



# Trial Tactics

Enhancing Your Trial Skills:  
*Billings v. Pearson*—A Case  
of Alleged Cyber-Bullying

Observe a live mock trial performed by some  
of the best trial attorneys in the country

Observe each phase of the trial up close,  
including opening statements, direct and  
cross examinations, and closing arguments

Each phase of the trial will be  
followed by critical analysis with the  
opportunity to ask questions

Hear from the jury what was  
important in their deliberations

Understand how the jury makes its decision

Learn winning trial techniques and strategies

March 15-17, 2017

The Venetian/Palazzo Resort Hotel

Las Vegas, Nevada

DRI  
delivers  
**resources**  
to build  
your practice ■



**D**RI's 2017 Trial Tactics Seminar will be held at The Venetian/Palazzo Resort in Las Vegas, Nevada, on March 15-17, and will be featuring the return of the mock trial format. Observe some of our country's best trial attorneys try a sophisticated and timely cyber-bullying case, as they deliver opening statements, direct and cross-examine witnesses, and offer closing arguments for deliberations by a real jury. This mock trial will maximize educational opportunities for participants and offer a chance not only to hear, but also to see how leading trial attorneys meet and overcome a variety of common challenges. Throughout the presentations, a district court judge, a panel of jurors, and the audience will give real-time assessments of each attorney's trial technique. We invite you to come and learn, as well as network, with your peers from across the country, while enjoying all that March in Las Vegas has to offer!



Kyle A. **Lansberry**  
Program Chair



Ewing (Eddie) E. **Sikes III**  
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Committee Chair



Guy E. **Hughes**  
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Jennifer Snyder **Heis**  
Law Institute



See what others have to say about DRI seminars

PRESENTED BY **DRI's Trial Tactics Committee**








## What You Will Learn

- Themes that are important to jurors
- How to think on your feet
- Body language and other nonverbal communication tips and techniques
- Effective direct and cross examination techniques
- Persuasive opening and closing statements
- Insight into how jurors perceive and deliberate on the evidence
- How to present your evidence in a logical and persuasive manner



## Get Started

- 1 Review the brochure and identify sessions of interest to you
- 2 Share this brochure with colleagues
- 3 **Register online** or complete the **form in the back**
- 4 Download the DRI App  and  and make use of its features to get the most out of this program
- 5 Share on social media   

## Maximize Your DRI Seminar Experience

*No one gets you connected like DRI.*

- Use the DRI App to customize your schedule, view course materials, and communicate with fellow attendees and speakers.
- Access the **DRI Trial Tactics Committee Community** to network with individual members. Share articles, post blogs, and connect with others on the latest trends in your area of practice.

## PROGRAM SCHEDULE

### WEDNESDAY, MARCH 15

2:00 p.m. **Registration**

3:00 p.m. **Building and Strengthening Your Brand**

Leonardo Inghilleri, an expert and innovator in the area of business strategy, customer service excellence, organizational culture, operational effectiveness, and leadership development, will provide insight on best practices and practical processes to deepen your knowledge of your clients, to understand their needs and to assess their satisfaction, and to help you build a distinctive and superior value proposition centered on personal benefit for your clients.

**Leonardo Inghilleri**, *Inghilleri Consulting Group Inc.*, Atlanta, GA

5:00 p.m. **Adjourn**

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

SPONSORED BY **MDD Forensic Accountants  
Lewis Wagner LLP**

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

7:30 p.m. **Young Lawyer Dinner**  
(see page 4 for more details)

### THURSDAY, MARCH 16

#### Wireless Access

SPONSORED BY **Robson Forensic Inc.**

7:15 a.m. **Registration**

7:15 a.m. **Continental Breakfast**

SPONSORED BY **Rincon Law Group PC**

8:15 a.m. **Welcome and Introduction**

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

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

8:30 a.m. **Overview of Case Facts and Trial Themes**

Presiding judge, the Honorable Jerry A. Wiese, will be introduced, accompanied by an explanation of the two-day trial proceeding, the general and stipulated facts associ-

*Click on any speaker name to view bio.*

ated with the case, and a brief discussion about the jurors.

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

**Rick R. Fuentes, PhD**, *R&D Strategic Solutions, LLC*, Atlanta, GA

**The Honorable Jerry A. Wiese**, *Eighth Judicial District Court*, Las Vegas, NV

8:45 a.m. **Opening Statements**

Two high school students “friend” each other online and begin communicating with one another, and others, electronically. What begins as supposedly harmless interactions becomes a case of alleged cyber-bullying, pitting one student and her family against another student and the school district.

