



# TRIAL ADVOCACY COLLEGE: DAMAGES WITH DAVID BALL, PH.D.

WORK ONE-ON-ONE WITH DR. BALL

FEBRUARY 12-15, 2010 • HOTEL PALOMAR ATLANTA-MIDTOWN • ATLANTA, GA

**EXCLUSIVE OPPORTUNITY**  
**Open Only to Plaintiff Trial Lawyers**

*AAJ Education Endowed by  
Power Rogers & Smith*



AMERICAN  
ASSOCIATION *for*  
**JUSTICE**

Formerly the Association of Trial Lawyers of America (ATLA®)

# ABOUT THE PROGRAM

AAJ's **Trial Advocacy College: Damages with David Ball, Ph.D.** will give you critical insight into how jurors perceive your case for damages—and how to use that knowledge to ask for and obtain a full measure of justice for your clients.

Leading the program is David Ball, Ph.D., trial consultant and author of *David Ball on Damages: A Plaintiff's Attorney's Guide for Personal Injury and Wrongful Death Cases*; and *David Ball on Damages: The Essential Update*. He is also coauthor of *Reptile: The 2009 Manual of the Plaintiff's Revolution*. You'll work in small groups on jury selection and opening, and meet one-on-one with Dr. Ball.

## Bring an Active Case of Your Own to Use in Workshops and Prepare for Trial

During the workshops, you will practice skills you have just learned on an active case of your own and receive critical feedback from Dr. Ball and experienced trial lawyer faculty—on camera. You may also practice your skills based on a fact pattern that we provide. The recorded workshop sessions are yours to take home for further study.

Open Only to Plaintiff Trial Lawyers

## Your Registration Includes

- 26 hours of continuing legal education and NCA credits which can be applied toward AAJ's professional recognition programs
- Recorded workshops with personalized critiques
- Comprehensive reference materials
- "Meet the Faculty" networking reception
- Complimentary daily continental breakfast and coffee
- Box lunch on Friday

## Who Should Attend

The program is designed for any lawyer—including those who have been practicing for several years—looking for guidance and innovation in their approach to securing maximum damage awards.

## RESERVE YOUR SPACE TODAY!

Visit [www.justice.org/education/damagescollege](http://www.justice.org/education/damagescollege) or call AAJ Education at 800-622-1791 or 202-965-3500, ext. 612  
(After November 9, this extension will be 8612.)

# AGENDA

## Friday, February 12

### REGISTRATION

(Box lunch available)

11:00 am–noon

### AFTERNOON SESSION

Noon–6:00 pm

#### 2008 Research & Methods

- Understanding tort “reformed” (poisoned) jurors:
- Alchemy: Poison into gold
- Beyond biases: What we now know drives jurors
- The “Rules” and beyond—in light of 2008 research
- Preponderance every time: voir dire through closing
- Compensation: voir dire through closing
- Damages lists in voir dire
- Enlisting the judge: final instruction
- Jurors’ rights
- Charisma: Your True Role
- Tort “reform” questions
- Pain, etc. VD Qs
- Rules questions
- Juror-involvement questions
- Who and how to challenge for cause

#### Faculty Panel Q&A

### NETWORKING RECEPTION

6:00 pm–7:00 pm

## Saturday, February 13

### MORNING SESSION

(Continental breakfast available)

8:00 am–12:30 pm



**Workshop: Jury Selection**  
*One-on-one case reviews with David Ball*

**LUNCH** (on your own)

12:30 pm–1:30 pm



### AFTERNOON SESSION

1:30 pm–5:15 pm

#### Revising the “Ball Opening” (Lecture and video demonstrations)

- Rule
- Story
- Violated rule
- Undermining
- Damages

#### Faculty Panel Q&A



**Workshop: Opening Statement Preparation**

## Sunday, February 14

### MORNING SESSION

(Continental breakfast available)

8:00 am–12:30 pm



**Workshop: Opening Statement**  
*One-on-one case reviews with David Ball*

# AGENDA continued

## LUNCH (on your own)

12:30 pm–1:30 pm

## AFTERNOON SESSION

1:30 pm–6:00 pm

### Testimony (Lecture and video demonstrations)

- Lay witness direct—stories
- Expert direct—rules/steps
- Defense expert cross—rules

### Closing Argument

- How the new research arms jurors
- Money arguments

### Closing Argument Demonstrations

### Faculty Panel Q&A

### Workshop: Closing Argument Preparation

## Monday, February 15

### MORNING SESSION

(Continental breakfast available)

8:00 am–12:30 pm

### Workshop: Closing Argument One-on-one case reviews with David Ball

### LUNCH (provided)

12:30 pm–2:00 pm

### Faculty Panel Q&A



### About Workshops

Through hands-on workshops in small groups, you will receive individual attention and critiques of your skills by highly-experienced faculty. Your recorded workshops are yours to take home for further study.

