



# Masters in Trial™

A Trial Demonstration from Opening Statement through Jury Deliberations

## WHEN

Friday, January 10, 2020  
7:30 a.m. – 5:00 p.m.

## WHERE

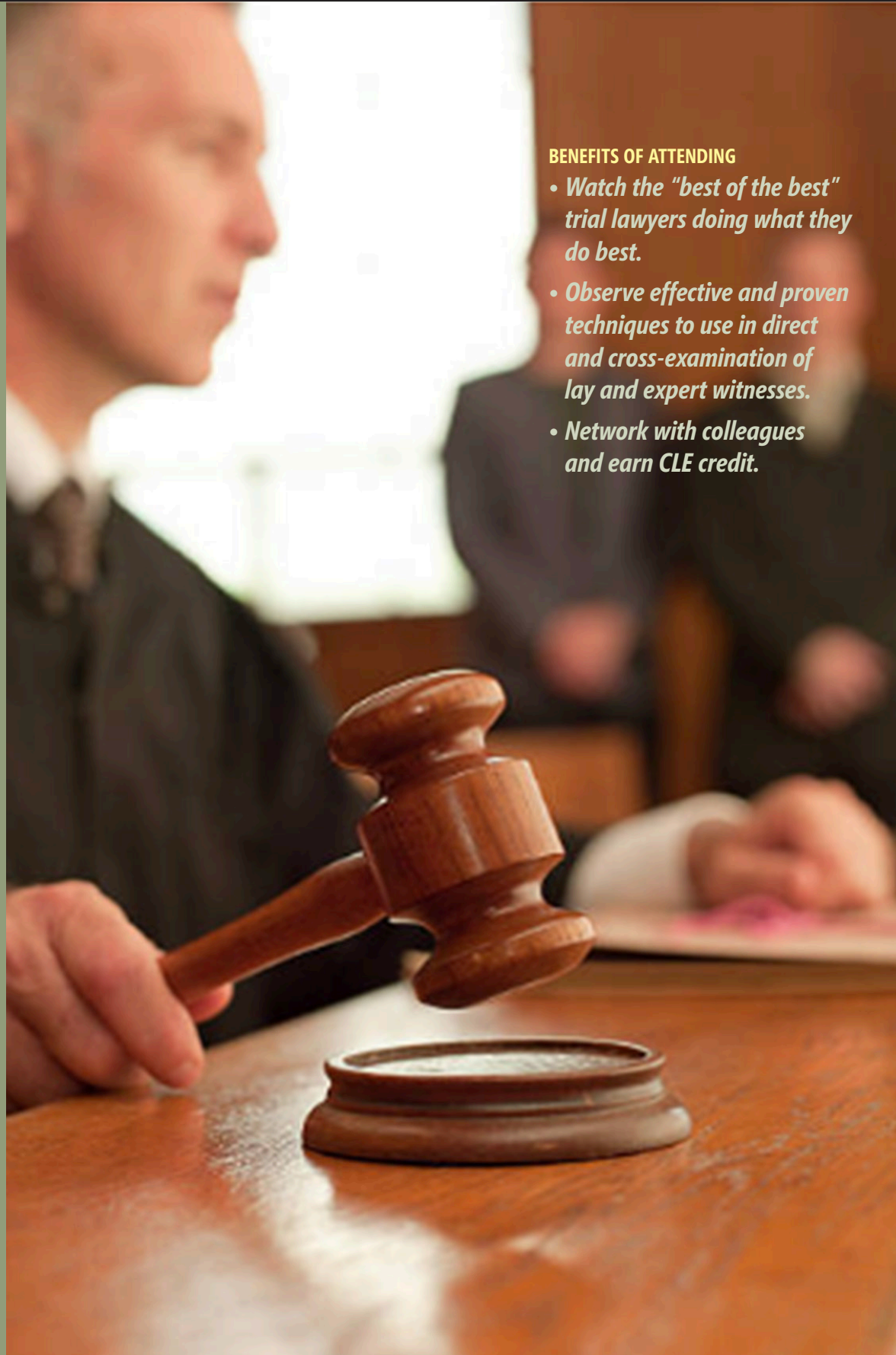
Chapman University  
Dale E. Fowler School of Law  
Kennedy Hall Room 237  
1 University Drive  
Orange, CA 92866

## PRESENTED BY

The Orange County Chapter  
of the American Board of  
Trial Advocates

## BENEFITS OF ATTENDING

- Watch the “best of the best” trial lawyers doing what they do best.
- Observe effective and proven techniques to use in direct and cross-examination of lay and expert witnesses.
- Network with colleagues and earn CLE credit.



