qualify for free registration, the claims professional must be a DRI member under a corporate membership *or* be sponsored by a DRI member who is both registered and has paid for the seminar. **Nonmember claims professionals may utilize this offer once per calendar year. This offer excludes the DRI Annual Meeting.**

CLE

This seminar has been approved for MCLE credit by the State Bar of California for up to **11** hours, including **1** hour of ethics credit. Accreditation has been requested from every state with mandatory continuing legal education (CLE) requirements. Certificates of attendance will be provided to each attendee. Attendees are responsible for obtaining CLE credits from their respective states. Credit availability and requirements vary from state to state; please **check the DRI website** at **dri. org** for the latest information for your state.

Registration Policy

Save \$100 when you register by February 25, 2020. (See the registration form for pricing.) The registration fee includes course materials, continental breakfasts, refreshment breaks, networking receptions, and access to the DRI App. If you wish to have your name appear on the registration list distributed at the conference and receive the

course materials in advance, DRI must receive your registration by **March 3, 2020** (*please allow 10 days for processing*). Registrations received after **March 3, 2020**, will be processed on-site.

Refund Policy

The registration fee is fully refundable for cancellations received on or before March 3, 2020. Cancellations received after March 3 and on or before March 10, 2020, will receive a refund, less a \$100 processing fee. Cancellations made after March 10 will not receive a refund, but a \$100 certificate good for any DRI seminar within the next 12 months will be issued. All cancellations and requests for refunds must be made in writing. Fax (312.795.0747) or email (seminars@dri.org) to DRI's Accounting Department. Processing of refunds will occur within four weeks after the date of the seminar. All refunds will be processed in the same method that the payment was received. Substitutions may be made at any time without charge and must be submitted in writing.

Discounts

Group Discount The first and second registrations from the same firm or company are subject to the fees outlined previously. The registration fee for additional registrants from the same firm or company is \$775, regardless of membership status if received on or before **February 25, 2020**. After **February 25**, the group rate is \$875. All registrations must be received at the same time to receive the discount.

Travel Discounts DRI offers discounted meeting fares on various major air carriers for **DRI Litigation Skills Seminar** attendees. To receive these discounts, please contact Direct Travel, DRI's official travel provider, at 800.840.0908. As always, to obtain the lowest available fares, early booking is recommended.

- The taping or recording of DRI seminars is prohibited without the written permission of DRI.
- Speakers and times may be subject to last-minute changes.
- A small portion of your room rate offsets the costs of the seminar.
- DRI policy provides there will be no group functions sponsored by others in connection with its seminars.

Hotel Accommodations

A limited number of discounted hotel rooms have been made available at the Paris Las Vegas, 3655 S Las Vegas Blvd, Las Vegas, NV 89109.

Take advantage of the group rate of \$145 Single/Double with a \$30 per room, per night resort fee in one of two ways:

- Reserve online: Click here or visit dri.org and go to the DRI Litigation Skills Seminar page and click on the "Book hotel" button.
- Or contact the hotel directly at 877-603-4389 and mention the DRI Litigation Skills Seminar.

The hotel block is limited and rooms and rates are available on a first-come, first-served basis. You must make reservations by **February 25, 2020,** to be eligible for the group rate. Requests for reservations made after **February 25** are subject to room and rate availability.

FACULTY Click on any name to view bio.

Emily C. Baker, Jones Day, Atlanta, GA

Christopher D. (Chris) Balch, Balch Law Group, Atlanta, GA

Brigid M. Carpenter, Baker Donelson Bearman Caldwell Berkowitz PC, Nashville, TN

Patrick M. Causey, Trenam Law, Saint Petersburg, FL

Stacy L. Douglas, Collinson Daehnke Inlow & Greco, Torrance. CA

Brandon W. Ehrie, Lewis Wagner LLP, Indianapolis, IN

Stephen E. (Steve) Embry, The Embry Law Firm LLC, Louisville, KY

▶ Brenda Godfrey, Volkswagen of America Inc, Herndon, VA

David M. Goodman, Kenney Shelton Liptak Nowak LLP, Buffalo. NY

Michael A. Gross, CogentEdge LLC, Saint Petersburg, FL

→ John Henley, UPC Insurance, Saint Petersburg, FL

Jennifer Snyder Heis, Ulmer & Berne LLP, Cincinnati, OH

Gary L. Howard, Bradley Arant Boult Cummings LLP, Birmingham, AL

Guy E. Hughes, Casey Bailey & Maines PLLC, Lexington, KY **John F. Kuppens**, Nelson Mullins Riley & Scarborough LLP, Columbia, SC

Kyle A. Lansberry, Lewis Wagner LLP, Indianapolis, IN

Pamela N. Lee, Swift Currie McGhee & Hiers LLP, Atlanta, GA

Kathryn S. Lehman, King & Spalding LLP, Atlanta, GA

John R. Owen, Harman Claytor Corrigan & Wellman PC, Glen Allen. VA

Stephen C. Pasarow, Knapp Petersen & Clarke PC, Glendale. CA

W. Ray Persons, King & Spalding LLP, Atlanta, GA

The Honorable Philip M. Pro, (Ret.), JAMS, Las Vegas, NV

Nicholas A. Rauch, Lind Jensen Sullivan & Peterson PA, Minneapolis, MN

Ewing E. (Eddie) Sikes III, Royston Rayzor, Brownsville, TX

Mark A. Solheim, Larson King LLP, Saint Paul, MN

Kile T. Turner, Norman Wood Kendrick & Turner, Birmingham, AL

Ricardo A. Woods, Burr & Forman LLP, Mobile, AL

View faculty bios *on the* **Litigation Skills Seminar webpage**; *click on "View speakers" button.*



Denotes the **DRI CLIENT CONNECTION**: In-house and claims professional speakers

DRI networking. At your fingertips!