## INVITED FACULTY

**David Ball, Ph.D.**, author of three best-selling trial advocacy books, is a nationally recognized consultant on damages, focus groups, jury selection, and case strategy and presentation. Dr. Ball has taught thousands of attorneys from coast to coast and in Canada, and received the North Carolina Academy of Trial Lawyers' 2002 Charles L. Becton award for excellence in teaching trial advocacy. His newest book, *David Ball on Damages: The Essential Update* provides step-by-step practical guidance for plaintiff's personal injury and wrongful death practice. Dr. Ball is a partner with Miller, Malekpour & Ball in Durham, North Carolina.

**Steven L. Langer** concentrates his practice in Plaintiff's medical malpractice law. He is a member of the Board of Directors and Executive Committee of the Indiana Trial Lawyers Association. In 2003, he received the Consumer Advocate of the Year award. In 2004, he received the Trial Lawyer of the Year award from the Indiana Trial Lawyers Association. He is a member of the College of Fellows of the Indiana Trial Lawyers Association. He has published numerous articles on medical negligence. Mr. Langer is a partner at the law firm of Langer & Langer in Valparaiso, Indiana.

**Artemis H. Malekpour, J.D., M.H.A.** concentrates her practice in focus groups, case strategy, and jury selection. She is a member of the Orange County, 15B Judicial District, North Carolina and American Bar Associations, the North Carolina State Bar, the North Carolina Academy of Trial Lawyers, AAJ, and the American Society of Trial Consultants. Ms. Malekpour is a partner in the trial consulting firm of Miller Malekpour & Ball, Inc.

**Debra Miller** concentrates her practice in the art of communication, advertising, and market research. Ms. Miller specializes in developing core communication strategies for civil plaintiffs and criminal defendants throughout the United States and Canada. She is a senior partner in the trial consulting firm Miller, Malekpour & Ball in North Carolina.

**Jerome F. O'Neill** concentrates his practice in litigation on behalf of injured persons and their survivors, commercial litigation, and white collar criminal defense. He serves on AAJ's Board of Governors, is a member of AAJ's Exchange Advisory Committee, and is a past cochair and current member of AAJ's NCA Board of Trustees. He is a past president of the Vermont Trial Lawyers Association, is certified as a Civil Trial Specialist by the National Board of Trial Advocacy, and is the chair of the Vermont Supreme Court Evidence Rules Committee. Mr. O'Neill is a partner in the firm of O'Neill Kellner & Green in Burlington, Vermont.

**Paul J. Scoptur, course advisor**, is a partner in a plaintiff's personal injury and civil litigation firm. He is a past cochair of the NCA Board of Trustees and a past member of the AAJ Board of Governors. Mr. Scoptur is a frequent lecturer on the state and national level, and is the author of *Tort Reform: It's Not About Victims...It's About Lawyers*. Mr. Scoptur is a shareholder in Aiken & Scoptur, S.C., located in Milwaukee, Wisconsin.

**Ernest F. Teitell** has over 30 years of trial experience and concentrates his practice on the representation of individuals who have suffered life-altering injuries as a result of medical malpractice, defective products, catastrophic motor vehicle collisions, or sexual abuse. He is Past President of the Connecticut Trial Lawyers Association and Ernie has taught Trial Practice and Advanced Trial Practice as an Adjunct Professor of Law at Quinnipiac University School of Law since 1987. Mr. Teitell has been inducted as a fellow in the International Academy of Trial Lawyers and is a partner with Silver Golub & Teitell in Stamford, Connecticut.