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## Scope and Purpose

The American Board of Trial Advocates, an organization with more than 7,300 of the best trial lawyers in America, is dedicated to the preservation of the right to trial by jury guaranteed by the 7th Amendment.

Educating lawyers in the art of trial advocacy is a primary goal of the Foundation of the American Board of Trial Advocates. The **Masters in Trial™** shows how some of the most successful trial lawyers in the country conduct a trial — without war stories. All of the trial team counsel are ABOTA members and are well-known and highly respected in their fields.

## Case

This case involves a claim of wrongful death which focuses on the lack of a rollover protection system (ROPS) on a model of lawnmower which was recalled and should have been retrofitted with a ROPS system. The lawn mower in question was purchased used and the original owner had chosen not to retrofit the machine when the recall was issued. On the day of the incident the new owner was loading the mower onto a heavy equipment trailer when the mower tipped over backwards, trapping him underneath the mower, where he died of compressional asphyxia. The Plaintiff is seeking actual damages, pain and suffering, funeral expenses, loss of consortium, wounded feelings, emotional distress and punitive damages. The defendant claims that there was negligence. This case includes four witnesses, two expert reports, and thirty-two exhibits.

Whether you are a novice or seasoned trial lawyer, plaintiff or defense counsel, this program will assist you in your next trial. This seminar is designed to teach by example. The skills you see demonstrated are applicable to virtually every other civil case.

This is one seminar trial lawyers will be talking about. You don't want to miss it. Come see how the Masters do it.

## CLE Credit

The Orange County Chapter of the American Board of Trial Advocates has requested approval from the California Board of Continuing Legal Education for 7.25 credit hours (including 1 hour of Ethics).

## Trial Teams (subject to change)

### Coordinators

**Honorable Nancy Zeltzer**  
Orange County Superior Court

**Jeff I. Braun**  
McNeil Tropp & Braun, LLP

**Pamela Liosi-Traut**  
Traut Firm

**K. Robert Gonter**  
Gates, Gonter, Guy, Proudfoot & Muench, LLP

### Plaintiff Team

**Rob Gibson**  
Gibson & Hughes

**Patricia A. Law**  
Law Offices of Patricia A. Law

**Brian Panish**  
Panish Shea & Boyle LLP

**Jennifer L. Russell**  
Ford, Walker, Haggerty, & Behar

**Robert T. Simon**  
The Simon Law Group

### Defense Team

**Richard D. Carroll**  
Carroll, Kelly, Trotter, Franzen & McBride

**Dana A. Fox**  
Lewis Brisbois Bisgaard & Smith

**Robert L. McKenna III**  
Kjar McKenna Stockalper

**Lisa J. McMains**  
Bassett, Discoe, McMains, & Kargozar

**Deborah Tropp**  
McNeil Tropp & Braun, LLP

### Luncheon Speaker

**Lewis R. Sifford**  
Sifford, Anderson & Company, P.C.

**Richard D. Carroll**  
Carroll, Kelly, Trotter, Franzen & McBride  
Richard D. Carroll is the 2019 California ABOTA Trial Lawyer of the Year. Richard Carroll attended Dartmouth College and received a BA in 1976. He graduated from Pepperdine Law School in 1984. The firm was started in 1994 as Carroll, Kelly, & Trotter. Richard is one of the founding members of Carroll, Kelly, Trotter, Franzen & McBride. After a short career trying criminal cases, Mr. Carroll undertook professional malpractice defense in 1986. He has zealously represented the defense of a variety of professions for 30 years. Richard has tried and arbitrated disputes as lead counsel in over 200 cases. Richard is a diplomat with the American Board of Trial Advocates (ABOTA) and has served on the Executive Board of ABOTA in Los Angeles for over 10 years. He was also pleased to serve as the ABOTA Los Angeles Chapter President in 2006. Richard has also been inducted in the American College of Trial Lawyers. The American College of Trial lawyers is composed of the best of the trial bar from the United States and Canada and is widely considered to be the premier professional trial organization in America. These organizations are by invitation only and are comprised of the most experienced trial attorneys in the country.

