

**DAVID BALL ON DAMAGES: ADVANCES & INNOVATIONS**  
**FRIDAY, APRIL 6**

Session No.	Time	Topic
	8:00 A	<b>BREAKFAST BUFFET</b>
1	9:00 A	Welcome & Introductions
2	9:15 A	The Automatic-Win Opening
3	9:45 A	<u>Advocacy in the Age of Trump: Dangers and Advantages</u>
	10:30	<b>COFFEE BREAK</b>
4	10:45 A	<u>Advocacy in the Age of Trump</u> (Continued)
5	11:30 A	Game Changers in Testimony
	12:00	<b>LUNCH</b>
6	1:15 P	<u>Malekpour and Ball Research</u> Reports
7	2:00 P	Reptile Improvements
	3:00 P	<b>SNACK BREAK</b>
8	3:15 P	Women in Trial: Being One/Working with One
9	4:00 P	Lost and Found: Law You've Forgotten and Need
10	4:30 P	Escaping Alcohol
11	4:45 P	The Ultimate Craft: Screening for and Dealing with Case Weaknesses
12	5:30	New Closing Arguments
	6:00 P	<b>WELCOME RECEPTION</b>
	8:00 P	<b>END OF DAY 1</b>

**TOTAL MINUTES:  
420 MINUTES,  
OF WHICH 90 MINUTES  
ARE ELIGIBLE FOR  
SPECIALTY/ETHICS  
CREDIT**

**LOCATION:  
GROSSMAN HALL**

## FOIL THEIR PLANS TO SPOIL YOUR CASE

SATURDAY, APRIL 7

Session No	8:00 A	BREAKFAST BUFFET	<b>TOTAL MINUTES: 390 MINUTES</b>  <b>LOCATION: CEREMONIAL CLASSROOM</b>
1	9:00 A	Introduction	
<b>WINNING AT THE BEGINNING</b>			
2	9:15 A	Part A: Voir Dire: Cutting Out the Bias	
	10:30 A	<b>COFFEE BREAK</b>	
3	10:45 A	Part B: The Untapped Power of Opening	
	12:00 A	<b>LUNCH</b>	
<b>BEARING FRUIT TO THE END</b>			
4	1:15 P	Part A: Staying Ahead Through the Evidence Phase	
5	2:15 P	Part B: Holding All the Cards	
	4:00 P	<b>SNACK BREAK</b>	
<b>INTERACTIVE ROUNDTABLE DISCUSSION</b>			
6	4:15	Presenters' Roundtable	
	5:30 P	<b>END OF DAY 2</b>	

### ATTENDANCE RESTRICTION

**PLEASE NOTE:** Both days of this event are open only to civil plaintiff's OR criminal defense counsel. *Lawyers who perform any work on behalf of insurance companies or any form of civil defense work are not allowed to attend.* All attendees will be required to sign and submit an affidavit to that effect before being allowed entry.

**NO PHOTOGRAPHY OR AUDIO/VIDEO RECORDING IS ALLOWED**

## PRESENTERS

### DAVID BALL

David Ball (Malekpour Ball Consulting) is the nation's most influential trial consultant. With partner Artemis Malekpour, he guides plaintiff's civil cases and criminal defense cases across the country. They are the only trial consultants qualified to guide attorneys with Reptilian methods and strategies and with **David Ball on Damages**. They have an unparalleled record in helping attorneys with every size and kind of case.

Dr. Ball is also a pioneer in adapting methods of film and theater presentation for use in trial. His theater/film students hold Oscars, Obies, Tonys, and Emmys. His Theater Tips and Strategies for Jury Trials has been a bestseller for nearly two decades, and his Backwards and Forwards has been a foundation of theater and film training since 1984.

Dr. Ball wrote two of the bestselling trial strategy books ever published: *David Ball on Damages* and—with Reptile cofounder Don Keenan—*Reptile: The 2009 Manual of the Plaintiff's Revolution*.

Dr. Ball is an award-winning teacher for the North Carolina Advocates for Justice and the American Association for Justice's National College of Advocacy. He has also taught law students at North Carolina, Wake Forest, Pittsburgh, Minnesota, and Campbell law schools, and at Duke Law as a Senior Lecturer. He has long been the nation's most in-demand continuing legal education speaker

- Principal, Malekpour and Ball Litigation Strategy
- Author, **David Ball on Damages 3**
- Co-Author, **Theater for Trial**
- Co-Author, **Reptile: The 2009 Manual of the Plaintiff's Revolution**
- Co-Author, **Reptile in the MIST and Beyond**
- Author, **David Ball on Criminal Defense**
- Ph.D., Theater and Communications, University of Minnesota-Twin Cities
- M.A., Medieval Literature, University of Maryland College Park
- B.A., Theater & Literature, Alfred University
- Science and Engineering, Rensselaer Polytechnic Institute



#### WEBSITES

<http://malekpourball.com/>  
<https://reptilekeenanball.com/>

#### LINKEDIN

<https://www.linkedin.com/in/david-ball-16630b68/>

#### TRIAL GUIDES

<https://www.trialguides.com/authors/david-ball/>

## **ARTEMIS MALEKPOUR**

Artemis Malekpour of Chapel Hill, NC is a partner in the litigation consulting firm Malekpour & Ball, where she specializes in case strategy, jury selection, focus groups and jury research. As a lawyer with a background in psychology and psychiatric research, Artemis holds a Bachelor's degree in psychology from the University of North Carolina at Chapel Hill and a Master's in Healthcare Administration with a concentration in mental health issues from UNC's School of Public Health. Before earning her degree with honors from Duke Law School, Artemis worked in the Department of Psychiatry at the University of North Carolina Hospitals with children and adolescents coping with psychiatric disorders and legal issues.

