



Oregon Law Institute
of Lewis & Clark Law School

Preparing Your Witnesses for Trial

The Key to Winning a Close Case

featuring **David B. Markowitz**

Call it “woodshedding,” rehearsal, witness interviews, or trial preparation. Proper presentation of fact witnesses for trial or arbitration often saves the day. Using video clips, David Markowitz will prepare a witness for trial or arbitration. Those who attend will participate in the debriefing. In addition, experienced trial lawyers—John Coletti and Frank Moscato—will offer their views about witness preparation and veteran Circuit Court Judge Janice Wilson will talk about witness demeanor as seen from the bench.



Friday, June 25, 2004

**Oregon Convention Center
777 NE Martin Luther King Jr., Blvd.
Portland, Oregon**

3.5 General or Practical Skills MCLE Credits

Why Attend:

Voir dire is of ever-diminishing value in both state and federal courts. But all seasoned trial lawyers agree that the outcome of a trial or arbitration is tied directly to the ability of their clients and witnesses to communicate facts to the judge, jury, or arbitrator. This half-day program is designed to show lawyers how to improve the communication skills, both verbal and nonverbal, of their witnesses.

SCHEDULE

8:15 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS

8:55 WELCOME AND INTRODUCTION

9:00 - 10:00 **Preparing the Witness to Testify**

- Explaining the process
- Setting the stage
- Getting the job done
- Body language and credibility
– *David B. Markowitz*

10:00 - 11:00 **Critiquing the Witness Preparation**

- Video clips and critique
– *David B. Markowitz*

11:00 - 11:15 BREAK

11:15 - 12:30 **More Tips for Preparing Your Witnesses;
Witness Demeanor as Seen from the Bench**

Moderator: Hon. Janice R. Wilson
– *John M. Coletti*
– *David B. Markowitz*
– *Frank A. Moscato*

12:30 ADJOURN

Program Planner:

JEFFREY M. BATCHELOR is a partner with the Portland firm of Markowitz, Herbold, Glade & Mehlhaf, P.C. His practice emphasizes civil appeals and he serves as a mediator and arbitrator. He is a fellow of the American Academy of Appellate Lawyers and is listed in *Best Lawyers in America*.

About the Speakers:

DAVID B. MARKOWITZ with the Portland firm of Markowitz Herbold Glade & Mehlhaf, P.C. concentrates his practice in commercial litigation, including contract, tort, and statutory claims; trust litigation; real estate disputes. Mr. Markowitz is listed in *The Best Lawyers in America* for Business Litigation, is a fellow of the American College of Trial Lawyers, is a member of the American Board of Trial Advocates and was listed as one of the Top Ten Oregon Litigators by the *National Law Journal*.

JOHN M. COLETTI is a partner in the Portland law firm of Tichenor Dziuba & Coletti LLP. Mr. Coletti's practice focuses on personal injury, product liability, and professional negligence.

FRANK A. MOSCATO is a shareholder in the Portland firm of Harrang Long Gary Rudnick P.C. An experienced litigation attorney, Mr. Moscato's practice emphasizes professional negligence defense, insurance defense, commercial litigation and industrial and employment claims. He is a frequent speaker on topics that include trial techniques, jury selection, the presentation of expert testimony, jurisprudence and ethics.

HON. JANICE R. WILSON has been a Circuit Court Judge for Multnomah County since 1994, having served as a District Court Judge for Multnomah County from 1991 to 1994. Previous to that she was of counsel to Ater Wynne Hewitt Dodson & Skerritt in Portland, and a partner at Lindsay, Hart, Neil & Weigler in Portland. Judge Wilson is a frequent CLE speaker on trial practice, evidence, and other litigation topics.

LIVE PRESENTATION

Portland – 6/25/04
Oregon Convention Center
777 NE MLK Jr. Blvd.

MCLE CREDIT

Preparing Your Witnesses for Trial: The Key to Winning a Close Case will receive **3.5** General or Practical Skills MCLE credits.

PROGRAM TAPES

Even if you cannot attend, you can still get the program on audiotape or videotape. Use the order form in this brochure to order your set today! OLI Annual Passholders may purchase the tapes at 50% off the full retail price.

QUESTIONS?

Please call OLI at (503) 768-6580 in Portland or toll-free in Oregon at (800) 222-8213, e-mail us at oli@lclark.edu; or visit our Web site at www.lclark.edu/org/oli.

VIDEO REPLAYS

Please register at least one week prior to the replay date.

Bend – 7/16/04
Replay 8:30 a.m.
Bryant Lovlien & Jarvis
591 Mill View Way

Eugene – 7/9/04
Replay 8:30 a.m.
Harrang Long Gary & Rudnick, P.C.
360 East 10th Avenue, Ste. 300

Medford – 7/16/04
Replay 8:30 a.m.
Offices of Claudette Yost
916 W. 10th Street

Pendleton – 7/15/04
Replay 9:00 a.m.
Corey, Byler & Rew
222 S.E. Dorion

Portland – 7/21/04
Replay 9:00 a.m.
Oregon Law Institute
Gus J. Solomon Courthouse,
620 S.W. Main St., Suite 706

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Name _____ OSB No. or Profession _____

Firm/Organization _____

Street Address _____ City/State/Zip _____

Phone _____ Fax _____ E-Mail _____

Please "✓" appropriate box below:

- Live presentation
- Video replay. Location: _____ Date: _____

TUITION

(Prices apply to live and video replays.)

- \$129 "Early Bird" tuition (*received by June 21, 2004*).
- \$109 "Early Bird" tuition for new attorneys (admitted 2003–2004), paralegals, or secretaries (*received by June 21, 2004*).
- \$ 15 OLI Annual Pass holder (Annual Pass No. _____).
- \$ 20 Add to above tuition if registration received *after June 21, 2004*.

BOOK AND TAPE ORDERS

I am unable to attend. Please send me:

- Audiotapes and course book, at \$139 per set.
- Videotapes and course book, at \$199 per copy.
- Course book only, at \$49 per copy.
- Deduct 50% from order if you are an OLI Annual Pass holder (Pass No. _____)
- \$7.00** *Note: Add \$7.00 shipping & handling fee to above book and tape orders.*

ENCLOSED IS \$ _____ BY:

- Check payable to Oregon Law Institute (OLI)
- Credit Card: Acct. # _____
- VISA MasterCard
- Exp. Date: _____ Signature: _____

Return this form with payment to:
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Portland, OR 97205-3037

...or fax this registration
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(503) 768-6585.

QUESTIONS? Call (503) 768-6580 or (800) 222-8213.
Check out our website at www.lclark.edu/org/oli
or email us at oli@lclark.edu.

CONFIRMATION: Confirmation will be sent via e-mail or fax.

CANCELLATION POLICY: Tuition minus a \$20 handling charge will be refunded if the cancellation request is *written and received* by June 22, 2004.

NEED ASSISTANCE: If you are a person with a disability, please let OLI know in time to make any necessary accommodations for you.

TUITION ASSISTANCE: A limited number of scholarships are available based on financial need. Contact OLI.