



FINANCIAL POISE WEBINAR ONE SHEET NEWBIE LITIGATOR SCHOOL- FALL 2020 EDITION

About This Series

Has it been a couple of (or more) years since you took Civil Procedure in law school? Or perhaps you a business owner who has been sued repeatedly and you want to learn a bit about how the sausage is made.

This series is one of several series (together with the “Newbie Litigator School” Parts 2 and 3) that Financial Poise designed specifically for attorneys who could use a broad-brush yet pithy refresher about civil litigation fundamentals, with some real world color added in. The purpose is to introduce different components and phases of litigation, from the basic rules of civil procedure and evidence, to dispositive motions, through trial, and on to appeal and post-judgment collection work.

As with every Financial Poise webinar, each episode in this series is delivered in Plain English understandable to investors, business owners, and executives without much background in these areas, yet is also valuable to attorneys, accountants, and other seasoned professionals. And, as with every Financial Poise webinar, each episode brings you into engaging, sometimes humorous, conversations designed to entertain as it teaches. Each episode in the series is designed to be viewed independently of the other episodes, so that participants will enhance their knowledge of this area whether they attend one, some, or all episodes.

About Episode #1

The Federal Rules of Civil Procedure

September 23, 2020 at 2:00 PM CST

This webinar provides an overview of the Federal Rules of Civil Procedure, with emphasis on recent changes and developments. By the end of the hour, the attendee will have a clear understanding of how a case is initiated, how defendants and issues are brought into the case, and the required pre-trial steps. We also touch on settlement procedure and trial practice. Join us to hear one of the cornerstone law school classes condensed into a brisk and engaging hour long discussion.



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About Episode #2

Discovery Practice

October 28, 2020 at 2:00 PM CST

If you say the word “discovery” to a litigator, the reaction may not be kind. Discovery-the exchange of relevant information- usually in the form of documents or oral depositions, takes up the majority of a litigator’s time and costs clients the most money.

This webinar begins with a summary of the rules governing discovery. In particular, we discuss newer federal rules governing the preservation and discovery of electronic data and information, and the concept of “proportionality” in discovery. We also discuss the practicalities of discovery: budgeting, tactics, and common opportunities and pitfalls. This hour demystifies a mystifying process, and provides listeners with what they need to know to not get tripped up in litigation. At the very least, you will understand why the acronym “ESI” causes our panel to wince.

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About Episode #3

Dispositive Motions

November 18, 2020 at 2:00 PM CST

Lawyers often tell their clients that while they must prepare as if every case will go to trial, more than 90% of cases are resolved before trial. If a settlement is not reached, the resolution typically comes through the court ruling on a dispositive motion. This episode begins with a look at motions to dismiss, with focus on the still-developing *Twombly-Iqbal* standard, and how that standard is put into practice. We then discuss summary judgment motions. That discussion includes everything from making a



summary judgment record to brief writing, to making a cross-motion for summary judgment. This webinar shines a light on what happens to the great percentage of cases that don't make it to trial.

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About Episode #4

Working With Experts

December 16, 2020 at 2:00 PM CST

Expert witnesses are an integral part of modern commercial litigation. They can be used for everything from calculating damages to explaining software workflows to establishing industry standards. This webinar begins with an exploration of the common types of cases that call for use of expert testimony. From there, we discuss the rules governing experts, including expert disclosures, discovery, and expert depositions. We also discuss the *Daubert* standard for excluding expert testimony, and discuss how a successful *Daubert* motion may be brought. This hour will help you figure out when and how to hire your own expert, and will give you some ideas on how to challenge your opponent's expert when the time comes.

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