

Masters in Trial®

A trial demonstration from opening statement through jury deliberation



ABOTA
FOUNDATION

2001 Bryan Street, Suite 3000
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Masters in Trial®

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Friday, October 27, 2017 • Missoula, Montana



ABOTA
FOUNDATION

Professional Education

Masters in Trial®

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WHEN Friday, October 27, 2017 **WHO** New and experienced trial lawyers


WHERE University of Montana, Missoula, MT **PRESENTED BY** Montana Chapter of ABOTA

Sponsored by



Registration

 Register online at
ABOTAMastersInTrial.org

 Course materials will be
delivered via email.

Online registration closes at
4:00 p.m. (CST) on October 24, 2017.

Tuition

\$345.00 EARLY REGISTRATION
ON OR BEFORE SEPTEMBER 29, 2017.

\$395.00 REGULAR REGISTRATION
AFTER SEPTEMBER 29, 2017.

An additional \$50 off is offered
to ABOTA members, their associates,
and past registrants of an ABOTA
Masters in Trial program by using
discount code **ABOTA17**

A discounted rate of \$295 will
be offered to firms sending three
or more attorneys to the program.
The first three registrations must
be received at the same time to
qualify for the discount. This
discount cannot be combined with
any other offer.

Refund Policy

Refunds will be given, less a \$40
administrative fee, if request is
received in writing by the Foundation
no later than 3:00 p.m. (CST) on
Friday, October 20, 2017. Refunds
are not available for no-shows or
cancellations after October 20, 2017.
All registrations must be pre-paid.

CLE Credit

The Foundation of the American
Board of Trial Advocates has requested
approval from the Montana Commission
on Continuing Legal Education.

About ABOTA

The American Board of Trial
Advocates, an organization with
more than 7,600 of the best trial
lawyers in America, is dedicated to
the preservation of the right to trial
by jury guaranteed by the Seventh
Amendment.

PROGRAM HIGHLIGHTS

- Watch premier trial lawyers do what they do best.
- Observe effective and proven techniques to use in direct and cross-examination of lay and expert witnesses.
- Network with colleagues and earn CLE credit.

The Foundation of the American Board of Trial Advocates is dedicated to educating lawyers in the art of trial advocacy. The Masters in Trial® program shows how some of the most successful trial lawyers in the country conduct a trial. All of the trial team counsel are ABOTA members and are well-known and highly respected in their fields.

FEATURED SPEAKERS Visit ABOTAMastersInTrial.org for complete speaker bios

Program Chairs:

L. Randall Bishop *Bishop Heenan & Davies* • Randy J. Cox *Boone Karlberg P.C.*

Presiding Judge

Hon. Dana L. Christensen *United States District Court for the District of Montana*

Plaintiff Team

Michael D. Cok *Cok Kinzler, PLLP* • Donald L. Harris *Harris, Gannett & Varela, PLLC*

Sydney E. McKenna *McKenna & Starin, PLLC* • Jon M. Moyers *Moyers Law, PC*

Peter W. Riley *Schwebel, Goetz & Sieben, P.A.* • Renée E. Rothauge *Markowitz Herbold, PC*

Defense Team

Kathleen L. DeSoto *Garlington Lohn & Robinson, PLLP* • Wilma J. Gray *McNamara, Ney,*

Beatty, Slattey, Borges & Ambacher, LLP • Mikel L. Moore *Moore Cockrell Goicoechea & Johnson, P.C.*

Randall G. Nelson *Nelson & Dahle, P.C.* • Dominique A. Pollara *Pollara Law Group*

Linda Star *Lewis Brisbois Bisgaard & Smith, LLP*

THE CASE

This is a product liability action against the manufacturer of a truck chassis that was put into service as a garbage truck. Plaintiff was employed by a garbage collection service and was assisting a route driver in residential garbage pickup. After emptying garbage into the collection can on the front of the truck, he stepped onto the passenger side step and fell when the truck started moving. Plaintiff suffered severe injuries. Neither the driver nor the plaintiff can explain how the fall happened. Plaintiff claims the truck chassis was defective because 1) the design of the cab steps is faulty as it invites a worker to ride on the steps but does not provide sufficient handholds or a secure place for feet; and 2) the manufacturer failed to place a warning on the side of the cab.

There are significant challenges for both sides of the case, and the exercise for counsel is to make the most of the facts given under the law in this jurisdiction against a backdrop of serious injuries.

SCHEDULE (schedule and speakers subject to change)

8:00 a.m. Registration

9:00 a.m. Welcome and Overview of Trial

9:15 a.m. Opening Statements

10:15 a.m. Break

10:30 a.m. Examination of Plaintiff Lay Witness

11:10 a.m. Examination of Plaintiff Expert Witness

11:50 a.m. Lunch (provided) with Ethics Speaker

1:00 p.m. Examination of Defense Lay Witness

1:40 p.m. Examination of Defense Expert Witness

2:20 p.m. Break

2:35 p.m. Closing Arguments

3:35 p.m. Jury Deliberations (Streamed Live)

4:45 p.m. Panel Discussion on Strategy and Technique

5:15 p.m. Adjourn