



2013

Publication Catalog

National Institute
for Trial Advocacy



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What is NITA?

The National Institute for Trial Advocacy (NITA) originated the concept of rigorous learning-by-doing trial skills training in 1971. Since then we have continued to refine our unique learning-by-doing methodology. NITA's mission is to train and mentor lawyers and legal professionals in the art of effective and ethical advocacy in the pursuit of justice. We are a leading publisher of legal resources for law schools, practitioners, and libraries. As part of our mission, NITA provides scholarships and minimum tuition programs for public service attorneys.

Why Do Law Schools Choose NITA Publications?

OUR SKILLS-BASED FOCUS GIVES YOU THE INSIGHT AND EXPERIENCE NECESSARY TO TAKE YOUR ADVOCACY TO THE NEXT LEVEL.

Our publications are designed to help lawyers develop and refine their advocacy skills in every stage of litigation. Whether it's written discovery, e-discovery, deposition, trial preparation, appeals, or alternative dispute resolution, our books give you the tools to do it all with confidence.

If you're looking for practical skills advice, we have books ranging from how to handle an administrative agency case to preparing trial notebooks to winning appeals.

If you're looking to enhance your classroom experience with interactive problems, we have a library of case files and problems to enhance any learning experience.

Order Today!

AT www.lexisnexus.com/NITA

or CALL **800.533.1637**

Dear NITA Advocate:

NITA is proud to continue to improve its trial advocate collection. One of the highlights this year was the much-anticipated release of *Effective Deposition*, now in its fourth edition.

Partnering with our friends at LexisNexis, the NITA publications department has stepped up the flexibility of print case files. Presenters will find the pages perforated so exhibits can be easily removed, and the included CD-ROM contains images of the exhibits ready to be enlarged and used for trial practice. Look for more details on the copyright page. Three of our top case files were updated this year: *Potter v Shrackle*, *State v Diamond*, and *State v O'Neill*. Our new files include: *Addison v Peyton*, *State v Travers*, *State v Bloodworth*, and *Love v Regency*.

Our pocket-size law library offers new titles. NITA is proud to be working with David Malone on his new series: *Deposition Rules*, *Expert Rules*, *Expert Report Rules*, and *Effective Deposition Defense Rules*. More are coming, on exhibits, jury speech, *Daubert*, and Rule 30(b)(6).

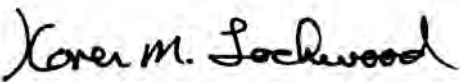
You can expect more innovations in our top-quality content and in its presentation. Expect new versions and new ways to access information from titles such as *Modern Trial Advocacy*, new editions of case files, expansions of our practicum series, and the development of more pocket-size reference books.

We've expanded the selection of titles we offer on Amazon.com, taking NITA books to more and more people throughout the United States and beyond.

Our job will never be done. Creating new resources for trial advocacy excellence is our passion, and our products appear in the law school classroom, our famed NITA advocacy skills programs, your reference library, and your collection of reference manuals—and now on your laptop, tablet, or smartphone.

You are drawn to NITA whenever you think of go-to resources to perfect your trial skills. As you watch us grow our collection, you will find we can be constantly with you. NITA—your trusted colleagues in learn-by-doing and authoritative trial advocacy content.

Warm Regards,



Karen M. Lockwood, Esq.

PRESIDENT AND EXECUTIVE DIRECTOR

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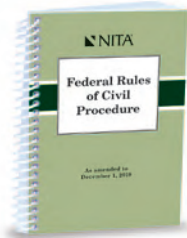
OF SPECIAL INTEREST

Federal Rules of Civil Procedure

2010 EDITION

This handy guide compiles the Federal Rules of Civil Procedure, as amended through December 1, 2010. The small-format packaging is designed so you can easily tuck the book into a pocket or briefcase. The spiral binding allows you to place the book flat on a desk or table, so you can quickly reference pages without damaging the spine.

\$20 | 268 pp., Pub. #28686, ISBN 9781601561640, © 2010

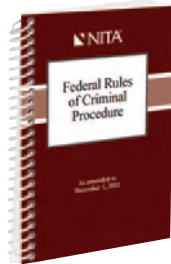


Federal Rules of Criminal Procedure

2013 EDITION

This edition of NITA's convenient pocket-size book incorporates the amendments to the Federal Rules of Criminal Procedure that went into effect December 2012.

\$20 | 184 pp., Pub. #28685, ISBN 9781601562227, © 2013

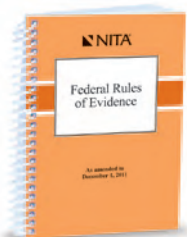


Federal Rules of Evidence

2011 EDITION

This handy guide compiles the Federal Rules of Evidence for U.S. Courts and Magistrates, as amended through December 1, 2011. The small-format packaging is designed so you can easily tuck the book into a pocket or briefcase. The spiral binding allows you to place the book flat on a desk or table, so you can quickly reference pages without damaging the spine.

\$20 | 78 pp., Pub. #28684, ISBN 9781601561787, © 2011



Federal Rules of Evidence with Objections

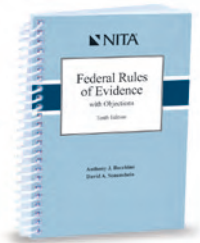
TENTH EDITION

Anthony J. Bocchino and David A. Sonenshein

Federal Rules of Evidence with Objections contains the complete text of the Federal Rules of Evidence as amended to December 1, 2011. This useful guide is organized for quick reference, with an alphabetical section of major objections, and includes practical tips and legal interpretations for each rule. The small-format packaging is designed so you can easily tuck the book into a pocket or briefcase. The spiral binding allows you to place the book flat on a desk or table, so you can quickly reference pages without damaging the spine.

In addition, the book lists key phrases for objections with thumb tabs for quick reference, and includes a mini CD-ROM with the entire book in PDF format hyperlinked and bookmarked for ease of use.

\$45 | 236 pp. with mini CD-ROM, Pub. #28683, ISBN 9781601561794, © 2011



Objections at Trial

FIFTH EDITION

Myron H. Bright, Ronald L. Carlson, and Edward J. Imwinkelried

NITA's invaluable handbook bridges the gap between knowing the rules of evidence and applying them in a judicial setting—and clearly identifies what proposed evidence is subject to exclusion by objection. This updated Fifth Edition provides the reader—judge, lawyer, or law student—with a primer on the fine art of making effective objections to inadmissible evidence. *Objections at Trial*, based on the Federal Rules of Evidence, will also be useful in practice in the courts of all fifty states. Indeed, forty-one states now have evidence codes patterned directly after the Federal Rules. This updated edition includes a mini CD-ROM with the entire book in PDF format hyperlinked and bookmarked for ease of use.

\$35 | 348 pp. with mini CD-ROM, Pub. #28682, ISBN 9781601560735, © 2008



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Federal Trial Objections Quick Reference Card

Sydney A. Beckman

This handy four-panel reference card offers the student or trial attorney a quick reference to federal trial objections. An extensive list of objections, ranging from hearsay to confrontation clause issues, is categorized into sections for easy subject reference. Each objection is paired with the supporting rule(s) of evidence or procedure.



\$9.95 | Pub. #28744, ISBN 9781601560827, © 2008

PREPACK OF 25 CARDS IS ALSO AVAILABLE:

\$248.75 | Pub. #28744, ISBN 9781601560858, © 2008

Mock Trials: Preparing, Presenting, and Winning Your Case

Steven Lubet and Jill Trumbull-Harris

This trial advocacy textbook is designed specifically to educate undergraduate students on the methods and techniques needed to prepare and present a mock trial case for competition. *Mock Trials* addresses the essentials of trial persuasion and explains legal issues in terms easily understood by pre-law students.



\$35 | 272 pp., Pub. #28702, ISBN 9781556817137, © 2001

Trial Prep for Paralegals: Effective Case Management and Support to Attorneys in Preparation for Trial

Michael L. Coyne and Ursula Furi-Perry

Coyne and Furi-Perry have created the essential how-to guide for trial preparation. Paralegals will master every stage of litigation, from initial client interviews to pulling together the trial notebook. The book begins with overviews of the litigation process and the evidence rules. Practical skills for interviewing, handling discovery, preparing exhibits, and more are explained with examples.



\$35 | 238 pp., Pub. #28745, ISBN 9781601560841, © 2009

Problems and Cases in Interviewing, Counseling, and Negotiation

Anthony J. Bocchino, Thomas F. Geraghty,
Melissa Nelkin, and Mark K. Schoenfeld

These materials are divided into two parts—exercises and problems. The introductory exercises are designed to focus attention on basic communications skills that are crucial in the interviewing/counseling or negotiation setting. The purpose of these exercises is to isolate and develop these basic communication skills before attempting full-scale interviewing/counseling or negotiation problems. The exercises are followed by interviewing/counseling or negotiation problems. Some of them are based on the *Potter v. Shrackle* and *State v. Diamond* case files. Each problem contains basic information known to all participants. These problems are designed as tools for “learning by doing.”

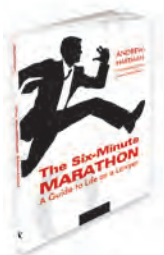


\$45 | 292 pp., Pub. #28752, ISBN 9781556810718, © 1986

The Six-Minute Marathon: A Guide to Life as a Lawyer

Andrew Hartman and Caren Ulrich Stacy

Transitioning from law school to law practice can be the most daunting thing you do in your professional career. *The Six-Minute Marathon* is your survival guide to thriving in BigLaw practice. Andrew Hartman advises the up-and-coming generation of attorneys with humor and practicality. Stories of failed associates and redeeming moments from his twenty-plus years of practice will enlighten you as you venture into the world of law and learn to record your marathon of success in six-minute increments. As a bonus, Caren Ulrich Stacy provides insights from her own nearly twenty-year career in professional development. From the initial interview to dressing to impress to networking your way to the top, *The Six-Minute Marathon* will guide you around the pitfalls that ensnare so many of your unwary colleagues and lead you toward your BigLaw dreams.



\$12.95 | 168 pp., Pub. #28517, ISBN 9781601561473, © 2011

ALTERNATIVE DISPUTE RESOLUTION

NITA PRACTICAL GUIDE SERIES

Advanced Negotiation and Mediation Theory and Practice: A Realistic Integrated Approach

Paul J. Zwier and Thomas F. Guernsey

Advanced Negotiation and Mediation Theory and Practice is an integrated, systematic guide to the styles and strategies of both adversarial and problem-solving negotiation and mediation approaches. Zwier and Guernsey provide the law school student with an outline to design and implement effective negotiation plans to achieve the best results.

\$65 | 230 pp., Pub. #28724, ISBN 9781556819506, © 2005



Alternatives to Litigation

SECOND EDITION

Andrea Doneff and Abraham Ordover

Alternatives to Litigation was first published in 1993 when alternate dispute resolution practice was in its infancy. Now over a decade later and in its Second Edition, this book reflects the growth in this field and also the growing interest in—and in some states, mandatory use of—ADR. Authors Andrea Doneff and Abraham Ordover explore key concepts and terms, and address practical how-to issues that all attorneys need to recognize and master regardless of their field of expertise. *Alternatives to Litigation* includes appendices providing sample agreements, checklists, a model standard of conduct, commentary on ethical issues, and other useful resources.

\$60 | 272 pp., Pub. #28705, ISBN 9781556817496, © 2002



NITA PRACTICAL GUIDE SERIES

Arbitration Advocacy

SECOND EDITION

Hon. John W. Cooley and Steven Lubet

A sensible guide to the arbitration process, *Arbitration Advocacy* explains how to get the best results for clients in all types of arbitration settings, from commercial to labor. Steven Lubet, author of NITA's best-selling *Modern Trial Advocacy*, introduces students to every step of decision making, preparation, and advocacy in the hearing and prehearing stage of arbitrations. You will find specific, detailed advice on:

- Choosing when to arbitrate
- Delivering effective openings and closings
- Examining witnesses
- Arbitration strategy and tactics

\$75 | 598 pp., Pub. #28712, ISBN 9781556817991, © 2003



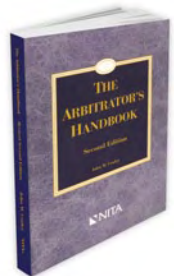
The Arbitrator's Handbook

REVISED SECOND EDITION

Hon. John W. Cooley

The Arbitrator's Handbook offers a full range of features geared to assist the arbitrator in performing his or her duties. This publication defines the role, authority, and ethics requirements of the arbitrator. Chapters focus on providing basic information on the nature of arbitration, including a description of its stages and types, and its benefits and limitations, describing the prehearing functions and duties of the arbitrator, focusing on the time of initiation of the arbitration as well as the preparation stage; the arbitrator's hearing functions and duties, and covers such topics as the arbitrator's opening statement, handling preliminary matters, a review of basic rules of evidence, and making rulings on motions and objections; the arbitrator's post-hearing functions and duties, and addresses such topics as ruling on post-hearing motions, deciding the merits of the case, and drafting the award and the opinion supporting the award. The appendix also contains sample arbitration forms and rules from leading dispute resolution organizations, making this the most comprehensive text available for "hands-on" arbitration instruction.

\$85 | 469 pp., Pub. #28751, ISBN 9781601561053, © 2009



The Art of Mediation

SECOND EDITION

Scott Hughes, Mark Bennett, and Michele Hermann

This workbook is designed for basic mediation training. Authors Scott Hughes, Mark Bennett, and Michele Hermann take NITA's performance-based training for trial lawyers and adapt it to training for mediators. The authors have used these materials extensively in their mediation training classes at law schools and in programs open to the public. *The Art of Mediation, Second Edition* sets the mediation process in context, provides basic definitions, contrasts mediation with other forms of dispute resolution, describes varieties of mediation, and lays out roles and functions of the mediators. The book contains forms that illustrate sample agreements to mediate and final mediation agreements, plus a section containing hypothetical situations for performance training.

\$65 | 312 pp., Pub. #28717, ISBN 9781556818653, © 2005

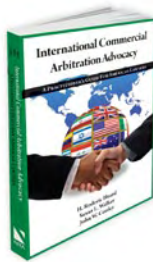


International Commercial Arbitration Advocacy

Hon. John W. Cooley, H. Roderic Heard, and Susan L. Walker

Authored by H. Roderic Heard, Susan L. Walker, and the late Honorable John W. Cooley, *International Commercial Arbitration Advocacy* is the first book of its kind to offer practical advice for American trial lawyers on advocacy in international arbitration. Unlike arbitration treatises, which typically are written from the perspective of the arbitrator, *International Commercial Arbitration Advocacy* explains how experienced trial lawyers can tailor their advocacy skills to be more persuasive and ultimately successful in the international arbitration arena.