PLAINTIFFS’ COUNSEL | **Leland (Lee) H. Ayres**, *Ayres Shelton Williams Benson & Paine LLC*, Shreveport, LA

DEFENDANTS’ COUNSEL | **Charles (Chuck) H. Cole**, *Lewis Brisbois Bisgaard & Smith LLP*, Chicago, IL

9:35 a.m. **Critical Analysis of Opening Statements**

**John C.S. Pierce**, *Sirote & Permutt PC*, Mobile, AL

9:50 a.m. **Direct Examination of Plaintiff Alex Billings**

A young high school student new to her school district, Alex Billings, claims that CJ Pearson, a fellow student, continuously engaged in bullying her through text messages and online presence, and that the school district failed to protect her from harassment.

PLAINTIFFS’ COUNSEL | **Heidi G. Goebel**, *Goebel Anderson PC*, Salt Lake City, UT

10:10 a.m. **Refreshment Break**

SPONSORED BY **Knapp Petersen & Clarke**

10:25 a.m. **Cross Examination of Plaintiff Alex Billings**

DEFENDANTS’ COUNSEL | **Lenae M. Pederson**, *Meagher & Geer PLLP*, Minneapolis, MN

10:45 a.m. **Critical Analysis of Examinations of Plaintiff Alex Billings**

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

- 11:00 a.m. **Direct and Cross Examination of Plaintiff Francis Billings**  
Ms. Billings, the parent of Alex Billings, claims that the school district failed to protect her daughter from psychological abuse by a fellow student, forcing her to remove her daughter from school, enroll her in a private institution, and seek therapy for her.  
PLAINTIFFS' COUNSEL | **Holiday D. Powell**, *Morris Polich & Purdy LLP*, San Francisco, CA  
DEFENDANTS' COUNSEL | **Erik R. Matheny**, *Shutts & Bowen LLP*, Tampa, FL
- 11:40 a.m. **Critical Analysis of Examinations of Plaintiff Francis Billings**  
**Nicole A. Diaz**, *Willenken Wilson Loh & Delgado LLP*, Los Angeles, CA
- 12:00 p.m. **Lunch (on your own)**
- 12:00 p.m. **Women's Networking Luncheon**  
(See page 4 for more details)
- 1:15 p.m. **Announcements and Additional Facts**  
**Kyle A. Lansberry**, *Lewis Wagner LLP*, Indianapolis, IN
- 1:20 p.m. **Direct and Cross Examination of Dr. Rodriguez, School Psychologist**  
Dr. Rodriguez, a psychologist at a private educational institution who examined Alex Billings, contends that the school district administration was incompetent and failed to protect her from bullying and harassment, and that as a result she sustained emotional trauma and post-traumatic stress disorder.  
PLAINTIFFS' COUNSEL | **Clifford B. Aaron**, *London Fischer LLP*, New York, NY  
DEFENDANTS' COUNSEL | **Marcus M. Maples**, *Baker Donelson Bearman Caldwell & Berkowitz PC*, Birmingham, AL
- 2:00 p.m. **Critical Analysis of Examination of Dr. Rodriguez**  
**Scott M. Salter**, *Starnes Davis Florie LLP*, Birmingham, AL
- 2:15 p.m. **Direct and Cross Examination of Defendant CJ Pearson**  
CJ Pearson, the student who allegedly harassed Alex Billings, claims that her messages to and about the plaintiff were harmless and outside the realm of school activities. It is her position that an individual should not be allowed to sue every time her feelings are hurt.  
DEFENDANTS' COUNSEL | **Lenae M. Pederson**, *Meagher & Geer PLLP*, Minneapolis, MN  
PLAINTIFFS' COUNSEL | **Heidi G. Goebel**, *Goebel Anderson PC*, Salt Lake City, UT
- 2:55 p.m. **Critical Analysis of Examinations of CJ Pearson**  
**Stephen C. Pasarow**, *Knapp Petersen & Clarke*, Glendale, CA
- 3:10 p.m. **Refreshment Break**  
SPONSORED BY **Acker & Whipple Arnett Law Group LLC**
- 3:25 p.m. **Direct and Cross Examination of Justin Cook, School Counselor**  
Mr. Cook, a school counselor, was the primary author of the school's policy on bullying. He contends that bullying that occurs outside the school is not the school's business and that the school administration had no business interfering.  
DEFENDANTS' COUNSEL | **Marcus M. Maples**, *Baker Donelson Bearman Caldwell & Berkowitz PC*, Birmingham, AL  
PLAINTIFFS' COUNSEL | **Clifford B. Aaron**, *London Fischer LLP*, New York, NY
- 4:05 p.m. **Critical Analysis of Examinations of Justin Cook**  
**Jack P. Burden**, *Backus Carranza & Burden*, Las Vegas, NV
- 4:20 p.m. **Direct and Cross Examination of B. Li, School Principal**  
As principal of the school, Mr. Li believes the school's anti-bullying policy is completely adequate, that the interactions between Ms. Billings and Ms. Pearson occurred outside of school activities, and that Ms. Pearson's activities did not rise to the level of conduct warranting action by the school district.  
DEFENDANTS' COUNSEL | **Erik R. Matheny**, *Shutts & Bowen LLP*, Tampa, FL  
PLAINTIFFS' COUNSEL | **Holiday D. Powell**, *Morris Polich & Purdy LLP*, San Francisco, CA