NEW! Member exclusive



Lawyerto-lawyer connections happen within **dri circles**.

- Refer and track referrals to fellow members
- Schedule meetings
- Send messages
- Join dri social circles of interest
- Create professional circles to facilitate business development
- Video conference call functionality

Search dri circles in your app store













CLE for Your Practice

View all Continuing Legal Education offerings January 22–24

Women in the Law

The Scottsdale at McCormick Ranch, Scottsdale. A7

January 30-31

Civil Rights and Governmental Tort Liability

Manchester Grand Hyatt, San Diego, CA

February 5-7

Product Liability Conference

New Orleans Marriott, New Orleans, LA

February 20–21

Toxic Torts and Environmental Law

Pointe Hilton Tapatio Resort, Phoenix, AZ

March 26-27

Medical Liability and Health Care Law

Hilton Austin Downtown, Austin, TX

April 1-3

Construction Law

Hyatt Regency Chicago, Chicago, IL

April 1-3

Insurance Coverage and Claims Institute

Swissôtel Chicago, Chicago, IL

April 29-May 1

Life, Health, Disability and ERISA

Sheraton New Orleans, New Orleans, LA April 30–May 1 **Trucking Law**

JW Marriott Austin, Austin, TX

May 6

Cannabis Law

Boston Marriott Copley, Boston, MA

May 6-8

Drug and Medical Device Litigation

Boston Marriott Copley, Boston, MA

May 7-8

Retail and Hospitality Litigation

Walt Disney World Dolphin and Swan Resort, Orlando, FL

May 14-15

Business Litigation Super Conference

Minneapolis Marriott City Center,

Minneapolis, MN

May 14-15

Intellectual Property Litigation

Minneapolis Marriott City Center, Minneapolis, MN

May 15

Fidelity and Surety Roundtable

Gleacher Center and

InterContinental Chicago, Chicago, IL

May 20-22

Employment and Labor Law

Hilton Denver City Center, Denver, CO



Diversity and Inclusion in DRI: A Statement of Principle

DRI is the largest international membership organization of attorneys defending the interests of business and individuals in civil litigation.

Diversity is a core value at DRI. Indeed, diversity, which includes sexual orientation, is fundamental to the success of the organization, and we seek out and embrace the innumerable benefits and contributions that the

perspectives, backgrounds, cultures, and life experiences a diverse membership provides.

Inclusiveness is the chief means to increase the diversity of DRI's membership and leadership positions. DRI's members and potential leaders are often also members and leaders of other defense organizations. Accordingly, DRI encourages all national, state, and local defense organizations to promote diversity and inclusion in their membership and leadership.

Harassment and Discrimination

DRI is committed to the policy of equal opportunity regardless of race, color, religion, sex, sexual orientation, gender, national origin and disability in all of its programs and activities, as well as maintaining an environment in our programs and activities which is free from all forms of harassment or discrimination of any kind. Pursuant to this policy, if any person who attends our programs or activities experiences unlawful discrimination or harassment, this should be reported to the Executive Director so that appropriate action may be taken.

SEMINAR SPONSORS

DRI wishes to thank our sponsors for their support at this year's seminar!

GOLD SPONSORS



SILVER SPONSORS





Robson Forensic

BRONZE SPONSORS







Litigation Skills Seminar

March 18-20, 2020 Paris Las Vegas | Las Vegas, NV



FORMAL NAME		TITLE		
NAME (as you would like it to appea	r on badge)			
COMPANY/FIRM/LAW SCHOOL				
ADDRESS				
CITY			STATE/PROVINCE	ZIP/POST CODE
TELEPHONE F	AX	EMAIL		
Please list any special needs				
Are you a first-time attendee at th	is DRI seminar?	☐ Yes ☐ No		
How many attorneys are in your firm?	ny attorneys What is your primary ur firm? area of practice?			
REGISTRATION FEE Registration fee includes semin email a link to download the co DRI will have access to the Pow	urse materials to	all registrants two wee		
☐ Member☐ Nonmember	On or before Feb.25, 2020 \$875	After Feb. 25, 2020 \$975 \$1,295	Nonmembers: Save \$500 on your membership dues and seminar registration	
Government Member Law Student Member In-House Counsel Member* Claims Executive Member* Group Discount* *As defined on page 5	\$5,75 FREE FREE FREE FREE \$775	\$1,275 \$875	Join DRI online and for to register for this ser immediate price reduce Instant ROI on your L. Questions? Call DRI Ct. 312.795.1101.	ninar and receive an ction. **DRI membership!**
PAYMENT METHOD My check for(US Please charge my VISA Card # Signature	☐ MasterCard		Date CVC	3400-0060-21 Litigation Skills 2020-0060B
Please remit payment by MAIL to:			remit payment by COURIE gan, Attn: DRI LBX 72225	FR to:

72225 Eagle Way, Chicago, IL 60678-7252 131 S. Dearborn, 6th Floor, Chicago, IL 60603 PHONE: 312.795.1101 | FAX: 312.795.0749 | EMAIL: **seminars@dri.org** | WEB: **dri.org**



222 South Riverside Plaza Suite 1870 Chicago, IL 60606 USA



Litigation Skills Seminar

March 18-20, 2020 Paris Las Vegas Las Vegas, NV

DRI is the place to secure lawyerto-lawyer referrals.

The Litigation Skills Seminar is a great place to grow your network and earn valuable CLE.

Maximize your business development and education needs at DRI Seminars.

PRSRT STD U.S. POSTAGE PAID DRI