\$65 | 264 pp. with CD-ROM, Pub. #28527, ISBN 9781601560810, © 2011



NITA PRACTICAL GUIDE SERIES

Mediation Advocacy

SECOND EDITION

Hon. John W. Cooley

This classic text includes sections on various mediation design processes and techniques, and leads you step by step through the mediation process, likening lawyers to architects who design structural solutions to achieve clients' goals. The chapter on cybermediation presents a real-life scenario that takes students through the various stages of the process, including case and client preparation and in-session and post-session advocacy. The appendix contains sample mediation forms and rules, lists of ADR providers, and a list of nonprofit organizations that study and promote the use of ADR.

\$75 | 470 pp., Pub. #28709, ISBN 9781556817809, © 2002



The Mediator's Handbook

SECOND EDITION

Hon. John W. Cooley

The Mediator's Handbook explains the roles and functions of mediators with unrivaled diligence and clarity. It outlines the basics of mediation; essential communication skills; pre-conference, conference, and post-conference duties; and hybrid and cybermediation. In *The Mediator's Handbook*, Cooley stresses that mediation skills training should address essential lawyering attributes that carry over into every aspect of the practice of law.

\$75 | 536 pp., Pub. #28731, ISBN 9781556819940, © 2006



“I love NITA materials! They are grounded experiential problems that permit students to learn by seeing, reading, and doing. I have used them for years.”

—Michael R. Feagley

Mayer Brown Rowe & Maw, Chicago, IL

APPELLATE ADVOCACY

NITA PRACTICAL GUIDE SERIES

BEST SELLER

Winning on Appeal: Better Briefs and Oral Argument

SECOND EDITION

Hon. Ruggero J. Aldisert

First published more than a decade ago, *Winning on Appeal* has been adopted by many top-flight law schools for appellate advocacy courses. It also has become a popular desk reference on how to write an effective brief and deliver a persuasive oral argument. Aldisert has created a wonderfully instructive how-to manual for the appellate advocate. Throughout *Winning on Appeal*, nineteen current chief justices of state courts, nine chief judges of U.S. courts of appeals, more than twenty U.S. circuit judges, and many state appellate judges contribute their thoughts on how to write a brief and how to argue a case—information that is not available in any other publication or resource. Judge Aldisert draws the perfect road map for the attorney who wants to win on appeal.

The Honorable Ruggero J. Aldisert received the 2008 Golden Pen Award from the Legal Writing Institute.

\$75 | 500 pp., Pub. #28714, ISBN 9781556818240, © 2003



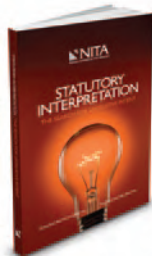
Statutory Interpretation: The Search for Legislative Intent

SECOND EDITION

Ronald Benton Brown and Sharon Jacobs Brown

Statute reading doesn't have to be arduous. Designed to be read with a particular statute in mind, this handy guide is perfect for attorneys preparing for litigation, judges who need to understand the required and prohibited methods for statutory interpretations when bound by decisions of higher courts, and students seeking the tools of statutory interpretation. The second edition has been revised to respond to comments and suggestions received as well as to update developments since the publication of the first edition.

\$35 | 220 pp., Pub. #28710, ISBN 9781601561589, © 2011



CHILD/JUVENILE ADVOCACY

Allen v. Allen

EXPERT EDITION

Andrew I. Shephard, Gregory Firestone, Louis P. Ortiz,
Arline S. Rotman, and Philip Stahl

These materials tell the story of the Allen family—David, Lynne, and their children—Jane, age thirteen, and Joey, age eleven. It describes the legal and emotional challenges they face as a consequence of David and Lynne's pending divorce.

\$28 | 196 pp., Pub. #28755, ISBN 9781556819872, © 2006

PETITIONER EDITION

\$28 | 186 pp., ISBN 9781556819858, © 2006

RESPONDENT EDITION

\$28 | 186 pp., ISBN 9781556819865, © 2006

FACULTY EDITION

\$30 | 202 pp., ISBN 9781422479278, © 2006



TERMINATION OF PARENTAL RIGHTS

In Re Pena

Diane Geraghty, Thomas F. Geraghty, and Angela C. Vigil

This case file presents two problems that many young children caught up in the juvenile justice system experience. The first focuses on the parental rights of Maria Pena, a mother with an apparent substance abuse problem, who has two children: Ricky (9) and Eva (8). A termination of parental rights case ensues when the Nita City police are called to Maria Pena's residence after Ricky and Eva were found requesting food from a neighbor, claiming they had none in their house. There are five witnesses in the case. The second problem of the case file involves a delinquency petition filed against eight-year-old Eva, who is charged with assault of a foster child in the foster home where she is placed. She claims she learned this behavior by watching violent television programming. The second part of the file includes seven witnesses.

\$28 | 146 pp., Pub. #28605, ISBN 9781556818059, © 2003

Teaching materials available



TERMINATION OF PARENTAL RIGHTS

In the Interest of Grace Kyles, People v. Cynthia Kyles

Richard T. Cozzola and Timothy McDonald

Cynthia Kyles is the mother of five children, four of whom were taken into state custody before because of child neglect and substance abuse. The fifth child, Grace Kyles, was not taken into state custody because Nita Child Protection was not aware that Cynthia Kyles had given birth to Grace. Later, Grace Kyles was taken into protective custody. A grand jury indicted Cynthia Kyles for aggravated battery and Grace became a ward of the court. Because the foster parents wish to adopt Grace, the State is proceeding with an action for termination of parental rights on Grace only.



\$28 | 144 pp., Pub. #28766, ISBN 9781556816680, © 2002

DIVORCE

Slovin v. Slovin

Barbara S. Barron and Lawrence W. Kessler

Sasha and Loren Slovin, a six-year-old boy and a ten-year old girl, are the center of their parents' custody battle. *Slovin v. Slovin* addresses not only this custody battle but also two other matters between Michael and Rita Slovin: divorce on the grounds of adultery and/or cruel and inhuman conduct, and a domestic tort (battery). The divorce case includes three witnesses for the plaintiff (Rita) and three witnesses for the defendant (Michael). The tort action includes two witnesses for the plaintiff (Michael) and two witnesses for the defendant (Rita). This case may be used as a bench or jury trial and contains materials for advanced negotiation and mediation.



\$28 | 144 pp., Pub. #28598, ISBN 9781556817687, © 2002

NEGOTIATION AND MEDIATION MATERIALS, RITA SLOVIN

\$18 | 104 pp., ISBN 9781556817885, © 2002

NEGOTIATION AND MEDIATION MATERIALS, MICHAEL SLOVIN

\$18 | 100 pp., ISBN 9781556817878, © 2002

CIVIL RIGHTS

EXCESSIVE USE OF FORCE

James v. Colt

Hon. Andrew P. Rodovich

After serving time in prison for selling cocaine, Bart James has several run-ins with his arresting officer, John Colt, who subsequently arrests him again. James is shot during the arrest. The plaintiff argues Colt sought him out to make another arrest and then used excessive force. The defendant claims that James made several threatening remarks to him justifying the arrest. This case file provides nine witnesses and instructs the student to select three to develop his case.



\$28 | 98 pp., Pub. #28630, ISBN 9781556819964, © 2007

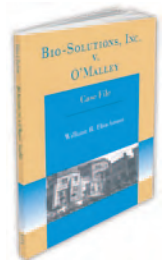
CONTRACTS

CORPORATE MISAPPROPRIATION

Bio-Solutions, Inc. v. O'Malley

William R. Hinchman

Focusing on the current issue of medical research and misappropriation of company funds, *Bio-Solutions, Inc. v. O'Malley* is a case file designed for any law school classroom focused on civil litigation and/or trial advocacy. The case involves the facts surrounding Bio-Solutions, Inc.'s development of a DNA breast-cancer vaccine and the duties of its CEO, Steven O'Malley, who allegedly breached his employment agreement. The plaintiff claims that O'Malley inappropriately used company time and company personnel in developing his multi-million dollar home. There are four witnesses for both the plaintiff and the defendant.



\$28 | 84 pp., Pub. #28636, ISBN 9781601560179, © 2007

Teaching materials available

Transactional Practice Series

Nancy J. Knauer

The Transactional Practice Series is designed to help the law student learn lawyering skills not often taught in a typical theory-focused course. Knauer uses the traditional concepts of trusts, estates, and professional responsibility, combined with hands-on exercises involving client counseling and drafting legal documents. The transactional practice series provides a real-world perspective not available when analyzing transactions summarized in casebooks. Each book in the series includes client files, skills exercises, and written assignments.



A FRIEND IN NEED: FORMING NONPROFIT CORPORATIONS

\$35 | 140 pp., Pub. #28588, ISBN 9781556816147, © 1998

SUZANNE T. CARSON: PLANNING FOR INCAPACITY

\$35 | 144 pp., Pub. #28587, ISBN 9781556816017, © 1998

THE FIELDS FAMILY

\$35 | 182 pp., Pub. #28792, ISBN 9781556815973, © 1998

QUALITY PAPER PRODUCTS BUYER

\$35 | 76 pp., Pub. #28790, ISBN 9781556816192, © 1998

QUALITY PAPER PRODUCTS SELLER

\$35 | 78 pp., Pub. #28790, ISBN 9781556816352, © 1998

Teaching materials available

BREACH OF CONTRACT

BEST SELLER

Cosmopolitan Life Insurance Co. v. Jordan and Moore

Hon. Andrew P. Rodovich

Arthur Moore was found dead with a single bullet wound in his chest only minutes after visiting an ATM and speaking to his mistress, Amy Jordan, on the telephone. The case involves a dispute between the decedent's mistress and his wife over who deserves the funds from a life insurance policy. Cosmopolitan Life Insurance Company has filed an interpleader action and deposited the proceeds from the life insurance policy with the clerk. There are four witnesses for both Sandra Moore and Amy Jordan. The companion criminal case file, *State v. Jordan*, involves the alleged murder of Arthur Moore by Amy Jordan.

\$28 | 60 pp., Pub. #28761, ISBN 9781556819360, © 2005

Teaching materials available



BREACH OF CONTRACT

Dependable Bank v. Aldrich

Luisa Kaye Hagemeyer and Ira J. Lipton

This pretrial case file is designed to teach students discovery skills. Components include factual allegations on all four counts, answers, counterclaims, reply to counterclaims, and many legal documents.



CASE FILE COMBO

\$56 | 204 pp., Pub. #28609, ISBN 9781422479131, © 2004

PLAINTIFF'S EDITION

\$28 | 96 pp., ISBN 9781556816891, © 2004

DEFENDANT'S EDITION

\$28 | 108 pp., ISBN 9781556818721, © 2004

FACULTY MATERIALS

\$25 | 96 pp., ISBN 9781556818738, © 2004

BREACH OF CONTRACT

Homestead Properties, Inc. v. Manhattan Fire & Casualty Co.

SECOND EDITION

Donald H. Beskind, Anthony J. Bocchino, Paul Marcus, Frank D. Rothschild, Deanne C. Siemer, Samuel H. Solomon, Edward R. Stein, and Paul J. Zwier

Termites destroyed the walls of many Homestead Properties homes during their construction phases. Homestead feels strongly enough about the damage done to its newly built homes that it demands its insurance company, Manhattan Fire and Casualty, pay for damages. Manhattan asserts that the policy does not cover this loss and denies the claim. This contract file is designed to teach students not only general advocacy skills, but also effective use of focus groups and courtroom technology. There are three witnesses for both the plaintiff and the defendant. The case file includes a CD-ROM containing exhibits.



\$40 | 248 pp. with CD-ROM, Pub. #28590, ISBN 9781556817069, © 2000

ADVOCATE'S EDITION

\$35 | 186 pp. with CD-ROM, ISBN 9781556817311, © 2001

BARRISTER'S EDITION

\$35 | 186 pp. with CD-ROM, ISBN 9781556817328, © 2001

FACULTY EDITION

\$30 | 214 pp. with CD-ROM, ISBN 9781422479179, © 2001

BREACH OF CONTRACT

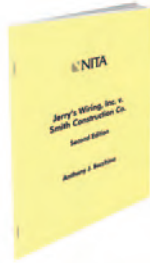
Jerry's Wiring Inc. v. Smith Construction Co.

SECOND EDITION

Anthony J. Bocchino

This problem involves the presentation of expert accountant testimony on the amount owed to an electrical subcontractor (Jerry's Wiring, Inc.) as a result of cost overruns it incurred due to the delays in a construction project.

\$28 | 36 pp., Pub. #28627, ISBN 9781556819636, © 2005



BREACH OF CONTRACT

NEW IN 2012

NANO Search, Inc.™ v. St. Helens Worldwide Technologies™

John O. Sonsteng

This is a trade secret case brought about by an Internet search technology company based in Silicon Valley, Nita, called NANO Search, Inc.™ ("NANO") against St. Helens Worldwide Technology™ ("St. Helens") based in Bellingham, West-State. NANO claims that St. Helens misappropriated its trade secrets in St. Helen's design of a recently launched search feature called the Family Finder.

\$35 | 149 pp., Pub. #28440, ISBN 9781601561015, © 2012



BREACH OF CONTRACT

NEW IN 2012

PUDS v. Brezenski

John O. Sonsteng, Linda Thorstad, and Jennifer W. Miller

This dispute centers around the discharge of Karol Brezenski by Picket Up Delivery Services (PUDS). Karol Brezenski, an employee of PUDS, is a member of the International Association of Transport Workers (IATW). Under the terms of the collective bargaining agreement between PUDS and the IATW, the company instituted an attendance and tardiness policy.

ARBITRATION FILE

\$35 | 200 pp., Pub. #28445, ISBN 9781601560636, © 2012

TRIAL FILE

\$35 | 205 pp., Pub. #28433, ISBN 9781601562104, © 2012



BREACH OF CONTRACT

Rogers v. Midstate University

John O. Sonsteng, Linda Thorstad, and Jennifer W. Miller

This dispute centers around the discharge of an employee, Pat Rogers, by Midstate University. The University alleges Pat Rogers violated the Rules of Employment and Management of the Off Campus Liquor Store by knowingly selling alcohol to an intoxicated person, and terminated Rogers.