- 5:00 p.m. **Critical Analysis of Examinations of B. Li**  
**Scott J. Frank**, *Butler Weihmuller Katz Craig LLP*, Tampa, FL
- 5:15 p.m. **Trial Tactics Committee Meeting**  
(open to everyone)
- 6:00 p.m. **Networking Reception**  
SPONSORED BY **Physician Life Care Planning**  
**Robson Forensic Inc.**
- 7:00 p.m. **Dine-Arounds** | Join colleagues and friends at selected restaurants for dinner (*on your own*). More details on-site.

**FRIDAY, MARCH 17**

- Wireless Access**  
SPONSORED BY **Robson Forensic Inc.**
- 7:30 a.m. **Registration**
- 7:30 a.m. **Continental Breakfast**  
SPONSORED BY **R&D Strategic Solutions**
- 8:30 a.m. **Announcements and Recap**  
**Kyle A. Lansberry**, *Lewis Wagner, LLP*, Indianapolis, IN  
**Ewing (Eddie) E. Sikes III**, *Royston Rayzor*, Brownsville, TX
- 8:40 a.m. **Best Practice Tips to Avoid Legal Malpractice Claims**  
Sound ethics and best practices are at the forefront of representing clients in litigation matters. In this ethics presentation, Mr. Causey will illustrate and examine examples from real cases that demonstrate how incorporating best practices will help you avoid or defend against a legal malpractice lawsuit.  
**Patrick M. Causey**, *Trenam Law*, Saint Petersburg, FL

- 9:40 a.m. **Closing Arguments**  
Two leading trial attorneys make a last pitch to the jury for justice. Who will prevail?  
PLAINTIFFS' COUNSEL | **Orlando (Rod) R. Richmond, Sr.**, *Butler Snow LLP*, Ridgeland, MS  
DEFENDANTS' COUNSEL | **Miranda Lundeen Soto**, *Shook Hardy & Bacon LLP*, Miami, FL
- 10:40 a.m. **Critical Analysis: Effectiveness of Closing Arguments**  
**Daniel J. Arnett**, *Arnett Law Group LLC*, Chicago, IL
- 10:55 a.m. **Charging of the Jury**  
**The Honorable Jerry A. Wiese**, *Eighth Judicial District Court*, Las Vegas, NV
- 11:10 a.m. **Jury Deliberations and Refreshment Break**  
SPONSORED BY **Butler Weihmuller Katz Craig LLP**
- 11:25 a.m. **Verdict**  
What happened and why? The mock jury, led by an expert jury consultant, issues its verdict and explains its decision. The faculty and audience discuss what was effective and what was not, what other trial tactics were available, and what impact they might have had.  
**Rick R. Fuentes, PhD**, *R&D Strategic Solutions, LLC*, Atlanta, GA
- 12:05 p.m. **Closing Thoughts**  
**Ewing (Eddie) E. Sikes III**, *Royston Rayzor*, Brownsville, TX
- 12:30 p.m. **Adjourn**

**NETWORKING EVENTS**

**Wednesday, March 15**

**7:30 p.m.** | **Young Lawyer Dinner at LAVO at the Palazzo.** Contact Patrick Causey at [pcausey@trenam.com](mailto:pcausey@trenam.com) to RSVP and for more information.

**Thursday, March 16**

**12:00 p.m.** | **Women's Networking Luncheon at Public House at the Venetian Hotel.** Contact Pamela Lee at [Pamela.Lee@swiftcurrie.com](mailto:Pamela.Lee@swiftcurrie.com) to RSVP and for more information.

