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CENTER for ADVANCED LEGAL STUDIES

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THE 4TH THOMAS F. LAMBERT, JR. CONFERENCE

## SUCCESSFUL STRATEGIES FOR JURY TRIALS

Sponsored with  
The Macaronis Institute for  
Trial and Appellate Advocacy  
  
The Massachusetts Academy  
of Trial Attorneys  
  
The Massachusetts Defense  
Lawyers Association

Friday, October 24, 2008  
Suffolk University Law School  
Boston, MA

CENTER for ADVANCED LEGAL STUDIES  
*Comprehensive Learning Experience for a Changing Legal Environment*



The late Tom Lambert ardently defended the civil justice system against groundless attacks by reformers based upon anecdote rather than data. The Fourth Thomas F. Lambert, Jr. conference brings together top legal practitioners, jury consultants, and academics to present the latest available empirical research on the civil jury and how this empirical research impacts successful practice strategies. The Conference highlights *American Juries: The Verdict* (Prometheus 2007) authored by Neil Vidmar and Valerie Hans, who are the world's foremost experts on the American jury. This book sheds light on the future of the jury and whether it is balanced, fair, and democratic. Vidmar and Hans' new book is a magisterial review of the past half century of empirical research on the American jury system testing anecdote against data. The authors, who work frequently with legal practitioners, will reflect on practice-oriented research findings such as the role of jury consultants, voir dire, admissibility of evidence, expert testimony, jury instructions, and technologies and training to assist the jury.

The Lambert conference blends academic research with practical trial strategies bringing together top defense and plaintiff attorneys. This practical conference provides a clear and concise analysis of every stage of the jury trial with practices and procedures specific to Massachusetts as well as other jurisdictions. Policymakers and academics will be interested in learning about the future of the jury and practical ways to improve how juries function.

### Attend and Learn

- How to conduct pretrial jury management in light of empirical research
- The best trial strategies and techniques grounded on the research on juries
- How juries make decisions about damages
- How juries' verdicts compare to those of trial judges and technical experts
- What role (if any) jury consultants play in influencing trial outcomes



## SCHEDULE/AGENDA

- 9:00 **WELCOME AND INTRODUCTIONS**  
*Michael Rustad*
- 9:10 **HOW JURIES DECIDE CASES: WHAT PRACTITIONERS CAN LEARN FROM THE RESEARCH**  
**Moderator:** *Michael Rustad*  
*Valerie Hans & Neil Vidmar*
- 10:35 **HOW TO MAKE VOIR DIRE WORK FOR YOUR CASE**
- What Questions Should You Ask to Elicit Meaningful Information
  - How Specific Should You Be
  - If Judge Asks, Where Should Juror Answer
- Moderator:** *Gabriel H. Teninbaum*
- Judicial Commentary:**  
*Honorable Helen E. Freedman & Honorable Frank M. Gaziano*
- Jury Consultants:**  
*Leslie Ellis, Neil Vidmar*
- Attorney Perspectives:**  
*Marianne LeBlanc, John P. Ryan*
- 12:30 **LUNCHEON AND KEYNOTE ADDRESS**  
*George W. Conk, Adjunct Professor, Fordham Law School*  
"The Vioxx Story"
- 1:45 **PERSPECTIVES FROM DIFFERENT PRACTICE AREAS ON TRYING A CASE TO A JURY**
- What You Do Differently When There Is a Jury
  - How Jury Dynamics Affect Your Trial Strategy
  - How To Argue Complex Scientific Issues
  - How To Argue Damages
- Moderator:** *Michael Rustad*  
*Marsha V. Kazarosian, Matthew B. Lowrie, Andrew C. Meyer*
- Judicial Commentary:**  
*Honorable William Young and Honorable Kathe Tuttman*
- 3:30 **WHAT IS THE FUTURE FOR JURIES? SUMMARY JUDGMENT AND THE IMPACT ON JURY TRIALS**  
**Moderator:** *Linda Simard*  
**Judicial Commentary:**  
*Honorable Nancy Gertner, Honorable William G. Young*  
*Honorable Helen E. Freedman*
- Attorney Perspectives:**  
*Christopher P. Litterio and Jonathan Margolis*
- 5:00 **CONCLUDE**

## ABOUT THE FACULTY

**Michael Rustad, Thomas F. Lambert Professor, Co-Chair**  
*Suffolk University Law School, Boston, MA*

**Paul R. Sugarman, Esq., Co-Chair**  
*Sugarman & Sugarman, Boston, MA*  
*Former Dean, Suffolk University Law School, Boston, MA*

**Professor George W. Conk**  
*Fordham University School of Law, New York, NY*

**Leslie Ellis, Ph.D.**  
*TrialGraphix | Kroll Ontrack, Washington, D.C.*

**Honorable Frank M. Gaziano**  
*Massachusetts Superior Court*

**Honorable Nancy Gertner**  
*U.S. District Court, District of Massachusetts*

**Professor Valerie Hans**  
*Cornell Law School, Ithaca, NY*

**Marsha Kazarosian, Esq.**  
*Kazarosian Law Offices, Haverhill, MA*

**Marianne LeBlanc, Esq.**  
*Sugarman & Sugarman, Boston, MA*

**Christopher P. Litterio, Esq.**  
*Ruberto, Israel & Weiner, Boston, MA*

**Matthew B. Lowrie, Esq.**  
*Lowrie, Lando & Anastasi, LLP, Cambridge, MA*

**Jonathan Margolis, Esq.**  
*Rodgers Powers & Schwartz LLP, Boston, MA*

**Andrew C. Meyer, Jr., Esq.**  
*Lubin & Meyer, Boston, MA*

**John P. Ryan, Esq.**  
*Sloane & Walsh, Boston, MA*

**Dean Linda Sandstrom Simard**  
*Suffolk University Law School, Boston, MA*

**Professor Gabriel H. Teninbaum**  
*Suffolk University Law School, Boston, MA*

**Honorable Kathe M. Tuttman**  
*Massachusetts Superior Court*

**Professor Neil Vidmar, Ph.D.**  
*Russell M. Robinson Professor of Law*  
*Duke Law School, Durham, NC*

**Honorable William G. Young**  
*U.S. District Court, District of Massachusetts*

## INFORMATION

**DATE AND TIME:** Friday, October 24, 2008, 9:00 a.m. - 5:00 p.m.

**TUITION:** Tuition is \$249; \$199 for Suffolk alumni, members of MATA, MDLA, and attorneys admitted to the Bar after 2005. The course book, a continental breakfast and luncheon are included in the tuition charge.

**LOCATION:** Suffolk University Law School, 120 Tremont St., Boston, MA

**CREDIT:** This course will provide CLE Credit in RI, NH, VT & ME.

**WALK-INS:** Space is limited. Registrations at the door are welcome, but please register in advance to reserve a seat and your written course materials or call to confirm space availability.

**REFUNDS:** Written requests for cancellations received via fax or email 24 hours prior to the program will be granted a refund, minus a \$15 charge. If you cannot attend, you can send a substitute, otherwise you will receive the written course materials.

**SPECIAL NEEDS:** If you have special needs addressed by the Americans with Disabilities Act, please notify us as soon as possible.

**BOOK:** If you are unable to attend, you may order the course materials for \$79 (includes shipping). The course book will be sent after October 24, 2008.

**QUESTIONS OR COMMENTS PLEASE CALL 617-573-8627  
OR VISIT US AT WWW.LAW.SUFFOLK.EDU/ALS**

Year admitted \_\_\_\_\_ Suffolk Alumni? \_\_\_\_\_ MATA Member \_\_\_\_\_ MDLA \_\_\_\_\_

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