The employee's union (SPEU) filed a grievance on behalf of the employee. The Union has requested an expedited arbitration hearing pursuant to Article 28 of the Collective Bargaining Agreement. The terms of the Collective Bargaining Agreement permit the employee to bypass arbitration and elect to have a trial before a judge or jury. This case file has both arbitration and trial versions.

\$35 | 157 pp., Pub. #28480, ISBN 9781601561169, © 2011



Midstate University and Rogers and SPEU Arbitration File

John O. Sonsteng, Linda Thorstad, and Jennifer W. Miller

\$35 | 140 pp., Pub. #28480, ISBN 9781601561893, © 2011

BREACH OF CONTRACT

Vending Operator, Inc. v. Nita Department of Transportation

THIRD EDITION

Steven Lubet

Nita's transportation department claims that Vending Operator materially breached a contract to build and maintain vending stations along state highways. This trial case file is suited to train students to try both the liability and damages phases of civil actions. Impeachment issues give students the opportunity to practice examination skills. There are three witnesses for both the plaintiff and the defendant including expert social science and psychology witnesses.

\$28 | 240 pp., Pub. #28576, ISBN 9781556813702, © 1993
Teaching materials available

BARRISTER'S EDITION

\$28 | 176 pp., ISBN 9781556813719, © 1993

FACULTY EDITION

\$28 | 172 pp., ISBN 9781556813726, © 1993



BREACH OF CONTRACT AND ARSON

Flinders Aluminum Fabrication Corporation v. Mismo Fire Insurance Company

EIGHTH EDITION

Rebecca Sitterly, Laurence M. Rose, and Frank D. Rothschild (Based on the original case file by Abraham P. Ordovery)



Flinders Aluminum Fabrication Corporation burned to the ground on the night of November 16. George Avery, an employee of the plant, died inside. Plaintiff Arthur Jackson, the sole stockholder of the company, has filed a civil action lawsuit to recover the \$1,667,000 in damages owed from the policy issued by defendant Mismo Fire Insurance Company. The defendant has refused to pay, claiming that the fire was the work of an arsonist, thus indicating deliberate fraud. Mismo asserts that Jackson conspired with others to burn the plant in order to collect what was promised in the insurance policy. There are four witnesses for both the plaintiff and the defendant. A companion criminal case file, *State v. Jackson*, involves the charge of arson against Arthur Jackson. (See p. 16 for companion file.)

\$35 | 120 pp. with CD-ROM, Pub. #28628, ISBN 9781601560872, © 2009

Teaching materials available

BREACH OF CONTRACT AND ARSON

Nita Fire & Casualty Company v. Rubino & Son

SECOND EDITION

Anthony J. Bocchino and Louis M. Natali Jr.



The plaintiff, Nita Fire and Casualty Company, brought this lawsuit to recover an amount paid to the defendant, Anthony J. Rubino, on a fire insurance policy on Rubino's business, Rubino and Son, Dry Cleaners. A fire at the defendant's plant resulted in a total loss. The fire marshal reported that the fire was caused by spontaneous combustion. Relying on the report, the plaintiff paid the defendant's claim of \$300,000.00. After paying the claim, the plaintiff learned that the fire possibly was caused by arson. After it conducted an independent investigation, the plaintiff decided that the fire was set deliberately. Rubino has denied the allegation of arson.

\$28 | 82 pp., Pub. #28657, ISBN 9781556810657, © 2008

BREACH OF CONTRACT/BIOTECHNOLOGY

Madden v. Lifecord, Inc.

Victoria Sutton

This case file and materials are intended to present a scenario and some of the types of materials that would be part of a trial involving issues in biotechnology.



\$35 | 142 pp., Pub. #28769, ISBN 9781556818905, © 2004

**BREACH OF CONTRACT
(COURTROOM TECHNOLOGY FOCUS)**

Dixon v. Providential Life Insurance Co.

Original case file by James H. Seckinger
Adapted by Edward R. Stein and Frank D. Rothschild



Judge John Dixon's dead body was found with a gunshot wound in the head. His wife, the plaintiff, demands that Providential Life Insurance Company pay on Dixon's life insurance policy, but Providential refuses. The coroner, Dixon's personal physician, determined the death was accidental, but Providential claims the coroner's conclusion was tainted by his friendship with the judge and that Dixon's death was, in fact, a suicide. The student's skills will be tested with this well-balanced file bringing in equal number of verdicts for both the plaintiff and the defense. There are four witnesses for the plaintiff and three for the defendant.

\$35 | 168 pp. with CD-ROM, Pub. #28591, ISBN 9781556817199, © 2000

Teaching materials available

**BREACH OF CONTRACT
(COURTROOM TECHNOLOGY FOCUS)**

Quinlan v. Kane

SECOND EDITION

Frank D. Rothschild, Deanne C. Siemer, and Anthony J. Bocchino

At what point does a friendly conversation end and a business consultation begin? That is a question to which neither Roberta Quinlan nor Brian Kane knows the answer. In this business contracts case, the plaintiff demands a broker fee of \$300,000 that she is convinced she is entitled to be paid. The defendant, however, maintains that Quinlan simply offered friendly advice on the sale of his business, Kane Electronics, to Nita Computer World and therefore owes her no fee. There are two witnesses for both the plaintiff and the defendant.



\$35 | 98 pp. with CD-ROM, Pub. #28611, ISBN 9781556818776, © 2004

**BREACH OF CONTRACT AND
FRAUDULENT INDUCEMENT**

Paul v. Dynamo

SECOND EDITION

Morgan Cloud



This pretrial case file features a breach of contract focusing on evidentiary privileges, professional responsibility, and client misconduct. Michelle Paul seeks to recover the unpaid sum of \$2.8 million from Arthur Dillon, the buyer of her former business, Sportslifeware. After the sale, Paul started a new company, Sportique Clothing, and hired two of her former employees, one of whom brought Sportslifeware's customer list with him. Dillon failed to make the balloon payment, claiming he owed nothing because Paul breached the agreement. These materials can be used for a number of courses.

ADVOCATE'S EDITION

\$28 | 288 pp., Pub. #28633, ISBN 9781601560032, © 2008

BARRISTER'S EDITION

\$28 | 288 pp., ISBN 9781601560049, © 2008

FACULTY EDITION

\$28 | 304 pp., ISBN 9781601560025, © 2008

**BREACH OF CONTRACT
(NONCOMPETE EMPLOYMENT CLAUSE)**

Superior Speech and Hearing, Inc. v. Baines

John O. Sonsteng, Linda Thorstad, and Jennifer W. Miller



Jillian Baines had an employment contract with Superior Speech and Hearing Center ("Superior") and worked for Superior for a year. Marty Allen is the owner and director of Superior. Jillian's contract included a noncompete clause. After her contract expired, she continued with Superior to train a replacement. Baines recently left Superior to work for her husband's company, River Island View Audiologists, P.A. ("River Island"). River Island is Superior's biggest competitor. Superior had a renewable contract with Independent School District 100A ("School District"), which has expired. The school system decided not to renew the contract with Superior. River Island has just been awarded the contract. Superior filed a summons and complaint in state court, and the defendant, Jillian Baines, answered. In the complaint, the plaintiff is asking for a permanent injunction to enforce the noncompete clause of the employment contract and for other relief. The matter is now before the court in regard to a temporary injunction (restraining order) to prevent Jillian Baines from working with River Island until the permanent injunction matter can be heard.

\$35 | 112 pp. with CD-ROM, Pub. #28475, ISBN 9781601561909, © 2011

**BREACH OF CONTRACT
(SALE OF GOODS)**

BMI v. Minicom, Inc.

NINTH EDITION

Anthony J. Bocchino and Donald H. Beskind

This classic breach of contract case is available in three versions: deposition skills, expert, and trial skills. A shipment of interconnector plugs is lost in transit. The supplier, BMI, claims the purchaser, Minicom, bore the risk of loss and sues to recover for breach of contract. Minicom defends that BMI's agent orally agreed to insure the plugs and asks for damages to cover cost. The file is well-balanced and provides ample material for basic and advanced advocacy training.

\$35 | 198 pp. with CD-ROM, Pub. #28649, ISBN 9781601560902, © 2009

PLAINTIFF'S EDITION

\$35 | 182 pp. with CD-ROM, ISBN 9781601560933, © 2009

DEFENDANT'S EDITION

\$35 | 184 pp. with CD-ROM, ISBN 9781601560940, © 2009

FACULTY EDITION

\$35 | 198 pp. with CD-ROM, ISBN 9781601560957, © 2009



BREACH OF LICENSING AGREEMENT

Cranbrooke v. Intellex

SECOND EDITION

*Robert P. Burns, Steven Lubet, Terre Rushton,
John T. Baker, and James H. Seckinger*

Cranbrooke v. Intellex is an excellent case file for advocacy courses focusing on intellectual property or international law. This case file is designed so liability and damages can be tried separately. Cranbrooke Industries, PLC is suing Intellex, Inc. on the basis that they violated a contractual agreement that allowed Cranbrooke exclusive distribution rights of Intellex's video gaming products. Intellex is a U.S.-based manufacturer of video game decks and cartridges, while Cranbrooke is a British company also specializing in the making and distribution of video games. There are three witnesses for both the plaintiff and the defendant, including accounting experts.

\$35 | 236 pp. with CD-ROM, Pub. #28654, ISBN 9781601561152, © 2010

PLAINTIFF'S EDITION

\$35 | 226 pp. with CD-ROM, ISBN 9781601561107, © 2009

DEFENDANT'S EDITION

\$35 | 226 pp. with CD-ROM, ISBN 9781601561114, © 2009

FACULTY EDITION

\$35 | 238 pp. with CD-ROM, ISBN 9781601561121, © 2009



TORTIOUS INTERFERENCE

BEST SELLER

Li v. Ross and Ross Construction Co., Inc.

SECOND EDITION

Paul J. Zwier

In *Li v. Ross and Ross Construction Co., Inc.*, a traditional contracts case file, the plaintiff claims he had a significant business relationship with Michelle Greenwood and that the defendant improperly interfered with that relationship by making a series of improper and false statements about the quality of his work. As a result of these statements, the plaintiff claims that Greenwood broke off her relationship with him and instead gave the contract to the defendant's employer, Ross Construction Company. There are three witnesses for the plaintiff and five witnesses for the defendant. The case file contains ample material for motion practice.

\$35 | 184 pp. with CD-ROM, Pub. #28622,
ISBN 9781556819414, © 2005

ADVOCATE'S EDITION

\$35 | 156 pp. with CD-ROM, ISBN 9781556819452, © 2007

BARRISTER'S EDITION

\$35 | 162 pp. with CD-ROM, ISBN 9781556819469, © 2007

FACULTY EDITION

\$25 | 197 pp. with CD-ROM, ISBN 9781556819476, © 2007

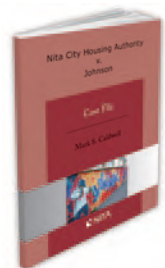


Nita City Housing Authority v. Johnson

Mark S. Caldwell

Nita City Housing Authority v. Johnson is an action for eviction. Ladonna Johnson and her two grandchildren and great grandchild live at Nita Gardens, Nita City's only public housing project. Grounds for the eviction are based on Ms. Johnson's grandson's alleged criminal gang activity. However, Ms. Johnson believes the eviction is in retaliation for her formation of a tenant action committee requesting the installation of fire sprinklers. A CD-ROM is included, which contains full-color exhibits and a sample PowerPoint® presentation of the exhibits.

\$35 | 106 pp. with CD-ROM, Pub. #28640,
ISBN 9781601560506, © 2008



CRIMINAL CASE FILES

AGGRAVATED ROBBERY AND POSSESSION OF A CONTROLLED SUBSTANCE

State v. Southley

SECOND EDITION

Barbara S. Barron and Lawrence W. Kessler

Perfect for a pretrial course, *State v. Southley* involves charges against Harvey Southley. The State alleges that Southley lured Carl Krause into an alley, hit him over the head, and stole \$400. Hours after the incident, police arrested Southley and found \$400 and cocaine in his possession. There are four witnesses for the prosecution and three witnesses for the defense. Additionally, *State v. Southley* contains witness examination problems centered on criminal procedure motion practice, as well as on the criminal trial.

\$35 | 158 pp. with CD-ROM, Pub. #28645, ISBN 9781601560759, © 2009



ATTEMPTED MURDER (DOMESTIC VIOLENCE)

State v. Patterson

Hon. Andrew P. Rodovich

On April 16, the defendant, Allen Patterson, shot and killed his wife, Molly Patterson, in their family-owned liquor store, Al's Ales. Patterson is charged with murder in the first degree. He told the police, however, that he shot at an armed robber and instead accidentally shot and killed his wife. The crime remained unsolved for over one year until someone else was arrested on unrelated charges and implicated Patterson in the shooting. The case file addresses potential voir dire problems for the State and the defense. There are four witnesses for the plaintiff and three witnesses for the defendant.

\$28 | 56 pp., Pub. #28787, ISBN 9781556819032, © 2004
Teaching materials available



ARSON

State v. Jackson

THIRD EDITION

Laurence M. Rose, Rebecca Sitterly, and Frank Rothschild

On November 16, Flinders Aluminum Fabrication Corporation burned to the ground, killing George Avery, an employee trapped inside. Arthur Jackson, the owner of Flinders, and Sonia Peterson, Jackson's former employee, have both been charged with commercial arson. The case went to trial, but remained undecided because of a mistrial and a hung jury. In the post-trial proceedings, Sonia Peterson pled guilty to conspiracy to commit a felony and agreed to testify against Arthur Jackson. The State and the defendant each have four witnesses. The civil action version of this case file is titled *Flinders Aluminum Fabrication Corporation v. Mismo Fire Insurance Company* (see p. 13).

\$35 | 132 pp. with CD-ROM, Pub. #28648, ISBN 9781601560889, © 2009



BATTERY OF A POLICE OFFICER

State v. Chambers

Joseph E. Taylor and Lincoln N. Mintz

Officer Goodfellow pulled over Mark Chambers for suspicion of driving under the influence of alcohol. Chambers, although he did pull over, responded by battering Goodfellow. The defendant was arrested on two charges; however, those charges were severed, and in this case file, Chambers is only being charged with battery. Chambers filed a complaint against Officer Goodfellow for misconduct, but a hearing determined that the complaint was unfounded. Based on an actual case, *State v. Chambers* focuses on many controversial issues, making this an extraordinary case file for any law school course. There are four witnesses for both the plaintiff and the defendant, including two expert witnesses.

