ANATOMY OF A FEDERAL TRIAL: Judges and Lawyers Jambalaya

Trial Techniques Designed, Developed, and Demonstrated by a Faculty of Federal Trial Judges and Top Trial Attorneys

Day 1: Monday, October 16

12:00-3:00 registration

2:00-2:30 p.m.
Opening and Welcome: Opening Remarks by *Chief Judge Kurt D. Engelhardt*

2:30- 4:00

Federal Trial Judges: Oh is that what you really do?

(Panel Discussion with moderator)

- Is federal court really different than state court? Learn what federal trial judges do. A panel of judges discusses what they do and how they prepare for trial.
  Hon. Karen Roby, Magistrate Judge Eastern District of Louisiana
  Hon. Elizabeth W. Magner, Chief Bankruptcy Judge, Eastern District of Louisiana
  Hon. J. Michelle Childs, District Judge, District of South Carolina
  Hon. Juan F. Vasquez, United States Tax Court
  Moderator: *Hon. Frank J. Bailey*, Bankruptcy Judge, District of Massachusetts

BREAK - 4:00-4:15

4:15- 4:45

Introduction of Fact Pattern and Format

- Introduction of the civil case hypothetical which will be used to demonstrate trial techniques.

5:00- 6:30 ADJOURN FOR COCKTAILS (U.S. Court of Appeals)

Day 2: Tuesday, October 17 - Trial vignettes followed by interactive round table discussions lead by federal trial judges and top trial attorneys

8:30 – 10:00

- **Pre-trial motions: The good, the bad and the unnecessary**
- Demonstration of an oral argument and interactive table discussions or Coulda Woulda, Shoulda in argument.
  Presiding Judge: *Hon. Nannette J. Brown*, District Judge, Eastern District of Louisiana
  Lawyers: Susan Desmond, Jackson Lewis P.C., New Orleans, LA

Keith W. McDaniel McCranie Sistrunk Anzelmo Hardy McDaniel & Welch, New Orleans, LA

BREAK – 10:00-10:15

10:15-11:45
Evidence: The trial date is here, now what?
- Demonstration of dos and don'ts of getting that evidence in. Round table discussion of OMG, how do I get that evidence in, including running afoul of an in limine order?
- Presiding Judge: *Hon. Nannette J. Brown*, District Judge, Eastern District of Louisiana
  Lawyers:
  Kim M. Boyle, Phelps Dunbar, New Orleans, LA (plaintiff's counsel)
  Laurie Briggs Young, Adams and Reese, LLP, New Orleans, LA (defense counsel)

KEYNOTE LUNCHEON – 12:00-1:45

** **Author Michael Tisserand**, *Krazy: George Herriman, A Life in Black and White*, comics and race in America
Finalist for the NBCC Award in Biography
Finalist for the Pen/Jacqueline Bograd Weld Award for Biography
Finalist for the Eisner Award
(michaeltisserandauthor.com), and

** ***Hon.* Carl E. Stewart**, Chief Circuit Judge, U.S. Court of Appeals for the Fifth Circuit

2:00-3:30
Using experts at trial: And your final opinion is . . . Demonstration of qualifying expert and direct and cross examination, including Daubert issues.

Presiding Judge: *Hon. Frank J. Bailey,* Bankruptcy Judge, District of Massachusetts
Lawyers:
Michael T. Pfau, Founding Partner, Pfau, Cochran, Vertetis, Amala, Seattle, WA (plaintiff's counsel)
Robert W. Maxwell, Bernard, Cassisa, Elliott & Davis, Covington, LA (defense counsel)

BREAK – 3:30-3:45

3:45-5:15

Closing Arguments: The evidence and he asked for how much in damages?

- Demonstration of closing including damages followed by round table discussion
  Presiding Judge: *Hon. Nannette J. Brown,* District Judge, Eastern District of Louisiana
  Lawyers: Darrell Cochran, Founding Partner, Pfau, Cochran, Vertetis, Amala, Seattle, WA (plaintiff's counsel)
  David J. Krebs, Krebs|Farley PLLC, New Orleans LA (defense counsel)

ADJOURN TO DINNER ON YOUR OWN

Day 3: Wednesday, October 18

8:00-9:15

Post-trial issues: Trial is over, so I'm done, right?
(Panel Discussion with moderator)

- Panel discussion of attorney fees motions, post-trial motions and whether to appeal.
  Hon. Susie Morgan, District Judge, Eastern District of Louisiana
  Hon. Diana Song-Quiroga, Magistrate Judge, Southern District of Texas
  Hon. Stephen A. Higginson, Circuit Judge, U.S. Court of Appeals for the Fifth Circuit
  Moderator: *Hon. Anita Shodeen,* Chief Bankruptcy Judge, Southern District of Iowa

BREAK 9:15-9:30

9:30-11:00

Ethics in Federal Court: Panel and Round table interactive discussion
Prof. Robert St. Martin Westley, LOCHEF Professor of Legal Ethics & Professional Responsibility, Tulane University Law School
Mark O'Halleron, Partner, Gasanko & O'Halloran, Seattle, WA
- Interactive discussion of ethical issues arising in vignettes and common trial ethics issues.

11:00-11:30

Wrap up and closing remarks: closing remarks by *Hon. Mary Ann Vial Lemmon*, District Judge, Eastern District of Louisiana

ADJOURN