**Dana A. Fox**  
Lewis Brisbois Bisgaard & Smith  
Dana A. Fox is a partner in the Los Angeles office of Lewis Brisbois and co-chair of the General Liability Practice. As a result of his repeated retention in the most difficult, high exposure cases in California and his being admitted in Colorado, Mr. Fox has become one of the most heralded trial attorneys, consistently obtaining results not thought possible for his clients, including multiple defense verdicts in prominent cases. Mr. Fox, who is a Fellow in the American College of Trial Lawyers and

member of the American Board of Trial Advocates (ABOTA), has developed a reputation as the "go-to" attorney in high profile, high exposure catastrophic accident, police use of force, premises and product liability, public entity, and general liability cases. Mr. Fox was named one of the top 100 attorneys in California by the Los Angeles Daily Journal in 2014 and 2019. He has defended and tried many complex and high profile cases. Mr. Fox is currently co-counsel for Live Nation in the litigation arising from the mass shooting in Las Vegas on October 1, 2017, was lead trial counsel for the Los Angeles Dodgers and Frank McCourt in the highly publicized trial arising from the assault of a spectator after a Dodgers game in 2011, and represented the City of Santa Monica in the Santa Monica Farmer's Market litigation which involved 36 coordinated actions after a vehicle drove through a farmers market.

**Rob Gibson**  
Gibson & Hughes  
Rob Gibson is a partner with Gibson & Hughes and graduated from Cal Ploy San Luis Obispo in 1989, and then attended the University of Pacific, McGeorge School of Law, where he graduated in 1992 with distinction. During his time at the University of Pacific, he was a member of the Trial Advocacy Competition Team, participating in competitions in Houston, Texas and San Francisco, California. After graduation, he became a personal injury defense attorney working for Jack Daniels in Century City, California. But, he soon realized that his true calling was representing the other side. As a result of his realization, he began his career in plaintiff's injury work in 1996. Five years later, he partnered with colleague Jeff Hughes to found Gibson & Hughes. Rob has tried over 100 cases to verdict. He has experience representing clients in many different types of injury cases, including wrongful death, auto accident, slip/fall, trip/fall, construction site accidents, dog bites and medical malpractice. He is also a proud member of the American Board of Trial Advocates (ABOTA), an invitation only group made up of the most respected trial lawyers in the country. Mr. Gibson was the 2016 President of the Orange County Chapter of ABOTA. In addition, he currently sits on the Executive Board of ABOTA's Orange County Chapter and is also the co-chair of the Orange County Bar Association College of Trial Advocacy.

**Patricia A. Law**  
Law Offices of Patricia A. Law  
Patricia A. Law has 27 years of trial experience and has tried in excess of 80 jury trials and binding arbitrations. She is a member of the American Trial Lawyers Association (ATLA) having been named one of their top 100 trial lawyers in 2007, 2009, 2011 and 2015. She also has the honor of having been awarded the position of Advocate in the American Board of Trial Advocates (ABOTA). She was the first female president of her ABOTA chapter. She is a frequent guest speaker at Consumers Attorney's events and at the Riverside County Bar Association's New Trial Lawyers Academy. She is Martindale Hubbell AV Rated and has received Martindale Hubbell's Highest Award for Client satisfaction. This year she was voted one of the 10 Best Female Trial Attorneys in California by the American Institute of Personal Injury Attorneys. Ms. Law was educated at the University of California, Riverside for her B.A. in History and at Whittier College for her JD.

**Robert L. McKenna III**  
Kjar McKenna Stockalper  
Robert L. McKenna III, is the Senior Partner of Kjar, McKenna, Stockalper. He graduated from University of California Los Angeles majoring in Political Science and then attending Loyola Law School in Los Angeles until 1993. Mr. McKenna practices in the areas of medical malpractice, elder abuse/long term care, Healthcare Class actions, Litigation and Crisis Management. Mr. McKenna has been awarded the Highest AV Rating and has been a Super Lawyer for 13 years.

**Lisa J. McMains**  
Bassett, Discoe, McMains, & Kargozar  
Lisa J. McMains is a Partner of Bassett, Discoe, McMains & Kargozar and practices insurance defense and professional liability defense on behalf of insurance carriers, physicians, pharmacists, and hospitals. She covers all aspects of civil litigation with an emphasis on liability and construction defect insurance litigation, including wrongful death, personal injury, and property damage, public entity defense, product liability and medical malpractice defense. Ms. McMains has been practicing law in the insurance defense industry since 1993.