\$28 | 114 pp., Pub. #28586, ISBN 9781556815652, © 1999
Teaching materials available



BURGLARY (PRETRIAL)

State v. Tyler

John J. Francis

Designed to guide the law school student through the life of a case, *State v. Tyler* focuses on an attempted burglary case where two young men are accused of breaking into an RV. This case file will teach advocacy skills essential for the pretrial stages of defending or prosecuting criminal law cases. A series of problems and exercises will lead students through the life of a criminal case, starting with intake interviews, proceeding through the filing of charges and probable cause review, continuing through discovery and motion practice, and wrapping up with plea negotiations. There are three witnesses for the plaintiff and one witness for the defendant.



DEFENSE

\$28 | 72 pp., Pub. #28620, ISBN 9781601569141, © 2008

PROSECUTION

\$28 | 88 pp., ISBN 9781601560001, © 2008

COMBO SET

\$56 | 160 pp., ISBN 9781422479254, © 2008

Teaching materials available

CRIMINAL DUI

State v. Peyton

Elizabeth I. Boals

State v. Peyton is a criminal case involving Driving Under the Influence and Felonious Hit and Run charges. Users of the case file consider criminal trial issues including criminal conviction impeachment, bias impeachment, prior sworn testimony, business records, computer-generated documents, and optional medical expert testimony on blood-alcohol content and metabolism. The case file also features a recorded 911 call from the accident scene that may be used in either the audio or transcribed version. All case file exhibits and a comprehensive teacher's manual are available in digital format.



\$35 | 101 pp. with CD-ROM, Pub. #28511, ISBN 9781601561251, © 2010

DOMESTIC VIOLENCE

State v. Lewis

Frank D. Rothschild and Zeldia Harris

This is a case involving domestic violence. The State of Nita has alleged that the defendant, Joseph E. Lewis, attempted to kill his wife, Mary Jefferson Lewis, by stabbing her with a knife in their bedroom.



\$28 | 112 pp., Pub. #28786, ISBN 9781556816154, © 1998

FEDERAL PROPERTY CRIME INVOLVING DNA EVIDENCE

United States v. Clark

Donald Q. Cochran

United States v. Andre Clark involves Andre Clark, one of three defendants charged with bank robbery. The State's main witness is a co-defendant who will testify to Clark's involvement in addition to circumstantial evidence. The defendant has an alibi witness and the lack of DNA evidence in support of his innocence. The case file contains several photographs, diagrams, and an expert report for use at trial. A CD-ROM contains bank surveillance photographs and aerial photos from the robbery. The case file provides a balance of three potential witnesses for both the plaintiff and the defendant, including a DNA expert.



\$35 | 102 pp. with CD-ROM, Pub. #28631, ISBN 9781556819971, © 2006
Teaching materials available

FELONY MURDER

State v. Matthews

Hon. Andrew P. Rodovich

The Marshall County Grand Jury has charged Cindy Anderson Matthews and Mark Jacobs with first-degree murder of Scott Matthews, the husband of Cindy Anderson Matthews, on September 16, 2004.



\$28 | 62 pp., Pub. #28778, ISBN 9781556819025, © 2004

FELONY MURDER AND ARMED ROBBERY

NEW IN 2012

State v. Bloodworth

Sharon Cammisa and Joseph E. Taylor

Three days before his death, Kenneth Fletcher was found unconscious on the floor of Gene Bloodworth's condo. Bloodworth claims that Fletcher broke into his home and had a knife. Bloodworth also claims he was defending himself when he struck Fletcher and knocked him out.

\$35 | 120 pp., Pub. #28432, ISBN 9781601562128, © 2012



FELONY MURDER AND ARMED ROBBERY

BEST SELLER

State v. Burns

REVISED FIFTH EDITION

Anthony J. Bocchino and Donald H. Beskind

A grocer shoots at a man who is trying to rob his store, but the bullet tragically strikes and kills the grocer's wife. The robber turns state's evidence, and John Burns, who the State claims planned the robbery, is charged with felony murder. This basic file offers impeachment and rehabilitation issues, and gives students the opportunity to try their skills with adverse examination. There are three witnesses for both the plaintiff and the defendant.

\$28 | 144 pp., Pub. #28570, ISBN 9781556812972, © 1992

Teaching materials available



FIRST-DEGREE ASSAULT

State v. Harris

SECOND EDITION

Laurence M. Rose

In this adaptation of NITA's civil case file, *Fordyce v. Harris and Felson*, defendant Gerald Harris is charged with first-degree assault with a deadly weapon. On the night of March 2, Henry Fordyce and his friend Eva Long were having drinks at Gus' Bar & Grill in Nita City. Fordyce claims Gerald Harris and Edward Felson were also at the bar and spent much of their time harassing Fordyce and Long while they drank at the bar and then later beat him outside the bar—Felson with his boots and Harris with both a broom and his boots. There are five witnesses for the plaintiff and four witnesses for the defendant.

\$35 | 76 pp., Pub. #28781, ISBN 9781601561695, © 1997



FIRST-DEGREE MURDER

BEST SELLER

State v. Diamond

FIFTH EDITION

James H. Seckinger

Officer Diamond finished his last shift at the Nita City Police Department and headed over to the Truck Stop Café to visit his girlfriend. A grand jury has charged Diamond with first-degree murder in the death of his girlfriend, Trudi Doyle, even though Diamond maintains the shooting was accidental. Despite Diamond's pleas and the unusable fingerprints on the gun, the remaining evidence points to Diamond. There are four witnesses for the plaintiff and three witnesses for the defendant, including an expert, who are available to testify.

\$35 | 54 pp. with CD-ROM, Pub. #28575, ISBN 9781601560537, © 2011



FIRST-DEGREE MURDER

State v. Jordan

Hon. Andrew P. Rodovich

At 5:32 p.m. Amy Jordan left her apartment. At 5:44 p.m. Arthur Moore turned to leave an ATM, only to be shot and killed. At 6:02 p.m. Amy Jordan returned to her apartment. Is it convenient or a coincidence that Amy's .38 caliber handgun was reported stolen eight days prior? According to the State of Nita it is not a coincidence but rather a fact that Amy shot her boyfriend, Arthur, in order to receive the proceeds of a life insurance policy. The case is complicated by the fact that Arthur's wife, Sandra, was the beneficiary for the remainder of the estate. There are four witnesses for both the plaintiff and the defendant—each of whom present largely circumstantial evidence.

\$28 | 46 pp., Pub. #28784, ISBN 9781556819346, © 2005

Teaching materials available



FIRST-DEGREE MURDER

NEW IN 2012

State v. O'Neill

SIXTH EDITION

James H. Seckinger and Maureen A. Howard

Helen O'Neill stood on the front porch of her stepmother's home only to be shot and killed. The grand jury believes her stepmother's claims that Joseph O'Neill, Helen's estranged husband, drove up to the house and fired the deadly shot. Joseph pleads not guilty, and a jury is unable to find a verdict. The result: the State retries this case as told in *State v. O'Neill*. There are three witnesses for both the plaintiff and the defendant along with one optional witness for either side.

\$35 | 84 pp. with CD-ROM, Pub. #28572, ISBN 9781601562081, © 2012
Teaching materials available

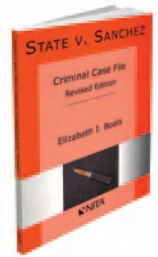
**FIRST-DEGREE MURDER (GANGS)****State v. Sanchez**

REVISED EDITION

Elizabeth I. Boals

Ernesto Sanchez admits to fatally stabbing Patrick Connor during a street fight between two Nita City gangs. Sanchez pleads self-defense, and the circumstances surrounding the stabbing are complicated by the testimonies of other gang and community members. This case file is particularly unique because of its focus on gang activity and its use of nontraditional experts with specialized knowledge of gang behavior. There are five witnesses for both the state and the defense.

\$35 | 123 pp. with CD-ROM, Pub. #28642, ISBN 9781601561466, © 2009
Teaching materials available

**FIRST-DEGREE MURDER****State v. Skywolf***Joseph E. Taylor*

Andrew "Eagle" Skywolf has been charged with first-degree murder in the death of Officer Dan Lockman. This is the first NITA case file to incorporate Native American culture and its unique historical background in a significant way in a case file. There are four witnesses for the prosecution and four for the defense. Expert testimony is presented on both sides. The prosecution relies on expert witnesses and incorporates DNA evidence as important proof of guilt in this case. The defense calls on experts that question the professionalism of the investigating team and the interpretation of the evidence. Expert testimony is also given by a Native American Studies expert. Includes a CD-ROM containing exhibits, sample PowerPoint presentation, and suggested PowerPoint slides for impeachment.

\$35 | 138 pp. with CD-ROM, Pub. #28643, ISBN 9781601560650, © 2008

**FIRST-DEGREE MURDER (SELF-DEFENSE)**

BEST SELLER

State v. Baker

SECOND EDITION

Joseph E. Taylor

Sarah Baker has been charged with the first-degree murder of her husband, who was a well-known news anchor. The State alleges that Baker intended to divorce her husband and cut him out of her will, and that he was going to sue her for a large portion of the estate. Baker claims she shot him to protect herself when he advanced toward her with a kitchen knife threatening to kill her. The case features the use of expert forensic pathology, criminalistics, DNA testimony, and the defense of self-defense. There are five witnesses for the plaintiff and four witnesses for the defendant.

\$35 | 112 pp. with CD-ROM, Pub. #28629, ISBN 9781556819957, © 2007
Teaching materials available

**FIRST-DEGREE MURDER**

NEW IN 2012

State v. Travers*James H. Seckinger*

A grand jury has charged Tiffany Travers with first-degree murder in the December 1, YR-1, shooting death of Jack Bennett at the Good Bite Café on Highway 33 outside of Nita City.

\$35 | 75 pp., Pub. #28437, ISBN 9781601562074, © 2012



FIRST-DEGREE MURDER (SELF-DEFENSE)

State v. Cole

SECOND EDITION

Michael S. Sands

Walter “Wally” Cole shoots and kills Donald Abbott, the husband of Cole’s former lover. Is it murder, a lesser offense, or a justifiable killing in self-defense? This case file presents expert testimony, photographs, diagrams, items of physical evidence, and many interesting tactical questions and evidentiary issues. There are four witnesses for both the plaintiff and the defendant, including a pathologist and criminologist.

\$35 | 77 pp. with CD-ROM, Pub. #28653, ISBN 9781601561022, © 2009
Teaching materials available



FIRST-DEGREE MURDER (TWO COUNTS)

State v. Casey

Joseph E. Taylor

The defendant has been charged with first-degree murder in the deaths of his stepfather Bill Melton and his half-brother Stephen Melton. Michael Casey confessed to Detective Stevens, but later contends that it was his mother who shot them to collect \$500,000 in insurance money. Both the defense and the prosecution agree that Bill and Stephen Melton were murdered in their home with Bill’s own shotgun. The defense and prosecution do not agree on who pulled the trigger. The prosecution stands by their case that Michael killed both victims and would have killed his own mother if he hadn’t run out of bullets. There are four witnesses for both the plaintiff and the defendant, including a forensic scientist and coroner.

\$35 | 242 pp. with CD-ROM, Pub. #28607, ISBN 9781556818189, © 2003



GENERAL CASE

NEW IN 2012

State v. James

John O. Sonsteng, Linda Thorstad, and Jennifer W. Miller

Alex James has been charged by traffic citation with four counts of driving violations: 1) speeding, 2) careless driving, 3) driving with more than .08 breath alcohol concentration and 4) driving while impaired.

\$35 | 174 pp., Pub. #28438, ISBN 9781601562135, © 2012



HIT-AND-RUN AND RECKLESS DRIVING

State v. Wyatt

David S. Rudolf and Thomas K. Maher

The University of Nita City won the NCAA championship on this rainy, foggy night. UNC students are notorious for partying in the streets after such an event, and this night was no exception—just ask Gary Gilbert. Gilbert remembers the game and the party, but he doesn’t remember being hit by a white Miata and immediately suffering a closed head injury. After Gilbert woke from his coma days later, he learned that James Wyatt, the manager of Pizza Pub, had been arrested and charged with reckless driving and felony hit-and-run. There are three witnesses for both the plaintiff and the defendant, none of whom are experts, making this an excellent case file for a basic course.

\$28 | 108 pp., Pub. #28583, ISBN 9781556814761, © 1995
Teaching materials available



MURDER/SUICIDE

Gilbert v. O’Neil

Joseph E. Taylor

Six-year-old Julie Gilbert, the daughter of rock star Charlie Gilbert, sues her mother, Cally O’Neil, through her guardian ad litem, alleging that the defendant caused the death of the rock star by conspiring with her lover, Buster Adams, to kill Gilbert. The plaintiff alleges that O’Neil and Adams injected Gilbert with a lethal dose of drugs, fatally shot him, and then staged his suicide. The defense claims that Gilbert died of suicide by a self-inflicted gunshot. Based on the Kurt Cobain murder/suicide case, this case file includes depositions from nine witnesses, including expert testimony from doctors, forensic experts, and a handwriting expert.

\$35 | 192 pp. with CD-ROM, Pub. #28537, ISBN 9781601561503, © 2011



RAPE**State v. Stone**

REVISED FOURTH EDITION

James H. Seckinger

The State has alleged that the victim, Marilyn Miller, was awakened from a nap by a noise in her apartment and saw a man standing in her bedroom. She screamed, and the man leaped on her and threatened her with a knife. He turned her over on her stomach, covered his face with a bandanna, and then removed her clothing. He then raped her. The defendant, James Stone, has been charged with offenses arising from that alleged incident.

\$28 | 160 pp., Pub. #28574, ISBN 9781556813115, © 1992
Teaching materials available

**ROBBERY****State v. Kartal***John O. Sonsteng, Linda Thorstad, and Jennifer W. Miller*

John Paul Kartal has been charged by criminal complaint with a number of crimes, including burglary, robbery, and assault, that arose from an incident in the home of Sarah Ramsey. On the evening of the incident, Ramsey arrived home and encountered a person inside her house. At a lineup that was held later at the police station, Sarah Ramsey identified John Paul Kartal as a person who “looked like” the burglar she saw running from her home.