Artemis began her path to litigation consulting while still in law school, conducting post-trial jury interviews in both civil and death penalty cases. It's there she learned the value of listening to different and conflicting viewpoints to better identify what's driving decision-making, as well as the importance and skill of framing an argument in a more productive and persuasive way.

A member of the North Carolina Advocates for Justice, AAJ and the North Carolina State Bar, Artemis has co-authored a book chapter, "Public and Private Sector Involvement in Managed Mental Health Care," in *Managed Care & Public Health*, is featured in *Trial Guides' How to do Your Own Focus Groups*, and has contributed a number of articles and chapters in legal publications, including submissions within *David Ball on Damages 3*, *David Ball on Criminal Defense* and *Reptile in the MIST and Beyond*.

Artemis has consulted on a wide variety of cases, both large and small, advising plaintiff's attorneys and criminal defense attorneys across the country on how to deal with their case weaknesses and maximize their strengths. She is particularly well-known for identifying the potential landmines in a case, incorporating the knowledge and experience she's gained from years of watching jury deliberations and talking with actual and potential jurors nationwide. Artemis also places a strong emphasis on case presentation and the development of a compelling damages story.

- Principal, Malekpour and Ball Litigation Strategy
- Co-Author and Presenter, *Focus Groups: How to Do Your Own Jury Research*
- Co-Author, Chapter: Public and Private Sector Involvement in Managed Mental Healthcare, **Managed Care and Public Health**
- J.D., Duke University School of Law
- M.H.A., Healthcare Administration, University of North Carolina at Chapel Hill School of Public Health
- B.A., Psychology, University of North Carolina at Chapel Hill.

**Admissions:** North Carolina



### **WEBSITES**

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### **TRIAL GUIDES**

<https://www.trialguides.com/authors/artemis-malekpour/>

## **KEITH MITNIK**

Keith R. Mitnik was born in Eustis, Florida in 1959. He graduated from Eustis High School in 1977. He graduated from UCF Magna Cum Laude in 1981 with a degree in Allied Legal Services. He graduated from FSU Law School with honors 1984. Upon graduation he was selected to train under one of the premier Trial Attorneys in Central Florida. Within two years he was named a partner by his mentor. He remained in the firm of Robertson, Williams, Mitnik and McDonald until 1992, when he formed The Law Firm of Peed and Mitnik. In 1997 he joined the Law Firm of Morgan & Morgan and is now one of the owners.

Keith Mitnik is Senior Trial Lawyer for Morgan & Morgan. He is designated to assist other members of the firm on their trials; as a result, he tries a large number of cases a year.

He has handled many high-profile cases and has been interviewed by Mike Wallace on 60 Minutes. Over the years, his list of clients included judges, elected officials, law firms, and world-famous musicians. He

has handled such high profile cases as the suit against Brittany Spears by her former manager, the suit by the Backstreet Boys against their former manager, the suit by Harlem Globetrotters legends including Curly Neal and Meadowlark Lemon against The Harlem Globetrotters, the civil suit against Casey Anthony, and the "Tailwind" case against CNN and Time Magazine (one of the leading defamation cases of the last decade). He has been honored as a member of the Florida Legal Elite, Florida's "Super Lawyers", Best Lawyers in America (2013 Lawyers of the Year), and Martindale's Bar Registry of Preeminent Lawyers.

Mr. Mitnik has obtained a long list of verdicts in excess of a million dollars. In the last few years, he has jury verdicts of \$1 Million, \$1.35 Million, \$2.4 Million, \$2.7 Million, \$5.1 Million, \$18.1 Million, \$27 million, \$40 Million, and a \$90 Million (which was the 7th largest verdict in America for 2010).

He is a frequent seminar presenter for plaintiff's lawyers in Florida and across the country sharing his cutting-edge lawsuit strategies.

- Senior Trial Counsel, Morgan and Morgan
- Author, **Don't Eat the Bruises: Foil Their Plans to Spoil Your Case**
- Author and Presenter, *The Power of Analogy* video
- Author and Presenter, *Winning at the Beginning: The Untapped Power of Voir Dire, Opening and Beyond* video
- J.D., Florida State University Law School, *with honors*
- B.S., Allied Legal Services, University of Central Florida, *magna cum laude*



### **WEBSITES**

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### **LINKEDIN**

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### **TRIAL GUIDES**

<https://www.trialguides.com/product/dont-eat-the-bruises/>