**Charles J. Zauzig, III** concentrates his practice on personal injury, medical negligence, products liability and trucking accidents. He is President of the Virginia Trial Lawyers Association and a member of AAJ's Board of Governors. Mr. Zauzig is listed as one of Washington's "Top Lawyers" by *Washingtonian Magazine* and is listed in Best Lawyers in America. He is involved in a number of organizations including the Virginia State Bar, the Prince William County Bar Association, the Fairfax County Bar Association, and the Southern Trial Lawyers Association. Mr. Zauzig is a principal in the firm of Nichols Zauzig Sandler, P.C., with offices in Woodbridge and Tysons Corner, Virginia.

### **"Nothing Short of Phenomenal"**

*"This program was nothing short of phenomenal. Using the strategies and insights gained from the lectures and training sessions, I felt for the first time in many moons the jurors gave us a fair shot. In the trial of the car crash case I had vetted in the seminar, the jury award was \$750,000 in a small North Carolina county in which there had only been one other plaintiff's verdict in the last 30 years, and that was for \$80,000. Don't miss this opportunity to enhance your trial skills—it will give you a chance to succeed like never before.*

—Michael J. Lewis, Winston-Salem, NC

## Reserve a Room at Hotel Palomar Atlanta-Midtown and Save!

A limited number of rooms are being held at Hotel Palomar Atlanta-Midtown, a Kimpton Boutique Hotel, for program registrants. To receive AAJ's special group rate of \$169 single/double room, plus 12% tax, complete your housing and/or travel arrangements online at [www.exectravel.com/meetings/aaaj](http://www.exectravel.com/meetings/aaaj) or download the reservation form at [www.justice.org/hotelreservationform](http://www.justice.org/hotelreservationform).



**Hotel Palomar Atlanta-Midtown**  
**866 West Peachtree Street NW**  
**Atlanta, GA 30308**



The Hotel Palomar Atlanta-Midtown offers:

- Complimentary morning coffee and tea served in the lobby
- Hosted evening wine reception
- Complimentary 24-hour on-site fitness center
- Complimentary overnight shoeshine service
- Complimentary morning newspapers

Plus, if you're a member of Kimpton's InTouch loyalty program, you'll enjoy personalized room preferences, complimentary internet access, and other welcome amenities.

If you must cancel your hotel reservations, please call ETA at 800-577-7539 or 202-828-0114 weekdays, 9:00 am–5:30 pm ET. However, if you must change your hotel reservations **within 72 hours** prior to the start of the program, please call the hotel directly at 678-412-2400.

If for unforeseen reasons this program is canceled, AAJ cannot be held financially responsible for airline tickets, and room rates cannot be guaranteed.

## MCLE/NCA Requirements

Earn approximately 26<sup>†</sup> CLE credits to be applied to your participation in AAJ's professional recognition programs. For information about AAJ's professional recognition programs, visit [www.justice.org/recognition](http://www.justice.org/recognition). AAJ Education programs are routinely accredited by states requiring continuing legal education. We will assist you in obtaining appropriate credit. CLE questions may be addressed by calling the CLE Assistant at 800-622-1791 or 202-965-3500, ext. 335. *(After November 9, this extension will be 8335.)*

<sup>†</sup> Number of credits may vary depending on calculation method used by individual state accreditation agencies.  
AAJ is a State Bar of California MCLE-approved provider.

## Special Assistance

AAJ Education will make every effort to ensure that its meetings are held in facilities that are fully accessible to persons with mobility disabilities. If you plan to attend our program and need special facilities or assistance relating to a disability, please call 800-622-1791 or 202-965-3500, ext. 612. *(After November 9, this extension will be 8612.)*

**Register me for Trial Advocacy College: Damages with David Ball, Ph.D. (C132)**

**February 12-15, 2010**  
**Hotel Palomar Atlanta-Midtown**  
**Atlanta, GA**

**Special Early Bird Discount When You Register by January 8, 2010**

**\$1,295**

**Fee after January 8, 2010**

**\$1,395**

*AAJ Paralegal Affiliates may be eligible to attend this program at a discount by attending with an AAJ plaintiff trial lawyer (Regular, Life, Sustaining, President's Club, or Leaders Forum) from the same firm with the same firm address.*

**SAVE EVEN MORE WITH A GROUP DISCOUNT FOR YOUR FIRM**

Register two or more lawyers from your firm at the same time, and take \$70 off the registration fee for each registrant.

