

THE EVIDENCE REPORT

Vol. 3 No. 8

NOV 2006

Hal Copeland, Editor

A special “fun” gift awaits you

at the *Litigation Graphics* exhibit booth at the Texas Trial Lawyers Association “2006 Car Wrecks CLE Seminar and Annual Meeting.”

Plan to attend the Wednesday through Friday event, (November 29 — December 1) in the new W Dallas Victory Hotel. TTLA is the statewide organization of plaintiff’s attorneys. For more information call (512) 476-3852.



Wit & Wisdom of the Law

Courtroom Performance

“There are times when it’s not the thrill of winning, it’s the fear of losing.” — Roy Black, *U.S. Lawyer*

Lawyers

“Lawyers are persons who write a 10,000 word document and call it a brief.” — Franz Kafka, *Czech Novelist*

Judges

“A judge is merely a lawyer who has been benched.”

— Charles E. Clark, *U.S. Court of Appeals*

On Reform

“We have the means to change the laws we find unjust or onerous. We cannot, as citizens, pick and choose the laws we will or will not obey.”

— Ronald W. Reagan, *40th U.S. President*

Juries

“Most often a jury reaches the right verdict even if it’s for the wrong reasons.”

— Rikki Klieman, *U.S. Lawyer*

Witnesses

“For a plot hatched in hell, don’t expect angels for witnesses.”

— Robert Perry, *U.S. Lawyer*

Spontaneity

“Extemporaneous speaking should be practiced and cultivated. It is the lawyer’s avenue to the public.”

— Abraham Lincoln, *15th U.S. President*

Government

“A government big enough to give you everything you want is a government big enough to take from you everything you have.”

— Gerald R. Ford, *38th U.S. President*

Source: *The New Lawyer’s Wit and Wisdom* (Running Press)

Litigation GraphicsSM

2909 COLE AVENUE • SUITE 100 • DALLAS, TEXAS 75204-1304
(214) 951-0032 • www.litigraph.com

Visual Presentation Strategy • Consultation & Design
Serving the Legal Community Since 1988

MEMBER: Demonstrative Evidence Specialists Association

Profiles in Law:

Banowsky & Levine



Scott D. Levine Baxter W. Banowsky

Baxter Banowsky and Scott Levine once restored a 34-foot long Airstream trailer. Both of their families now use it for camping trips and NASCAR races.

The Evidence Report asked both litigators the same question: What is something about you that not many people know?

Scott is an avid backpacker who coaches his son’s basketball team. He grew up in Phoenix, graduated from University of Arizona and The University of California, Berkeley School of Law.

Baxter is a 6th generation Texan whose family has belonged to the Church of Christ since the 1800’s. His dad served as president of both The University of Oklahoma and Pepperdine University in Malibu, California.

Baxter, the Texas native, is an alumnus of Oklahoma and SMU Law School.

Both were attorneys at Bickel & *Profiles continued on page 2.*



A Matter of Trust

Why did your oldest or newest client select you? Probably it was a matter of trust – an instinctive, unquestioning belief in your, integrity, knowledge and strength of character.

LITIGATION GRAPHICS

is a “Sponsor” and “Exhibitor” at Texas Trial Lawyers Association 2006 Car Crash CLE and Annual Meeting in Dallas

Nov. 30-31-Dec. 1

See you there!

Profiles continued from page 1.

Brewer until they formed Banowsky & Levine in October, 1994.

Located in Coit Central Tower in Dallas, the 10-person firm includes four lawyers and a paralegal.

They practice law primarily in these areas of specialization: municipal, product liability defense, commercial litigation, employment law, family law and patent law/intellectual property litigation.

A most significant case for Baxter Banowsky, as it relates to the Texas legal community, is *PAJ vs. Hanover Insurance Co.* In this case, which is currently pending before the Texas Supreme Court, an insured under a Texas Commercial General Liability (CGL) insurance policy was sued for copyright infringement but failed to provide notice to its insurer for approximately four months. The insurer refused to defend and indemnify, based upon late notice, even though it stipulated that it was not prejudiced by the delay. The Texas Supreme Court will determine

whether an insurer must show prejudice in order to deny coverage based upon untimely notice under the advertising injury portion of a CGL policy.

The City of Garland, represented by Banowsky & Levine, was sued for thousands of dollars by a group of developers who claimed that a zoning change had caused them a financial disaster. According to Mr. Levine, the case was dismissed with a “take nothing” judgement — a victory for Garland and for Banowsky & Levine.

We asked them both who had influenced their lives the most. “My wife and children,” Mr. Levine responded. “My older brothers,” replied Mr. Banowsky. “All three are lawyers who led me to law school and still enable me to maximize my potential.”

The partners firmly believe in the use of graphics for mediation, settlement and trial, to simplify the most complicated evidence. In a recent complex professional liability case, the firm used **Litigation Graphics** to create 12 different poster boards to assist the court in clarifying the issues. “The posters helped us to achieve the win,” according to Scott Levine. Banowsky & Levine is a long-time client of **Litigation Graphics**.



ADDRESS SERVICE REQUESTED

2909 COLE AVENUE • SUITE 100 • DALLAS, TEXAS 75204-1304



A newsletter published by