\$35 | 147 pp. with CD-ROM, Pub. #28485, ISBN 9781601561404, © 2011

**ROBBERY****State v. Anderson***Joseph E. Taylor*

This is a robbery and assault with a deadly weapon case brought against the defendant Ray Anderson. He is charged with assaulting and robbing Wayne Henkel on October 10, YR-1.

\$28 | 140 pp., Pub. #28777, ISBN 9781556815690, © 1998

**ROBBERY/PURSE SNATCHING
(COURTROOM TECHNOLOGY FOCUS)****State v. Lawrence**

SECOND EDITION

Frank D. Rothschild, Deanne C. Siemer, and Anthony J. Bocchino

As Gale Fitzgerald walked toward her house from the bus stop, she felt a sharp tug on her purse, and after a short struggle, she was thrown to the ground while her attacker ran off with her purse. On July 15, the defendant, James Lawrence, was arrested while attempting to snatch the purse of off-duty officer Sonia Henderson. The defendant has now been charged with theft and robbery for Gale Fitzgerald’s mugging. Lawrence waived his *Miranda* rights and gave a statement saying he was on a date the night of the incident, a story which Chelsea Williams corroborated. He still stands trial for theft, which is a felony punishable by up to ten years in jail. This is a good file for the basic trial advocacy classroom. There are two witnesses for both the plaintiff and the defendant.

\$35 | 104 pp. with CD-ROM, Pub. #28612, ISBN 9781556818806, © 2004

**ROBBERY****State v. Delaney**

SECOND EDITION

Joseph E. Taylor

The State of Nita has charged Ardell Delaney, a professional baseball player, with robbing at gunpoint Lexi Waitkus, the assistant manager of Miller’s Fine Jewelers. The defendant contends that this is a case of mistaken identification, and he claims that at the time of the robbery he was having his car checked for smog certification. This case file includes five witnesses for the plaintiff and four witnesses for the defendant, including an eyewitness and expert witness on both sides.

\$35 | 104 pp. with CD-ROM, Pub. #28638, ISBN 9781601560483, © 2008

Teaching materials available

**SECOND-DEGREE MURDER****State v. Donaldson***Joseph E. Taylor and Michael S. Sands*

Six-month-old Cara O’Neil died from a mysterious head injury. The State of Nita has charged Stephen Donaldson with murder in the second degree, but he claims he did nothing more than comfort and care for his stepdaughter after she fell out of her crib days before her death. There are five witnesses for the plaintiff and four witnesses for the defendant. The trial includes a battle of expert forensic pathologists, presentation of an unavailable witness’ testimony through video, and a number of visual aids, including a video of the scene.

\$28 | 116 pp., Pub. #28780, ISBN 9781556815058, © 1996

Teaching materials available



SEXUAL ASSAULT

State v. Johnson

Jean Montoya

Edward Johnson has been charged with the rape of Amanda Smith, a woman he claimed to have met in a bar the night the alleged rape occurred. Johnson, the defendant, is pleading not guilty, asserting that while the pair did engage in sexual intercourse, the relations were consensual. Smith, contrarily, claims that she gave the defendant a ride home from the bar, and upon arrival at his apartment, he seized her keys and forced her to come upstairs. Each party is required to submit to examinations and alcohol/toxicology inspections at the laboratory. There are five witnesses for the plaintiff and four witnesses for the defendant.

\$28 | 84 pp., Pub. #28782, ISBN 9781556816765, © 2002
Teaching materials available



CRIMINAL PRACTICE

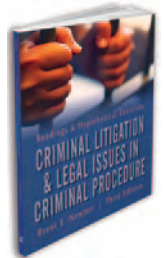
Criminal Litigation & Legal Issues in Criminal Procedure: Readings and Hypothetical Exercises

THIRD EDITION

Brent E. Newton

Criminal Litigation & Legal Issues in Criminal Procedure is designed to incorporate the substantive law of criminal procedure into a trial advocacy course. The traditional trial advocacy course is concerned almost exclusively with “skills training” (e.g., learning techniques for cross-examining a witness), but does not incorporate much, if any, substantive law. Conversely, a traditional substantive course on criminal law or criminal procedure focuses exclusively on legal principles and doctrine, but does not involve training students in courtroom advocacy skills concerning substantive law.

\$45 | 236 pp., Pub. #28749, ISBN 9781601560988, © 2009



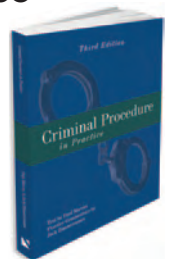
Criminal Procedure in Practice

THIRD EDITION

Paul Marcus and Jack Zimmermann

Criminal Procedure in Practice provides practical guidance for attorneys during each stage of a criminal case—from the police investigation to issues involving the double jeopardy clause. Authors Jack Zimmermann and Paul Marcus interpret constitutional principles and case law and provide commentary that applies to both the prosecution and defense in federal, state, or military courts. It includes a discussion of clemency and parole in the military justice system. The examination of Confrontation Clause issues reflects the Supreme Court’s decision in *Crawford v. Washington* (and the cases that follow, including *Giles v. California*), which marked a significant change in the interpretation of that clause. The analysis of relevant case law includes important Supreme Court cases impacting the death penalty in non-homicide cases, the constitutionality of lethal injection, the application of the Federal Sentencing Guidelines, and more.

\$45 | 368 pp., Pub. #28799, ISBN 9781601560605, © 2009



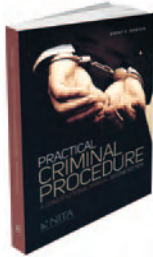
NITA PRACTICAL GUIDE SERIES

Practical Criminal Procedure: A Constitutional Manual

SECOND EDITION

Brent E. Newton

Practical Criminal Procedure, Second Edition provides a comprehensive, yet easily accessible, manual of the constitutional rules of procedure. This pragmatic guide helps practicing lawyers understand complex legal issues in context—as they arise in real-world litigation. Law students can use this guide to get a practical perspective on relevant issues of criminal law. Newton shares his unique perspective as both a practicing attorney and law school professor, examining the major topics in constitutional criminal procedure and including a reference to every significant decision of the United States Supreme Court.



\$45 | 376 pp., Pub. #28720, ISBN 9781601561060, © 2011

DEPOSITION AND PRETRIAL

Administrative Agency Litigation

Christopher McNeil

Whenever the government tries to deny a benefit or take away a license, the parties affected by the action have the right to a fair hearing before an impartial adjudicator. This book offers practical suggestions about how to prepare for agency hearings. It's a guide for lawyers, clinical assistants, law students, and laymen who want to gain an accurate understanding of what to expect in litigating with a governmental agency. Written by an experienced administrative litigator and judge, the book explains why preparing for agency litigation is different from civil or criminal litigation. It provides a summary of the constitutional principles controlling agency action, a discussion about issues that are likely to arise in administrative hearings, and a review of the best practices for effective advocacy before governmental bodies. It explains how to avoid the trial-by-fire process that is common among agency hearings by giving specific suggestions on how to prepare your client, your judge, and yourself for agency adjudication.



\$65 | 200 pp. with CD-ROM, Pub. #28483, ISBN 9781601561442, © 2011

Deposition Evidence: Objections, Instructions Not to Answer, and Responses Law and Tactics

Anthony J. Bocchino and David A. Sonenshein

Deposition Evidence explores an attorney's role in dealing with evidentiary issues that arise when taking and defending depositions. It provides experienced insights into typical issues confronting attorneys during depositions, as well as guidance on tactical and professional responsibility issues. *Deposition Evidence* is designed to provide a ready reference regarding a variety of evidentiary and practice-related issues such as:

- The law and tactics of making and curing objections
- Preparation of witnesses regarding objections
- Instructions not to answer on privilege or trial preparation material grounds and how to respond to such instructions
- Rule-by-rule practice guide (Federal Rules of Evidence) on how to make, respond to, and cure objections at deposition

\$45 | 192 pp., Pub. #28726, ISBN 9781556819582, © 2005



NITA PRACTICAL GUIDE SERIES

Fact Investigation: A Practical Guide to Interviewing, Counseling, and Case Theory Development

Paul J. Zwier and Anthony J. Bocchino

Fact Investigation focuses on the most effective modern methods and techniques for investigating a case, uncovering the critical facts, and developing a winning case theory. These methods help to narrow issues and focus litigation so that the attorney/counselor can gather, produce, and impart "practical wisdom" to the clients. *Fact Investigation* contains practical learning models tested by successful lawyers and teachers for planning and decision making. Also included are three problems that demonstrate the practical use of the models and integrate them into the overall case planning and ethical issues of day-to-day lawyering. The three problems are: *Quinlan v. Kane Electronics* (business/contract case), *Brown v. Byrd* (auto accident and personal injury case), and *State v. Lawrence* (criminal robbery case).

\$55 | 240 pp., Pub. #28698, ISBN 9781556815324, © 2000

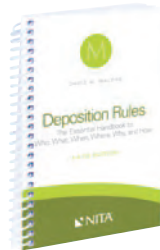


Deposition Rules: The Essential Handbook to Who, What, When, Where, Why, and How

FIFTH EDITION

David M. Malone

Who may be deposed? Why depose your own witnesses? How do you object to opposing counsel's behavior? This handy reference guide asks and answers ninety common questions lawyers face in preparing, conducting, and defending depositions.



\$35 | 206 pp., Pub. #28724, ISBN 9781601561725, © 2012

NITA PRACTICAL GUIDE SERIES

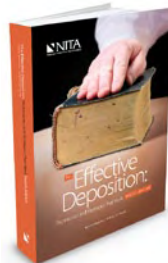
BEST SELLER

The Effective Deposition: Techniques and Strategies That Work

FOURTH EDITION

David M. Malone, Peter T. Hoffman, and Anthony J. Bocchino

NITA programs and law schools nationwide have used *The Effective Deposition* for years so that attorneys and soon-to-be attorneys have all the essential know-how in taking a deposition—the most critical step in discovery. The authors apply their expertise as attorneys and educators to bring the reader critical information on recent rules, and information on the impact of technological developments including e-discovery and digital transcription, along with new deposition techniques that you will not learn from any other text. Today, the goals in applying deposition skills remain important regardless of whether a case faces trial or alternative dispute resolution. In fact, with the increasing trend toward non-trial resolutions, depositions are used as much or more than in years past in the context of motions, negotiated settlements, mediations, arbitrations, and dismissals.



\$85 | 565 pp., Pub. #28738, ISBN 9781601561534, © 2012

Effective Deposition Defense Rules

NEW EDITION

SECOND EDITION

David M. Malone

Presents accessible, practical, and common-sense ways to deal with situations that arise as attorneys and witnesses work their way through the pretrial deposition process. In this creative handbook for active trial lawyers, David M. Malone, the acclaimed author of *The Effective Deposition*, addresses common questions and problems associated with the defense of depositions.



\$35 | 160 pp., Pub. #28431, ISBN 9781601561732, © 2012

Exhibit Rules: Tips, Rules, and Tactics for Preparing, Offering, and Opposing Exhibits

NEW EDITION

SECOND EDITION

David M. Malone and Paul J. Zwier

In this compact and easy-to-use handbook, David Malone and Paul Zwier provide practical advice on every aspect of creating, discovering, using, offering, and opposing exhibits in litigation.



\$35 | 140 pp., Pub. #28442, ISBN 9781601561961, © 2013

Facts Can't Speak for Themselves: Reveal the Stories That Give Facts Their Meaning

Eric Oliver

Every decision maker is influenced by far more than his or her background and beliefs. Every decision maker has an imagination, and they use it to create many more than one version of your client's case story. Then each judge, negotiator, mediator, and juror settles on one private version of your story and decides your case from that version. *Facts Can't Speak for Themselves* offers trial attorneys proven ways to uncover the full range of those "rewritten" stories in focus groups and how to take their best elements into court and other venues to deliver a story more likely to persuade than the one you thought you had. Highlights include:



- The importance of crafting and communicating a case to decision makers as a story and why it can be the most direct and influential way to address decision makers
- Which focus groups best reveal the range of story versions listeners can build from your case

Appendices include "function follows form," a glossary, sample opening statements, and small-group standards and guidelines.

\$65 | 564 pp., Pub. #28711, ISBN 9781556817908, © 2005

Legal Strategy

Paul J. Zwier

Legal Strategy describes pre-litigation, transactional, and negotiation processes in a way that brings together the basics of each discipline. It shows how to determine the end goal of your case, how to explore the facts, and procedural alternatives most likely to get you to your goal. By focusing lawyers in a continual exercise in deliberation on what matters most, Zwier sets forth three steps in legal strategy: fact investigation, client counseling, and implementation of the client's decision.

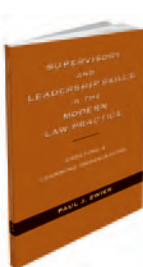


\$50 | 192 pp., Pub. #28721, ISBN 9781556819230, © 2005

Supervisory and Leadership Skills in the Modern Law Practice

Patricia Lucas and Paul J. Zwier

Are you looking for a fresh new take on law firm management and associate training? In this book, law firm management issues, often neglected in law school, are brought to the forefront. *Supervisory & Leadership Skills in the Modern Law Practice* shows you how to give your staff more effective feedback as well as teaches you the difficult delegation skills we all need to acquire. Paul Zwier and Patricia Lucas recognize the need for supervisory lawyers to improve staff morale, maintain effective firm organization, and ultimately increase firm profitability and give students the tools to do it.



\$25 | 176 pp., Pub. #28730, ISBN 9781556819919, © 2006

Trial Prep for the New Advocate

Michael Coyne and Ursula Furi-Perry

Offering tips, advice, and checklists, *Trial Prep for the New Advocate* gives new attorneys a comprehensive resource for handling case preparation. Understand the pretrial process from initially meeting and interviewing the client to creating a war room and trial notebook. Learn the essentials of preparing and presenting a case with a professional presence and efficient process. This book is divided into three parts—covering a substantive overview of pretrial and trial processes, practical skills for preparation, and advice for developing long-lasting professional relationships with staff, opposing counsel, and the courts. Each chapter includes:



- Organizational tips
- Key terms
- Trial prep checklists
- Practice exercises and problems
- Tips from experienced trial lawyers and others

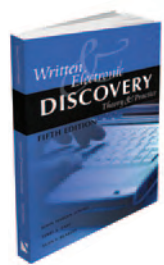
\$45 | 200 pp., Pub. #28481, ISBN 9781601561305, © 2011

Written & Electronic Discovery: Theory & Practice

FIFTH EDITION

John Hardin Young, Terri A. Zall, and Alan F. Blakley

A comprehensive and practical guide, *Written & Electronic Discovery: Theory & Practice* leads the reader through the entire discovery process—from the crucial planning stages through the initial 26(f) planning conferences, mandatory disclosures (including experts), interrogatories, production, depositions, admissions, subpoenas, and the ultimate use of the fruits of discovery at trial. Special attention is given to the area of electronically stored information—including issues of retaining and accessing electronic information, expense of discovery versus value in litigation, cost-shifting, metadata, working with IT departments and other computer experts, and automated litigation support. With its unique blend of theory and practical advice, this book is a must for any litigation professional.