**7:00 p.m.** | **Trial Tactics Dinner and Pub Crawl.** Join us for dinner and drinks at some of the best bars in Las Vegas and network and enjoy the Vegas nightlife. For more information, please contact Patrick Causey at [pcausey@trenam.com](mailto:pcausey@trenam.com).

**Friday, March 17**

Join friends and colleagues for a post-seminar hike at Red Rock Canyon, followed by a March Madness Party. More details available on-site.



## 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 and subsidiaries. In order to qualify for free registration, the individual must also be a DRI member and a member of DRI's Corporate Counsel Committee. Offer excludes the DRI Annual Meeting.

### Claims Executives

Any member of DRI employed as a claims professional by a corporation or insurance company, who spends a substantial portion of his or her professional time hiring or supervising outside counsel in the representation of business, insurance companies or their insureds, associations or governmental entities in civil litigation, will be entitled to free attendance at any DRI program. **Limited to one seminar per calendar year.** Offer excludes DRI Annual Meeting.

### CLE Accreditation

This seminar has been approved for MCLE credit by the State Bar of California for up to **10.5** 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](http://dri.org) for the latest information for your state.



A limited number of discounted hotel rooms have been made available at the **Venetian Hotel, 3355 Las Vegas Boulevard South, Las Vegas, NV 89109.**

Take advantage of the group rate of **\$239 plus \$32 resort fee Single/Double** in one of two ways:

- 1) Reserve online: [Click here](#) or visit [dri.org](http://dri.org) and go to the **DRI Trial Tactics Seminar page** and click on the "Book Hotel" tab.
- 2) Or **contact the hotel directly at 702.607.7777** and mention the **DRI Trial Tactics 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 14, 2017**, to be eligible for the group rate. Requests for reservations made after **February 14** are subject to room and rate availability.

### Registration Policy

**Save \$100 when you register by February 14, 2017.** (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 **February 21, 2017** (please allow 10 days for processing). Registrations received after **February 21, 2017**, will be processed on-site.

### Refund Policy

The registration fee is fully refundable for cancellations received on or before **February 21, 2017**. Cancellations received after **February 21** and on or before **February 28, 2017**, will receive a refund, less a \$100 processing fee. Cancellations made after **February 28** 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](mailto: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 on the registration form. The registration fee for additional registrants from the same firm or company is **\$775**, regardless of membership status if received on or before **February 14, 2017**. After **February 14**, 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 Trial Tactics 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

## FACULTY *Click on any name to view bio.*

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**Miranda Lundeen Soto**, Shook Hardy & Bacon LLP, Miami, FL

**The Honorable Jerry A. Wiese**, Eighth Judicial District Court, Las Vegas, NV

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February 1–3  
**Women in the Law**  
*Omni Scottsdale Resort at Montelucia, Scottsdale, AZ*

February 8–10  
**Product Liability Conference**  
*The Cosmopolitan of Las Vegas, Las Vegas, NV*

March 2–3  
**Construction Law**  
*The Cosmopolitan of Las Vegas, Las Vegas, NV*

March 2–3  
**Medical Liability and Health Care Law**  
*The Cosmopolitan of Las Vegas, Las Vegas, NV*

March 23–24  
**Toxic Torts and Environmental Law**  
*Sheraton New Orleans, New Orleans, LA*

April 5–7  
**Insurance Coverage and Claims Institute**  
*Loews Chicago Hotel, Chicago, IL*

April 26–28  
**Life, Health, Disability and ERISA**  
*Swissôtel Chicago, Chicago, IL*

May 17–19  
**Employment and Labor Law**  
*Hilton Nashville, Nashville, TN*

## Publications for Your Practice

Members can access committee newsletters and seminar course materials via **DRI Online** at [dri.org](http://dri.org).

**Newsletter** *Trials and Tribulations* (4 times a year)

Visit the **Trial Tactics Committee page** on [dri.org](http://dri.org) for information about the committee and related resources.

**Trial Tactics** focus in *For The Defense*

**March 2017**  
**June 2016**  
**October 2015**

**Defense Library Series**

*The Deposition Manual*  
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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.

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# Trial Tactics

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Are you a first-time attendee at this DRI seminar?  Yes  No

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Registration fee includes seminar attendance, networking events, course materials, and access to the DRI App. DRI will email a link to download the course materials to all registrants two weeks in advance of the seminar.

	On or before Feb. 14, 2017	After Feb. 14, 2017	
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