**BEGIN AN AAJ MEMBERSHIP**

**YES!** Begin my AAJ membership with introductory dues of \$149 (enclosed) for my first year. This qualifies me to attend AAJ's *Trial Advocacy College: Damages with David Ball, Ph.D.*

I certify by my signature below that I am a trial lawyer who, for the most part, based on caseload and time, represents the plaintiff in civil litigation or represents the defendant in criminal litigation.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Bar Date: Month \_\_\_\_\_ Year \_\_\_\_\_

**PAYMENT INFORMATION**

Name \_\_\_\_\_ AAJ ID # \_\_\_\_\_

Preferred First Name four Badge \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

City/State/ZIP \_\_\_\_\_

Office Phone \_\_\_\_\_ Office Fax \_\_\_\_\_

E-mail \_\_\_\_\_

Check is enclosed (payable to AAJ Education Fund)

Charge my:      

Card # \_\_\_\_\_ Exp. Date \_\_\_\_\_

Signature \_\_\_\_\_

**REGISTER TODAY!**

Four easy ways to register:

**1. Online:** [www.justice.org/education/damagescollege](http://www.justice.org/education/damagescollege)

**2. Phone:** 800-622-1791 or 202-965-3500, ext. 612

**4. Mail:** AAJ Education Fund  
PO Box 50225  
Washington, DC 20091

**3. Fax:** 202-625-7084

*After November 9, this extension will be 8612.*

*Cancellations received in writing by February 5, 2010 will result in a refund less a 10% administrative charge. Cancellations received February 6-11, 2010 will result in a voucher for the entire registration fee which may be applied toward any AAJ Education college or seminar held within one calendar year of the date of issue. Requests for refunds or vouchers received after February 11, 2010 will not be honored. Mail or fax your cancellation to the registrar.*

**1MMB 1EXC 10VG**

**FOR AAJ USE ONLY** CHK# \_\_\_\_\_ CHK DATE \_\_\_\_\_ CHK AMT \_\_\_\_\_

# UPCOMING AAJ EDUCATION PROGRAMS

**Mega Seminar: Overcoming Jury Bias, "Rules of the Road," and Damages\***  
October 23–25 • Las Vegas, NV  
The Mirage Hotel

**CLE Abroad: Greek Isles & Ancient Wonders Cruise**  
October 23–30 • Athens to Istanbul  
Seven Seas Navigator

**Reading Microexpressions of Emotion for Attorneys Seminar\***  
November 20–21 • Washington, DC  
AAJ Headquarters

**Case Plus: The Next Step in Developing and Testing Your Trial Story\***  
December 2–5 • Houston, TX  
The St. Regis Houston

**Weekend with the Stars: Justice Counts Seminar**  
*Endowed by Herman, Herman, Katz & Cotlar, L.L.P.*  
December 12–13 • New York, NY  
Sheraton New York Hotel & Towers  
*Cosponsored by the New York State Trial Lawyers Association*

**Advanced Depositions College\***  
January 15–18, 2010 • Denver, CO  
Hotel Monaco Denver

**2010 AAJ Winter Convention**  
January 30–February 3, 2010 • Maui, HI

**Litigating Trucking Collision Cases\***  
February 26–27, 2010 • New Orleans, LA  
The Westin New Orleans Canal Place  
*Cosponsored by AAJ's Interstate Trucking Litigation Group*

**Practice Development Seminar**  
March 5–6, 2010 • Chicago, IL  
Hotel Allegro Chicago  
*Cosponsored by AAJ's Sole Practitioner and Small Firm Section*

**Practice Development Seminar**  
March 5–6, 2010 • Chicago, IL  
Hotel Allegro Chicago  
*Cosponsored by AAJ's Sole Practitioner and Small Firm Section*

**ATLA's Ultimate Trial Advocacy Course: Art of Persuasion\***  
March 13–17, 2010 • Cambridge, MA  
At Harvard Law School

\* Open only to AAJ plaintiff trial lawyers (Regular, Life, Sustaining, President's Club, and Leaders Forum).  
AAJ Paralegal Affiliates may attend AAJ Education programs (some restrictions apply).



Formerly the Association of Trial Lawyers of America (ATLA®)

777 6th Street, NW

Suite 200

Washington, DC 20001

**REGISTER BY JANUARY 8, 2010  
and Save \$100**