\$75 | 460 pp. with CD-ROM, Pub. #28740, ISBN 9781601560568, © 2009

DISCRIMINATION

ADA ACTION

Jones v. Kids-R-Ours

Paul Chill and Hollace P. Brooks

After suffering a seizure at work, the plaintiff, Jean Jones, was suspended without pay from the Kids-R-Ours day care where she worked. Jones suffers from epilepsy, which is a qualified disability under the Americans with Disabilities Act. This, however, did not stop the defendant from suspending, demoting, and then firing the plaintiff. Kids-R-Ours claims that their action was justifiable since Jones was a threat to the children. This is a well-balanced file where the verdict could easily be won by either party. There are three witnesses for both the plaintiff and the defendant.



\$28 | 76 pp., Pub. #28582, ISBN 9781556814587, © 1995

Teaching materials available

**AGE DISCRIMINATION IN
THE WORKPLACE**

Jarvis v. Columbia Breweries, Inc.

Hon. Andrew P. Rodovich

Ted Jarvis, a loyal fifty-seven-year-old employee of Columbia Breweries, claims he was discharged from his position because of his age. The president of Columbia Breweries, a family-owned business, will testify that the termination was based on poor work performance. The case file presents students with the challenge of determining which witnesses best support their theory of the case. The case file includes depositions from ten witnesses, but each side can call only four witnesses at trial.

\$28 | 66 pp., Pub. #28767, ISBN 9781556819681, © 2005

Teaching materials available



SEXUAL HARASSMENT

Adams v. Corr-Train, Inc.

Andrea Curcio and Deborah Young

The plaintiff accused her former supervisor of sexual harassment and is now suing Corr-Train, Inc. for damages. There are three potential claims: hostile environment/sexual harassment, quid pro quo (her refusal to have sex resulted in a tangible job action), and unlawful retaliation for reporting sexual harassment. The case file was designed for courses in pretrial litigation, trial advocacy, evidence, and employment discrimination. There are six witnesses for the plaintiff and five for the defendant.

\$28 | 128 pp., Pub. #28606, ISBN 9781556818172, © 2002

Teaching materials available



**RACIAL DISCRIMINATION
AND BLOCK BUSTING**

Green v. Hall and Rose

SIXTH EDITION

Kenneth S. Broun

Initially designed as a case file for a fair housing clinic, *Green v. Hall and Rose* is an excellent case file not only for fair housing study, but also racial discrimination. With special emphasis on discovery exercises, this case file focuses on Richard and Martha Green's trouble with buying a home in the Beverly Hills area of Nita City. The Greens allege that homeowner and defendant, Elizabeth Hall, refused an offer made by the Greens' realtor, Sylvia Rose, because of the Greens' race. There are two witnesses for the plaintiff and four witnesses for the defendants including an expert real estate appraiser and an expert medical psychiatrist.

\$28 | 140 pp., Pub. #28764, ISBN 9781556815485, © 1997

Teaching materials available



SEXUAL HARASSMENT

BEST SELLER

Jamie Taylor v. Pinnacle Packaging Products, Inc.

SECOND EDITION

Hon. Andrew P. Rodovich and Thomas J. Leach

The plaintiff, Jamie Taylor, was hired by the defendant, Pinnacle Packaging Products, Inc., to work in the warehouse. During her employment, the plaintiff claims she was sexually harassed by the warehouse manager, John Hamilton, who repeatedly asked the plaintiff to go out with him. Taylor was fired by Hamilton during her probation period. The plaintiff alleges that she was fired because she resisted the advances of Hamilton. There are two witnesses for both the plaintiff and the defendant.

\$35 | 73 pp. with CD-ROM, Pub. #28621, ISBN 9781601561336, © 2010

PLAINTIFF'S EDITION

\$35 | 50 pp. with CD-ROM, ISBN 9781601561350, © 2010

DEFENDANT'S EDITION

\$35 | 50 pp. with CD-ROM, ISBN 9781601561367, © 2010

FACULTY MATERIALS

\$35 | 28 pp. with CD-ROM, ISBN 9781601561343, © 2010



SEXUAL HARASSMENT

Rowe v. Pacific Quad, Inc.

FOURTH EDITION

David B. Oppenheimer and Fred C. Moss

"Looks like you're getting a little behind in your work," James Schmit, operations manager at Pacific Quad, said to the new hire, Alice Rowe. "I'd sure like to get a little behind in mine." Rowe sues Pacific Quad for sexual harassment, claiming this and other lewd behavior at Pacific Quad created a hostile work environment and forced her to quit. She previously filed a claim against a professor when she was in college. There are three witnesses for both the plaintiff and the defendant.

\$28 | 116 pp., Pub. #28639, ISBN 9781601560490, © 2008

Teaching materials available

PLAINTIFF'S EDITION

\$35 | 122 pp. with CD-ROM, ISBN 9781601560681, © 2010

DEFENDANT'S EDITION

\$35 | 118 pp. with CD-ROM, ISBN 9781601560698, © 2010

FACULTY MATERIALS

\$35 | 138 pp. with CD-ROM, ISBN 9781422479230, © 2010



SEXUAL HARASSMENT AND DEFAMATION

Polisi v. Clark and Parker & Gould

SECOND EDITION

Anthony J. Bocchino, David A. Sonenshein, and Frank D. Rothschild;
Graphics and Electronic Files
by Frank D. Rothschild

After Maggie Polisi, an associate at the law firm of Parker & Gould, breaks off a relationship with a partner, Simon Clark, she is denied partnership. Polisi sues Clark and the firm for gender discrimination, sexual harassment (quid pro quo and hostile work environment), and defamation. This case file is designed to teach advanced trial skills in a complex action involving both liability and damages. Includes a CD-ROM with video depositions of the key witnesses that allows for teaching how to conduct an impeachment by use of technology. These deposition clips are included as part of a PowerPoint show.

\$35 | 264 pp. with CD-ROM, Pub. #28592, ISBN 9781556817274, © 2001

Teaching materials available

PLAINTIFF'S EDITION

\$28 | 224 pp., ISBN 9781556817724, © 2001

DEFENDANT'S EDITION

\$28 | 202 pp., ISBN 9781556817731, © 2001



SEXUAL HARASSMENT

Williams v. Simonson

Anthony J. Bocchino and David A. Sonenshein

Mary Anne Williams is suing the defendants, David A. Simonson, Christine Jefferson, Nita University, and The Patterson Institute, and is seeking to recover damages for gender discrimination and the tort of defamation. There are five potential claims: gender discrimination, quid pro quo sexual harassment, hostile work environment, intentional infliction of emotional distress, and wrongful termination. Williams seeks back pay, lost pay, damages, and reinstatement. Designed for advanced advocacy training, this case file involves difficult legal and factual issues for jury resolution and requires the examination of expert witnesses. There is one witness for the plaintiff and four witnesses for the defendants.

\$35 | 176 pp., Pub. #28613, ISBN 9781556818912, © 2004

PLAINTIFF'S EDITION

\$35 | 178 pp., ISBN 9781556818844, © 2004

DEFENDANT'S EDITION

\$35 | 176 pp., ISBN 9781556818851, © 2004

FACULTY EDITION

\$30 | 176 pp., ISBN 9781556818820, © 2004



ELDER LAW

ELDER ABUSE

State v. Cooper

Donna S. Harkness

Ethan Eldermahn is a sixty-year-old man with Parkinson's disease who has been found unconscious in his backyard. He suffered heatstroke and severe sunburn and has suspicious bruises on his arms and legs. The defendant, Calvin Cooper, has been charged with two counts of elder abuse and neglect. Cooper denies ever physically abusing Eldermahn and asserts that he was in the care of the housekeeper, Greta Mayerson, at the time the alleged neglect took place. The defendant claims he was the victim's friend and companion and was neither licensed nor employed as a caretaker. There are six witnesses for the plaintiff and four witnesses for the defendant.

\$28 | 110 pp., Pub. #28779, ISBN 9781556819308, © 2005

Teaching materials available



PERSONAL INJURY AND WRONGFUL DEATH

Estate of Bracher v. Tranquil Glen Assisted Living

Donna S. Harkness

Estate of Bracher v. Tranquil Glen Assisted Living is a case file describing the civil action brought by Mona Bracher Dietrich against Tranquil Glen Assisted Living, Inc., to recover damages for the personal injury and wrongful death of Edith Bracher, the plaintiff's mother. After participating in an experimental physical therapy program, Edith Bracher suffered a broken arm, which may have further caused the stroke that killed Ms. Bracher at the age of eighty-three. The defendant denies any liability, and alternatively, if the employee did cause injury to Ms. Bracher, the defendant is relieved from any liability by virtue of consent. There are four witnesses for both the plaintiff and the defendant.

\$28 | 98 pp., Pub. #28617, ISBN 9781556818943, © 2004



RESCISSION AND CONVERSION

Armistead v. Fortune Fidelity Bank

Donna S. Harkness

In this elder law case, Wendy Carmichael, the plaintiff, alleges that the defendant, Fortune Fidelity Bank, unlawfully converted funds belonging to her great-aunt, Abigail Armistead, for whom she was appointed conservator. The facts involve a simple joint bank account that Armistead opened with her realtor, Joe Wasterland, for the purpose of cashing and depositing a large check representing proceeds from the sale of a parcel of land. The plaintiff alleges that the great-aunt either lacked capacity or was the victim of exploitation by a much younger man at the time of this transaction. This case illustrates the litigation issues involved in attempting to achieve civil redress for victims of elder financial fraud and exploitation.

\$28 | 108 pp., Pub. #28759, ISBN 9781556819179, © 2005

Teaching materials available



WILL CONTEST

Estate of Quanderry v. Davidson

Donna S. Harkness

Dr. Cheryl Davidson, granddaughter of decedent Peter Quanderry, is contesting his will against her uncle, James Quanderry, alleging that the will submitted for probate is invalid. She alleges that her uncle and his wife unduly influenced her grandfather in the writing of his will, resulting in their benefit and her detriment. A \$4.2 million estate is at stake. This case file was written to provide law students and practitioners an opportunity to confront the proof problems inherent in litigating will contests. There are five witnesses for the plaintiff and six witnesses for the defendant.

\$28 | 118 pp., Pub. #28763, ISBN 9781556819384, © 2006

Teaching materials available



EVIDENCE

100 Vignettes for Improving Trial Evidence Skills

David A. Sonenshein, Anthony J. Bocchino, and JoAnne Epps

100 Vignettes for Improving Trial Evidence Skills is designed to raise evidentiary issues in the context in which they occur. The vignettes are examples of how specific issues arise at trial and provide a context for a better understanding of the rules of evidence as they are applied. These materials are designed to be used in both an evidence or trial advocacy class.



\$55 | 270 pp., Pub. #28719, ISBN 9781556818882, © 2005
Teaching materials available

California Evidence Code with Objections

THIRD EDITION

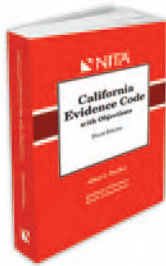
Allen Snyder, Anthony J. Bocchino, and David A. Sonenshein

At 4-by-6 inches, this complete guide to California evidence travels easily to the courtroom or classroom. This handy pocket-size book lets you:

- Quickly reference objections and responses during trial through the use of thumb tabs
- Instantly consult the relevant California rule
- Gain insight from crucial practice tips and legal interpretations
- Access the rules when you need them most—this pocket-size guide is always at hand

The latest edition reflects the changes made to the evidence code by the California legislature through January 2009.

\$35 | 448 pp. with mini CD-ROM, Pub. #28675, ISBN 9781601560063, © 2009

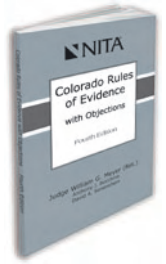


Colorado Rules of Evidence with Objections

FOURTH EDITION

Hon. William G. Meyer, Anthony J. Bocchino, and David A. Sonenshein

At 4-by-6 inches, this complete reference guide to Colorado evidence travels easily to the courtroom or classroom. NITA's handy guide enables you to quickly reference objections and responses during trial. Objections, followed by the accurate responses, are listed alphabetically with thumb tabs so that you can go right to them. Instantly consult the relevant section of the *Colorado Rules of Evidence*, reproduced in its entirety in the last section of the book. Gain insight from crucial practice tips and legal interpretations. Access the rules when you need them most—this pocket-size guide is always at hand.



\$30 | 248 pp., Pub. #28681, ISBN 9781601560421, © 2007

Evidence in Context: A Trial Evidence Workbook

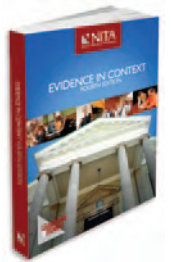
BEST SELLER

FOURTH EDITION

Robert P. Burns, Steven Lubet, and Richard Moberly

Evidence in Context encourages active learning by requiring students to invoke what they know about a complex factual pattern before making their arguments in favor of, or against, admissibility—just like a competent trial advocate. Learning evidence within the context of complex fact patterns illustrates the way in which the choices an attorney makes about theory of the case and theory of admissibility can critically affect the admissibility of evidence. The material contains two complex case files and over 290 problems. All exhibits are included on a CD-ROM.

