

## “THAT DOG DIDN’T HUNT – WHAT I LEARNED FROM ALL THE CASES I’VE LOST BEFORE”

Panel:

District Judge Michael Truncale

Magistrate Judge Zack Hawthorn

Attorney David Beck of Beck Redden law Firm

Attorney Christy Amuny of Germer Law Firm

Attorney Maryalyce Cox of Mehaffy Weber Law Firm

1. Introductions by Moderator, Donean Surratt of Fisher Firm
2. Judge Truncale Explain Why He Suggested a Panel on This Topic
3. Areas to discuss:
  - JURY SELECTION
    - Lessons learned
    - Embrace Jury
  - DON’T GET TOO CLOSE TO CASE
    - See weaknesses in liability
    - See faults in clients and witnesses
  - EXPERTS
    - Utility of experts
    - Shore up case on more
    - Evaluate expert’s arrogance
    - Get to know your experts
  - DON’T RELY ON SOMEONE ELSE TO DO YOUR HOMEWORK
    - Co-Counsel lesson
  - JURY OPINIONS ON SURVEILLANCE
  - DON’T ASK ONE TOO MANY QUESTIONS
  - CROSS EXAMINATION
    - The fine line between crossing testimony and drawing jury sympathy
    - Don’t ask one too many questions
  - SELF PRESENTATION
    - Be real/authentic
    - Do not be too self righteous