

THE EVIDENCE REPORT

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MAY 2004

Hal Copeland, Editor

What's Your Opening Line?

"It was the best of times, it was the worst of times."

"He was an old man who fished alone on a skiff in the Gulf Stream and he had gone 84 days now without taking a fish."

"In my younger and more vulnerable years my father gave me some advice that I've been turning over in my head ever since."

"There were 117 psychoanalysts on the Pan Am flight to Vienna and I'd been treated by at least six of them."

The opening line sets the tone of a book: *A Tale of Two Cities* by Charles Dickens; *The Old Man & The Sea* by F. Scott Fitzgerald; *Catch 22* by Joseph Heller; *Fear of Flying* by Erica Jong.

Your own opening line of your opening statement sets the tone for your case. But don't forget the graphics!

For Evidence, the "Eyes" Have it!

Demonstrative evidence from **Litigation Graphics** is your best ally for settlement, mediation and trial.

Here's a mini-quiz: Studies show that we gain what percent of learning through our visual senses: 25%, 55%, 75%, or 85%?

The correct answer is 85%.

Starting with consulting and visual strategy planning, your graphics may include enlarged documents and photographs; designed and illustrated posters, with magnetic or Velcro attachments, clear overlays hinged or panels as well as flow diagrams, timelines, technical drawings, maps, medical and accident scenes, and often the most dramatic demonstration of all — video!

An Anniversary Gift

2004 marks the 16th anniversary of **Litigation Graphics**. To commemorate this year the company will make a special contribution to The Family Place.

Percy Foreman Said It

"Courage in the courtroom is more important than brains. If I were hiring a lawyer, and had to choose between one that was all brains and one that was all guts, I would take the guts."

The Power of Persuasion

"Show & Tell" wins cases. For questions, answers, a copy of our brochure or more information, please consult our website: www.litigraph.com or e-mail to info@litigraph.com.

Litigation Graphics SM

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Visual Presentation Strategy • Consultation & Design
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MEMBER: Demonstrative Evidence Specialists Association



New Graphics Sampler Available on CD-ROM

Titled "The Attorney's Graphic Exhibits and Animation Sampler", the new 16-minute CD-ROM with sound track includes samples of posters, videos, animations, electronic presentations and 3-D models that were used in previous legal cases at settlement, mediation and trial.

The CD-ROM will be distributed for **Litigation Graphics** within the Texas Trial Lawyers Association's *2004 Membership Directory & Desk Reference* in May.

Meeting Presentations

For litigation groups, Marsha Drebelbis is presenting a 20-minute program where she brings insight to graphics challenges and solutions for complex cases. Audiences preview and receive the new CD-ROM.

The president of **Litigation Graphics** in Dallas, Ms. Drebelbis concludes each session with audience questions and answers.

To schedule this program for your organization or department call (214) 951-0032.

To receive future editions of **The Evidence Report** as an "E-Letter" (via e-mail), send us an e-mail request to info@litigraph.com with "Subscribe" in the subject line. Place name, firm, address and phone in the text box. No personal information will be traded, sold or shared.

How Litigation Graphics Can Help You Persuade and Win

Charts

An illustrated analogy using apples and oranges on a chart helped to separate and clarify the different categories of contracts. The case involving Sabre Corporation settled before trial.

Custom Magnetic Exhibits

Criminal defense attorney S. Michael McCulloch of McColl & McCulloch was able to immediately establish credibility with the jury, by using a series of custom magnetic exhibits.

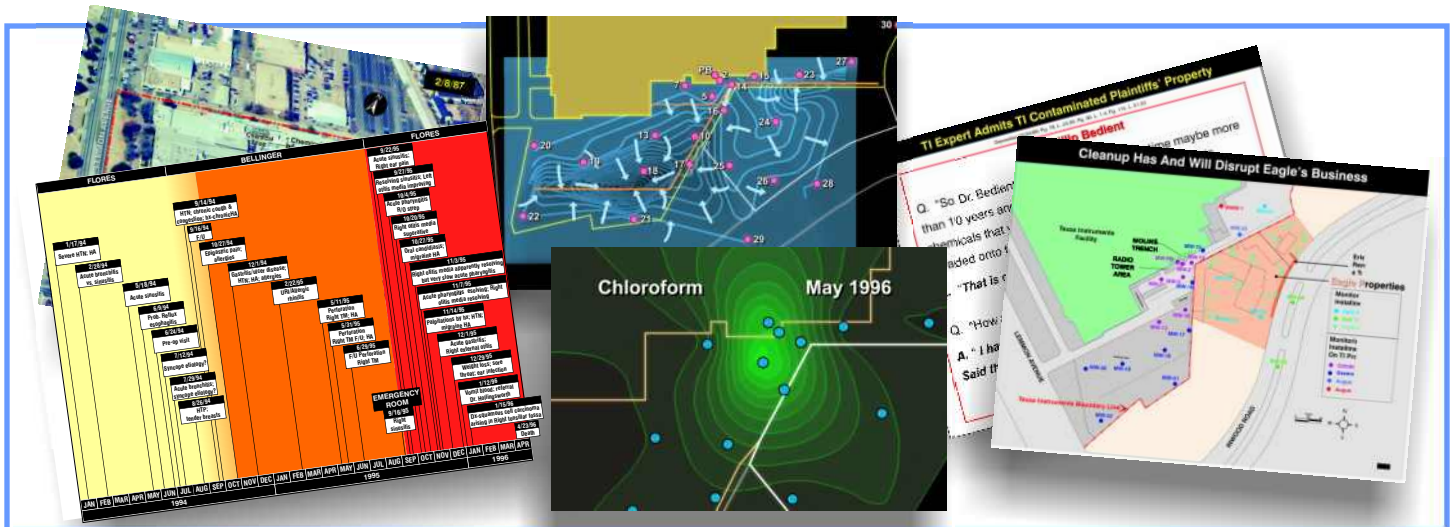
Timelines

Some local physicians were defendants in a medical negligence suit. A colorful large timeline poster visually anchored the facts of the life and death of Mrs. Lamb. It showed the correlation of her deteriorating health under each doctor's and nursing home's care until her demise. The case's end result favored Mrs. Lamb's estate. Bruce Pauly represented the estate.

Poster Boards, Animations & Video Technology

A suit by Three Birds Property Co., et al, charged that the Lemmon

Avenue plant in Dallas, owned for decades by Texas Instruments, had negligently allowed toxic chemicals to flow from its operations and contaminate soil and groundwater on the plaintiff's adjacent property. **Litigation Graphics'** trial exhibits included graphic poster boards and the electronic presentation of animations, deposition excerpts and on-location video. The defendant agreed to pay a \$7 million settlement fee. Mark S. Werbner, a partner in Dallas' Sayles Lidgi & Werbner, and Brian D. Melton, a partner in Dallas' Shackelford Melton & McKinley represented the plaintiffs.



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