\$60 | 292 pp. with CD-ROM, Pub. #28665, ISBN 9781422491669, © 2010
Teaching materials available

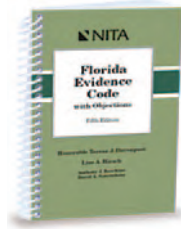


Florida Evidence Code with Objections

Hon. Teresa J. Davenport, Lisa A. Hirsch,
Anthony J. Bocchino, and David A. Sonenshein

At 4-by-6 inches, this complete reference guide to Florida evidence travels easily to the courtroom or classroom. NITA's handy guide, compiled by David Sonenshein, Anthony Bocchino, Teresa Davenport, and Lisa Hirsch, enables you to quickly reference objections and responses during trial. Objections, followed by the accurate responses, are listed alphabetically with thumb tabs so that you can go right to the one you want. The Florida Evidence Code is reproduced in its entirety in the last section of the book. Gain insight from crucial practice tips and legal interpretations and access the rules when you need them most—this pocket-size guide is always at hand. Includes a mini CD-ROM with the entire book in PDF format hyperlinked and bookmarked for ease of use.

\$35 | 256 pp. with mini CD-ROM, Pub. #28679,
ISBN 9781601560391, © 2008



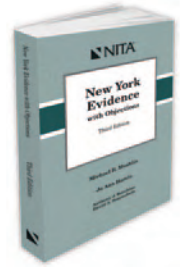
New York Evidence with Objections

THIRD EDITION

Michael B. Mushlin, Jo Ann Harris, Anthony J. Bocchino,
and David A. Sonenshein

Great things come in small packages. At just 4-by-6 inches, the Third Edition of this useful book by Jo Ann Harris and Michael Mushlin is packed with the New York Rules of Evidence, objections, and special statutes. Use the thumb tabs to quickly locate the information you need. Each section provides the applicable New York case law and statutes (updated through 2008), an explanation giving the reason for the law, and the current understanding of it.

\$35 | 256 pp. with mini CD-ROM, Pub. #28676,
ISBN 9781601560124, © 2008



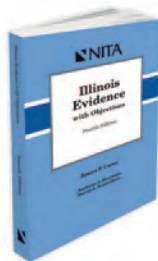
Illinois Evidence with Objections

FOURTH EDITION

James P. Carey, Anthony J. Bocchino, and David A. Sonenshein

At 4-by-6 inches, this complete guide to Illinois evidence travels easily to the courtroom or classroom. This handy pocket-size book lets you quickly reference objections, listed alphabetically with thumb tabs, and responses during trial. Instantly consult the relevant Illinois Rule and gain insight from crucial practice tips and legal interpretations. Access the rules when you need them most, this pocket-size guide is always at hand. Includes a mini CD-ROM with the entire book in PDF format hyperlinked and bookmarked for ease of use.

\$35 | 280 pp. with mini CD-ROM, Pub. #28680,
ISBN 9781601560407, © 2008



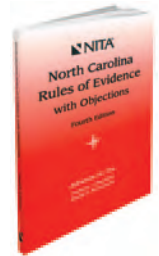
North Carolina Rules of Evidence with Objections

FOURTH EDITION

Adrienne M. Fox, Anthony J. Bocchino,
and David A. Sonenshein

At 4-by-6 inches, this complete reference guide to North Carolina evidence rules travels easily to the courtroom or classroom. NITA's handy guide enables you to quickly reference objections and responses during trial, instantly consult the relevant section of the North Carolina Rules of Evidence reproduced in its entirety in the last section of the book, gain insight into crucial practice tips and legal interpretations, and access the rules when you need them most. This pocket-sized guide is always handy and includes a mini CD-ROM with the entire book hyperlinked and bookmarked for easy use.

\$35 | 208 pp. with mini CD-ROM, Pub. #28798,
ISBN 9781601560414, © 2008



“I find NITA publications indispensable to the trial evidence and advanced trial advocacy courses that I teach.”

—Jerome E. Deise

Law School Professor, Director of the Advocacy Program and
National Trial Team at the University of Maryland School of Law

NITA PRACTICAL GUIDE SERIES

BEST SELLER

A Practical Guide to Federal Evidence: Objections, Responses, Rules, and Practice Commentary

TENTH EDITION

Anthony J. Bocchino and David A. Sonenshein

Now in its Tenth Edition, *A Practical Guide to Federal Evidence* provides information on the appropriate way to offer and oppose evidence during pretrial and trial. Reflecting changes to the Federal Rules of Evidence through December 1, 2011, each section provides a definition of the matter, the forms of objection and response, a reprint of the controlling rule, and a valuable practice commentary that gives experienced insights into typical issues confronting the trial lawyer and presents the foundations necessary for admissibility of evidence. The Quick Reference Guide provides instant access to the accurate responses to ninety common objections.

\$75 | 341 pp., Pub. #28750, ISBN 9781601561978, © 2011



A Practical Guide to Texas Evidence

FOURTH EDITION

Hon. Edward Kinkeade, Gerald Reading Powell, and Anthony J. Bocchino

A Practical Guide to Texas Evidence: Objections, Responses, Rules, and Practice Commentary provides information on the appropriate way to offer and oppose evidence during pretrial and trial. This book is divided into easy-to-locate sections, discussing general considerations, privileges, forms of questions, relevance, authentication and original documents, exhibits, opinions, cross-examination and impeachment, character evidence, and hearsay.

\$45 | 440 pp., Pub. #28678, ISBN 9781601560384, © 2009



Problems and Materials in Evidence & Trial Advocacy

FIFTH EDITION

Robert Burns, Steven Lubet, and Richard Moberly

The authors developed these materials to provide an integrated course in evidence and trial advocacy. The case book features the following: a civil and criminal case file, series of challenging decisions, including the choice of trial theory, organization, and presentation of evidence; and a CD-ROM containing exhibits. There are over 299 problems and exercises that cover both evidence and trial advocacy.



VOL. I CASES

\$55 | 262 pp. with CD-ROM, Pub. #28753, ISBN 9781422491676, © 2010

VOL. II PROBLEMS

\$45 | 102 pp., ISBN 9781422491690, © 2010

TWO-VOLUME SET

\$100 | ISBN 9781422491683, © 2010

Teaching materials available

Texas Rules of Evidence with Objections

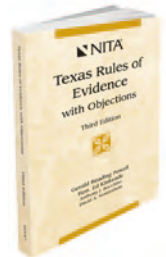
THIRD EDITION

Hon. Edward Kinkeade, Gerald Reading Powell, Anthony J. Bocchino, and David A. Sonenshein

Small enough to carry to the courtroom or classroom, this handy 4-by-6 inch guide:

- Lists objections alphabetically, with thumb tabs for quick reference
- Follows each objection with accurate responses
- Cross-references the relevant Texas rules
- Offers practice tips crucial to understanding each objection
- Reproduces the entire Texas Rules of Civil Evidence

\$35 | 358 pp., Pub. #28674, ISBN 9781556818110, © 2003



EXPERT WITNESS

NITA PRACTICAL GUIDE SERIES

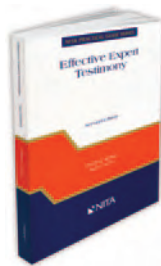
Effective Expert Testimony

SECOND EDITION

David M. Malone and Paul J. Zwier

Trial lawyers must confront many issues when dealing with experts. Some of those issues include: skepticism from the court; high cost for the client; and resentful jurors—a result of arrogant-sounding experts. The trial lawyer must deal with these problems, resolve them, and encourage the court and jurors to welcome the experts as helpful, credible, admissible, and persuasive. *Effective Expert Testimony* shows the student how to examine the rules of evidence and ethics that govern the relationship of experts to lawyers, juries, and courts. Appendices are included for selected Federal Rules of Evidence, Federal Rules of Civil Procedure, Supreme Court Cases, and Court of Appeals Cases.

\$65 | 512 pp., Pub. #28727, ISBN 9781556819599, © 2006



Expert Report Rules: What the Expert and the Lawyer Need to Know

SECOND EDITION

David M. Malone

Expert Report Rules, Second Edition, provides a quick and ready practical reference to issues and common-sense approaches for experts and the busy trial lawyers during the pretrial and trial process. David Malone brings clarity to issues surrounding the expert report writing process including:

- Who has an obligation to file an expert report (including a discussion of “hybrid” witnesses and the expert’s assistants)
- What should be included in the report
- Who writes the report
- Creating and retaining drafts
- What portions of the preparation activities are discoverable
- Supplementing the initial report
- *Daubert-Kumho Tire* issues
- Relationship between the Expert Report and the Expert Deposition
- How the report will be used at trial

\$35 | 80 pp., Pub. #28443, ISBN 9781601561749, © 2012

NEW EDITION



Expert Rules: 100 (and More) Points You Need to Know About Expert Witnesses

THIRD EDITION

David M. Malone and Paul J. Zwier

In this pocket-size guide, Malone and Zwier answer the most commonly asked questions about experts, such as: how do you avoid fatal blunders when you prepare an expert? All of the principles involving expert witnesses are addressed and listed in an extensive, easy-to-use index for practitioners, students, and researchers. All rules are linked to the corresponding rule in the Federal Rules of Civil Procedure and the Federal Rules of Evidence, including: finding an expert; feeding an expert; expert reports; non-deposition discovery about an expert; preparing an expert to be deposed; and admissibility of expert testimony.

\$35 | 140 pp., Pub. #28703, ISBN 9781601561756, © 2012



Expert Testimony: A Guide for Expert Witnesses and the Lawyers Who Examine Them

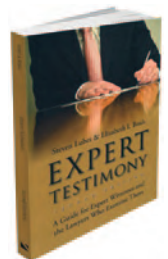
SECOND EDITION

Steven Lubet and Elizabeth Boals

Expert Testimony gives experts the confidence they need to be comfortable in court, and it will give the aspiring attorney the skills necessary to emphasize an expert’s credibility. Avoid pitfalls such as unintentional signals, inappropriate demeanor and appearance, and awkward body language by using *Expert Testimony* as your guide. With the addition of Elizabeth Boals as a co-author, the Second Edition expands and amplifies the original book with:

- New guidance for experts and lawyers on the development and presentation of expert testimony in the digital age, including discussion of visual aids and electronic discovery
- Updated analysis of the Federal Rules of Evidence and Federal Rules of Civil Procedure
- Updated discussion of the ethical rules governing expert retention and testimony
- Additional checklists for quick reference

\$45 | 208 pp., Pub. #28748, ISBN 9781601560964, © 2009



INTELLECTUAL PROPERTY

TRADEMARK

NEW IN 2012

Love v. Regency

Jonathan Rest and Edward R. Stein

In this trademark infringement case, Dr. Stanley Love, a dermatologist, alleges that Regency Plastic Surgery, PC, has infringed his common-law trademark of the "The Love Look" by using "The Look of Love" as its marketing slogan. Dr. Love is seeking injunctive relief and damages.



\$35 | 91 pp., Pub. #28436, ISBN 9781601562111, © 2012

MALPRACTICE

MEDICAL MALPRACTICE

Steele v. Kitchener

Dennis Turner

This case involves the alleged negligent misreading of a biopsy tissue sample by the defendant, Susan Kitchener, M.D. After examining the tissue sample from the plaintiff, Dr. Steele, the defendant, concluded that the lesion was benign. Seven months later, Steele's lesion had grown and the analysis of the biopsy at that time concluded that the lesion had actually been malignant melanoma. Two years later, Steele developed brain lesions and died. The patient's widow, Linda Steele, seeks to recover damages for wrongful death from Kitchener and her employer, Pathology Labs. There are two witnesses for both the plaintiff and the defendant.



\$35 | 144 pp. with CD-ROM, Pub. #28618, ISBN 9781556818967, © 2004

Teaching materials available

MULTIMEDIA

31 Ways to Winning Advocacy

Frank D. Rothschild

31 Ways to Winning Advocacy uses recorded trial clips, live demonstrations, audience participation, and Frank Rothschild's own remarkable lecture style to create a most enjoyable and memorable learning experience. This presentation is set in a real courtroom, before an audience of trial lawyers seated in the jury box.



\$295 | 5 DVDs (4:43:00) and support materials, Pub. #28672, ISBN 9781422479094, © 1996

Basic Concepts in the Law of Evidence

Irving Younger

- Introduction to Evidence (60:00)
- Basic Concepts in Evidence (52:00)
- Failure of Recollection, Best Evidence Rule, Perception (60:00)
- Expert Witnesses, Cross-Examination, Impeachment I (52:00)
- Cross-Examination, Impeachment II, Rehabilitation I (54:00)
- Rehabilitation II, Character as a Defense (23:00)
- Hearsay (four DVDs: 30:00, 52:00, 58:00, 48:00)
- Burdens of Proof and Presumptions (60:00)
- Hearsay and the Right to Confrontation (two DVDs: 53:00, 54:00)
- The Ten Commandments of Cross-Examination (60:00)
- Hearsay Update (49:00)

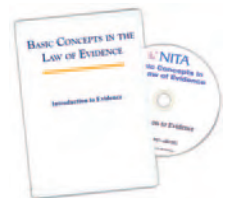


\$595 | 15 DVDs (12:08:00) and support materials, Pub. #28670, ISBN 9781422479100, © 1975

Basic Concepts in the Law of Evidence (Disk 2)

Irving Younger

Basic Concepts in the Law of Evidence (Disk 2) is a best-selling title in Irving Younger's famous *Basic Concepts in the Law of Evidence* DVD series that was produced during NITA's 1975 National Session in Boulder, Colorado.

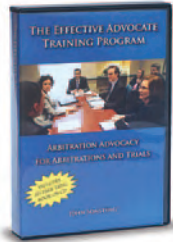


\$125 | CD-ROM (52:00), Pub. #28906, ISBN 9781422469057, © 1975

Effective Advocate Training Program: Arbitration Advocacy

John O. Sonsteng

Utilizing sixteen advocacy experts and the latest instructional technology, delivered in a reliable easy-to-use DVD format, *Arbitration Advocacy* brings the case of *Midstate v. Rogers* to life in a powerful, self-directed learning environment that is as valuable for advocates as it is for instructors. Carefully crafted lectures and performances critiqued by an expert panel turn the case into a learning experience as it unfolds. Mini-lectures on relevant topics such as case analysis, opening statements, and witness examinations provide in-depth instruction that can augment classroom lectures and provide advocates the opportunity to explore topics more in-depth on their own. The realism of the case is enhanced by a complete set of exhibits that can be examined in real time as they are presented. The Federal Rules of Evidence can be seen when there are objections and rulings by the arbitrator during the case. A complete 295-page Trial Book is included in a digital format, complete with editable forms so that there is everything for advocates to prepare and present a case themselves. Bring the classroom into the 21st century with this powerful, effective advocate training program.