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FOUNDATION

Presented by

The Orange County Chapter of the  
American Board of Trial Advocates

Ms. McMains is professionally associated with Orange County Bar Association, Board member of the Association of Southern California Defense Counsel, Defense Research Institute, and American Board of Trial Advocates (ABOTA).

**Brian Panish**

Panish Shea & Boyle LLP  
Brian Panish is the Partner of Panish Shea & Boyle LLP and one of the country's leading trial attorneys. Mr. Panish has obtained some of the most significant jury verdicts in United States history on behalf of plaintiffs. His courtroom victories include a 4.9 billion record verdict in the landmark products liability case Anderson vs. General Motors, over 150 verdicts and settlements in excess of 10 million including 35 jury verdicts, six verdicts in excess of 50 million, and more than 250 verdicts and settlements over one million dollars in personal injury, car accident, wrongful death, and business litigation cases. Mr. Panish consistently serves in a leading role in the largest personal injury cases in California and the country. He currently serves as Plaintiffs Co-Lead Counsel in the Woolsey Fire Litigation, currently serves as President of Inner Circle of Advocates limited to 100 of the top plaintiff attorneys in the United States, formerly served as President of the Los Angeles ABOTA Chapter and was Cal ABOTA Trial Lawyer of the year in 2010. Plaintiff Co-Lead Counsel in the Southern California Fire cases litigation arising from the 2017 Thomas Fire and subsequent debris flows in Montecito, California and serves on the Plaintiffs Executive Committee for the 2017 North Bay Fires in Northern California. Additionally, Mr. Panish has been appointed as Co-Lead Trial Counsel in the Porter Ranch/ Aliso Canyon Gas Well Blowout Litigation and has served in leadership roles in the Asiana Airlines Crash Litigation, the Olympus Superbug CRE Litigation and DePuy ASR Hip Implant Litigation, among others. Since 2011, Mr. Panish has obtained more than 500 million in verdicts including, among others, a landmark verdict of \$53,745,374 for two Southern California brothers who were severely injured following a head on collision with a big rig. A verdict of \$41,864,102 for a US Air Force Captain who suffered catastrophic injuries after being struck from behind while on his motorcycle and then dragged a football field against Southern California Gas Company truck. Mr. Panish has been recognized by numerous publications and organization as being among the top trial lawyers in the country.

**Jennifer L. Russell**

Ford, Walker, Haggerty, & Behar LLP  
Jennifer L. Russell is a partner and trial attorney with the firm of Ford, Walker, Haggerty & Behar, LLP. She has successfully tried many cases with significant exposure. Her practice area is defending personal injury cases involving automobile and common carrier liability, premises liability and general liability. Ms. Russell has handled hundreds of cases to successful conclusion through mediations, arbitrations and trials. In 2019, she prevailed in 6 trials, including defense verdicts in a very contentious wrongful death case in which plaintiff demanded 100 million dollars and an admitted liability DUI motor vehicle case in which several million dollars and punitive damages were demanded. In 2015, she was inducted into the American Board of Trial Advocates (ABOTA) and the majority of her trials have ended in defense verdicts in which her clients were awarded costs. In addition to complex cases involving

catastrophic injuries and wrongful death, she has extensive experience in handling suspect claims. She has worked closely with specialized organizations and spoken at seminars, including a recent ASCDC seminar, regarding the defense of suspect claims to other attorneys and claims personnel. Ms. Russell was also nominated and selected as a Fellow to The Litigation Counsel of America (LCA), an honorary society composed of less than one percent of American Lawyers.

**Robert T. Simon**


The Simon Law Group  
Robert T. Simon is the co-founder of the Simon Law Group and acts as the primary trial attorney. He founded the firm in 2009 with his twin brother/wombmate/best friend, Brad Simon. Now he gets to work with his entire family every day: brothers, sisters, parents, and even his stepmom! Robert is also the co-founder of Justice HQ: an exclusive membership for attorneys which gives access to all the resources, space, and collaboration needed to run a solo practice. Robert attended George Washington University and Pepperdine Law. He is a proud member of ABOTA, CAALA, CAOC, CASD, and OCTLA. He has received numerous awards for notable verdicts up and down the coast of California including 2015 San Diego Trial Lawyer of the Year, 2014 Los Angeles Top Trial Lawyer under 40, and 2014 Orange County Young Gun Trial Lawyer of the Year. He is also Past President and active board member of the Los Angeles Trial Lawyer Charities. Robert devotes his time to giving back to the community and helping teach other trial lawyers the craft of fighting for those in need – he even hosts the Justice Team Podcast to spread his knowledge to the masses. Outside of practicing and teaching the law, Robert spends most of his time with his wife, Christine, and their daughter, Remington.

**Deborah Tropp**

McNeil Tropp & Braun, LLP  
Deborah Tropp is a founding partner of McNeil Tropp & Braun LLP and has represented numerous insurance companies and private clients in complex trials and is known for her expertise in insurance defense/civil litigation. Her main practice includes defense of personal injury cases involving auto, trucking, medical malpractice, elder abuse, products liability and premises liability. Ms. Tropp also represents clients in employment litigation, business litigation, and healthcare law. Ms. Tropp's educational background includes B.A. from the University of California Los Angeles and Juris Doctorate degree from McGeorge University School of Law. Upon graduation from law school, Ms. Tropp received the Order of the Barristers Award for excellence in Trial Advocacy. Ms. Tropp is a national representative for the Orange County Chapter of the American Board of Trial Advocates (ABOTA) and a proud member of several professional organizations including the American Board of Trial Advocates Foundation and the Orange County Women Lawyers Association. Ms. Tropp has been selected as a member of the International Society of Barristers as well as receiving recognition as a Top 100 Civil Defense Litigator. She volunteers for the Constitutional Rights Foundation's Mock Trial Program and has been a mock trial judge and high school mock trial coach. Ms. Tropp regularly lectures to insurance companies, attorney groups, and healthcare providers on such topics as Proper Patient Charting, MICRA, Civility, and Sexual Harassment in the Workplace.

**Registration**

 Register online at [www.abota.org](http://www.abota.org)

 Course materials will be delivered via email.

**Online registration closes at 4:00 p.m. (CST) on Tuesday, January 7, 2020.**

**Tuition**

**\$395.00 Non-ABOTA members**

**\$345.00 ABOTA members**

**Refund Policy**

**Refunds will be given, less a \$40 administrative fee if received in writing in the Foundation offices no later than 3:00 p.m. (CST) on Friday, January 3, 2020. Refunds are not available for no-shows or cancellations after Friday, January 3, 2020. All registrations must be pre-paid.**

**Program Location**

**Chapman University  
Dale E. Fowler School of Law  
Kennedy Hall Room 237  
1 University Drive  
Orange, CA 92866**

**Schedule** (agenda subject to change)

- |   |   |
|---|---|
| 7:30 a.m. – 8:30 a.m. <b>Registration</b>                     | 12:30 p.m. <b>Ethics, Presented by Lewis R. Sifford</b><br>(Lunch Provided) |
| 8:45 a.m. <b>Welcome &amp; Overview</b>                       | 1:45 p.m. <b>Examination of Defendant's Expert Witnesses</b>                |
| 9:00 a.m. <b>Voir Dire</b>                                    | 2:40 p.m. <b>Break</b>  |
| 9:30 a.m. <b>Opening Statements</b>                           | 2:55 p.m. <b>Closing Arguments</b>  |
| 10:00 a.m. <b>Examination of Plaintiff's Lay Witnesses</b>    | 3:55 p.m. <b>Jury Discussion</b>  |
| 10:55 a.m. <b>Break</b>                                       | 4:20 p.m. <b>Judge's Thoughts</b>   |
| 11:10 a.m. <b>Examination of Plaintiff's Expert Witnesses</b> | 4:45 p.m. <b>Adjourn</b>  |
| 11:50 a.m. <b>Examination of Defendant's Lay Witnesses</b>    |   |

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2001 Bryan Street, Suite 3000  
Dallas, TX 75201-3005  
www.abota.org

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## Comments from previous programs

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*"The finest CLE that could be presented"*

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*"Outstanding speakers - well-prepared - excellent demonstration of trial skills."*

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*"Wonderful program - a fine treat and a wealth of information."*

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*"I was very pleased to be exposed to so many excellent trial attorneys."*

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*"One of the best I have even attended on practical trial issues."*

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*"Very good program, well worth the cost & time."*

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*"I loved this program! I'd love to attend another!"*

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*"Everything was great. Do it again."*

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*"I learned much more seeing attorneys in action than I would have reading 2 – 3 books."*

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