\$95 | DVD, Pub. #28518, ISBN 9780971768734, © 2011

Mastering the Art of Cross-Examination

Irving Younger

- Cross-Examining the Well-Prepared Witness (59:20)
- Cross-Examining the Sympathetic Witness (47:38)
- Cross-Examining the Hostile Witness (51:36)
- Cross-Examining the Biased Witness (30:46)
- Cross-Examining the Eyewitness (52:19)
- Cross-Examining the Child Witness (39:12)
- Cross-Examining the Opposite-Sex Witness (45:44)
- Cross-Examining the Law-Enforcement Witness (41:29)
- Cross-Examining the Expert Medical Witness (35:08)
- Cross-Examining the Expert Accountant Witness (51:46)
- Cross-Examining the Expert Attorney Witness (54:50)



\$995 | 11 DVDs (8:45:00) and support materials, Pub. #28671, ISBN 9781422479216, © 1987

Opening Statements: A Modern Approach

Hon. Sanford M. Brook

By the end of your opening statement, 80 percent of your jurors have made their decision. In this DVD, Hon. Sanford M. Brook will empower you to make effective and persuasive opening statements that will make a lasting impression on jurors. He also addresses common mistakes made during openings and how to remedy them. The days of rambling, fumbling, and argumentative openings are over.



\$95 | DVD (1:09:00), Pub. #28673, ISBN 9781422479223, © 1993

Preparing the Lay Witness for Deposition

David A. Sonenshein and John Chesney

Preparing a witness to meet the challenge of giving a deposition is an important part of a trial lawyer's function. This DVD provides brief vignettes in key areas, which are immediately followed by an enlightening conversation between the presenters. This DVD also comes with a Video Support Materials booklet.



\$295 | DVD (2:00:00) and support materials, Pub. #28668, ISBN 9781422479148, © 2002

Selecting and Preparing the Expert Witness

David A. Sonenshein, John Chesney, and Anthony J. Bocchino

Through a series of vignettes, this DVD offers critiques and practical instruction that cover all aspects of the pretrial "care and feeding" of expert witnesses. This interactive tool centers around a gender discrimination case (citing the Federal Rules of Civil Procedure), but its principles can be applied to any expert in any case and at any level.



\$295 | DVD (1:55:00), Pub. #28699, ISBN 9781422479247, © 2005

The Ten Commandments of Cross-Examination

Irving Younger

The Ten Commandments of Cross-Examination is a best selling title in Irving Younger's famous *Basic Concepts in the Law of Evidence* DVD series that was produced during NITA's 1975 National Session in Boulder, Colorado. A supplemental text is included with DVD.



\$125 | DVD (60:00), Pub. #28936, ISBN 9781556816260, © 1975

PERSONAL INJURY/ NEGLIGENCE

ASSAULT (DAMAGES)

Fordyce v. Harris and Felson

SIXTH EDITION

Laurence M. Rose

After a violent beating, Henry Fordyce was hospitalized with a fractured skull, but has now completely recovered. He is suing for his medical expenses and lost wages. The criminal case has already been tried in *State v. Harris*, but now the plaintiff is suing the defendants for damages. Updated to reflect current monetary amounts, cultural references, and changes in case strategies, this case file is designed to be used in a trial advocacy program, either as skill exercises, a final trial, or both. In addition, along with its companion, *State v. Harris* (see p. 18 for description), it can be effectively used to highlight the differences between civil and criminal advocacy techniques.

\$35 | 90 pp. with CD-ROM, Pub. #28571, ISBN 9781601561701, © 2011



BATTERY AND NEGLIGENCE (GUNSHOT WOUND)

William Strange v. James Wrigley

SECOND EDITION

Hon. Andrew P. Rodovich

This personal injury case file involves the plaintiff, William Strange, who, after drinking at a local bar, thought he was entering his friend David Cunningham's house. Instead he walked into the front door of the defendant, James Wrigley, and his wife, Kathy. After Strange entered the house, Wrigley shot him twice. Strange has sued to recover for his injuries. This case file examines issues of self-defense and comparative fault, and is a good practice for the beginning student in developing basic trial skills. There are two witnesses for both the plaintiff and the defendant and four additional witnesses either party may call.

\$28 | 44 pp., Pub. #28647, ISBN 9781601560834, © 2008

Teaching materials available



CAR ACCIDENT

NEW IN 2012

Addison v. Peyton

Elizabeth Boals

In this civil case version of *State v. Peyton*, Taylor Addison has filed a complaint against Jordan Peyton alleging negligence and negligence per se. Addison further alleges that Peyton operated her car in an unsafe manner while under the influence of alcohol and struck Addison's car causing the coffee he was holding to spill over onto his hand, which resulted in severe burns.

\$35 | 120 pp., Pub. #28434, ISBN 9781601561268, © 2012



CAR ACCIDENT

Brown v. Byrd

Frank D. Rothschild, Deanne C. Siemer,
and Anthony J. Bocchino

Kenneth Brown claims he can't engage in any strenuous exercise. He also claims that a muscle relaxant his doctor prescribes does not allow him to drink any alcohol. Both of these inconveniences, Brown is convinced, are results of being rear-ended by the defendant, Robert Byrd. However, Brown has been observed exercising and drinking alcohol. Byrd maintains that the collision was in no way serious enough to cause Brown's alleged injuries. There are two witnesses for both the plaintiff and the defendant.

\$35 | 110 pp. with CD-ROM, Pub. #28597, ISBN 9781556817441, © 2001



CAR ACCIDENT

NEW IN 2012

Reagan v. Jacobson

John O. Sonsteng, Linda Thorstad, and Jennifer W. Miller

This case involves a collision between two cars. First Street, the two-way street on which the accident occurred, is narrow and not well lit. Cars were parked on both sides of the street, which permitted only one lane of traffic. There is no marked center line.

\$35 | 112 pp., Pub. #28439, ISBN 9781601561039, © 2012



**DUTY OF CARE IN EMERGENCY
(TRAFFIC ACCIDENT)**

Scruggs v. Snyder

SECOND EDITION

William S. Bailey and Frederick C. Moss

A six-year-old child ran across a busy highway. Lynn Snyder was driving along that highway and struck the child, possibly causing him to suffer a severe closed-head injury. Moments prior to the accident, a number of motorists, including Snyder, noticed the boy fidgeting by the fog line of the road. The defendant denies negligence on his part, and the state patrol officer who investigated the accident determined that there was not enough time for Snyder to stop before making contact with the child. The plaintiffs, supported by a number of eyewitnesses, claim that there was more than enough time for the defendant to avoid hitting the child. Both the plaintiffs and the defendant rely heavily on demonstrative evidence in this case. *Scruggs v. Snyder* includes a DVD containing expert witness reconstruction of the accident for both sides and a video walk-through of the accident site. There are four witnesses for both the plaintiffs and the defendant.

\$35 | 216 pp. with DVD, Pub. #28637, ISBN 9781601560445, © 2008



SLIP-AND-FALL

Fisher v. Yankee Doodle Corp.

REVISED FOURTH EDITION

C. Steven Fury

This is a negligence action involving a slip-and-fall injury at a fast-food restaurant. Problems simulate realistic courtroom situations. The case file contains depositions, doctors' reports, medical records, and other materials for use in a full trial exercise. There are three witnesses for both the plaintiff and the defendant.

\$28 | 124 pp., Pub. #28580, ISBN 9781556813818, © 1993



PERSONAL INJURY/NEGLIGENCE

Darngood v. Landers and PUDS

John O. Sonsteng, Linda Thorstad, and Jennifer W. Miller

The plaintiff, Helen Darngood, was struck by a Picket Up Delivery Services van driven by the defendant, Mel Landers. A negligence action has been brought by Helen Darngood against Mel Landers and Picket Up Delivery Services. They claim that the vehicle driven by Landers entered the intersection on a yellow light, that the vehicle proceeded through the intersection as permitted by law, and that Darngood was 100 percent contributorily negligent in that she crossed negligently in front of the van.

\$35 | 120 pp. with CD-ROM, Pub. #28661, ISBN 9781601560612, © 2011

DEFENDANT'S EDITION

\$35 | 100 pp. with CD-ROM, ISBN 9781601561831, © 2011

PLAINTIFF'S EDITION

\$35 | 100 pp. with CD-ROM, ISBN 9781601561824, © 2011

FACULTY EDITION

\$35 | 100 pp. with CD-ROM, ISBN 9781601560971, © 2011



TRAFFIC ACCIDENT

Fulbright v. Americraft Industries and Parker

THIRD EDITION

Edward R. Stein and Anthony J. Bocchino
Graphics and Electronic Files by Frank D. Rothschild

A high-school football star, John Fulbright, is thrown from his motorcycle and severely injured when it collides with a Cadillac that just pulled out of a parking lot. Most of the witnesses say Fulbright was speeding and not wearing a helmet, but a fourteen-year-old boy says otherwise. There is evidence that the Cadillac's driver, Andrew Parker, an Americraft employee, had been drinking. The plaintiff claims he became an epileptic as a result of his injuries. There is not a helmet law in the State of Nita. There are four witnesses for both the plaintiff and the defendants.

\$35 | 128 pp. with CD-ROM, Pub. #28641, ISBN 9781601560544, © 2008



BEST SELLER

TRAFFIC ACCIDENT

McLain v. Barber

THIRD EDITION

Anthony J. Bocchino and Ronald L. Beal

McLain has filed a personal injury action arising out of an automobile accident. The plaintiff, a potter by trade, sues for the value of his car, medical expenses, loss of income, and pain and suffering. His wife is suing for loss of consortium. The defendant counterclaims for damages to his car. This case file is designed so liability and damages can be separated. It contains twenty exhibits, including conflicting medical reports. There are five witnesses for the plaintiff and four witnesses for the defendant.

\$28 | 188 pp., Pub. #28585, ISBN 9781556815409, © 1997



TRAFFIC ACCIDENT

Williamson v. Shrackle

Molly Townes O'Brien, Steven Friedman,
and Kevin L. Prins

Professor Fergus D. Williamson was crossing the street when he was struck by the company pickup truck of Charles T. Shrackle. Williamson has filed a civil negligence suit with the Nita State courts, claiming that Shrackle's negligence caused him severe injury and disability. Shrackle admits to hitting Williamson, but claims that he was crossing in the middle of the street, not the crosswalk, and that Williamson did not look before entering the road. The defendant denies negligence, instead alleging contributory negligence on the part of the plaintiff. There are three witnesses for the plaintiff and four for the defendant.

\$28 | 118 pp., Pub. #28589, ISBN 9781556816802, © 1999



WRONGFUL ACT (DAMAGES)

Lang v. Anderson

SECOND EDITION

Anthony J. Bocchino, Joseph J. Kalo,
and Kelly S. Thomas

The plaintiff, Jeffrey B. Lang, seeks to recover damages based upon a claim that the defendant, Jennifer L. Anderson, owner of Mr. Gatsby's Restaurant, by serving and selling alcoholic beverages to Butch Turner, caused the intoxication of Butch Turner, and that Butch Turner injured the plaintiff while in this intoxicated condition. The defendant denies that as a result of beer consumed at Mr. Gatsby's Restaurant, Butch Turner became intoxicated. The defendant claims that the plaintiff provoked the fight with Turner. The defendant asserts that she, therefore, is not liable for the plaintiff's injuries. This file is intended to be used for a bench trial or a short jury trial. The trial may be limited to the issue of liability; however, adequate materials are included to allow the issue of damages to also be tried. Each side should be permitted to call only two witnesses.

\$28 | 72 pp., Pub. #28596, ISBN 9781556817410, © 2001



WRONGFUL DEATH

Constantine v. Prince and Worldwide Footwear, Inc.

William S. Bailey

This is a wrongful death case involving bicyclist George Constantine, who, while working for a bicycle messenger service, was hit by motorist Richard Prince. The decedent's estate seeks to recover damages from the defendant, alleging that he was going too fast and not keeping a proper lookout. Plaintiff further claims co-defendant and Prince's employer, Worldwide Footwear, Inc., failed to properly train, supervise, or discipline Prince who had received a number of speeding tickets without consequence prior to the fatal collision. The case utilizes computer animations in support of the testimony of both the plaintiff's and defendants' accident reconstruction experts. There are ten witnesses for the plaintiff and seven witnesses for the defendants.

\$35 | 114 pp. with CD-ROM, Pub. #28760, ISBN 9781556818424, © 2003



WRONGFUL DEATH

NEW IN 2012

Powell v. SuperPulper, Inc.

Andrew J. Stern, Gwen Roseman Stern, and Samuel A. Haaz

Robin Powell has filed a wrongful death suit against SuperPulper, Inc. after her husband, Steven Powell, died as a result of falling into a hydrapulper manufactured by SuperPulper. The complaint alleges that the hydrapulper was defective because there were no sufficient guards and warnings on and around the hydrapulper.

\$35 | 105 pp., Pub. #28441, ISBN 9781601562159, © 2012



WRONGFUL DEATH (RAILROAD ACCIDENT)

Fitzgerald v. NITA & Western Railroad

FOURTH EDITION

Text by Laurence M. Rose, Graphics and Electronic Files
by Frank D. Rothschild

This case file is a wrongful death action arising out of an accident at a railroad crossing. The plaintiff contends the railroad was negligent in not providing adequate warnings at the crossing and in the operation of the train. The defendant claims the plaintiff was negligent in the operation of his car or intentionally drove his car into the train. CD-ROM includes dialogue in deposition format of important witnesses as well as PowerPoint slides on the judge's instructions to the jury. There are five witnesses for the plaintiff and four for the defendant, including use of experts.

\$35 | 206 pp. with CD-ROM, Pub. #28646, ISBN 9781601560766, © 2009



WRONGFUL DEATH (TRAFFIC ACCIDENT)

BEST SELLER

Potter v. Shrackle and The Shrackle Construction Co.

SIXTH EDITION

Kenneth S. Broun and Frank D. Rothschild

Was the light red or green? Charles Shrackle's truck strikes and kills Katherine Potter as she is crossing an intersection in Nita City. Her estate brings a wrongful death action against Shrackle and his company. This classic file is ideal for teaching basic trial skills. It has been updated to reflect today's pertinent issues. Was the accident caused by the use of a cell phone? Was Jeffrey Potter involved in an affair when his wife died? There are six witnesses for the plaintiff and four witnesses for the defendants.

\$35 | 120 pp., with CD-ROM, Pub. #28604, ISBN 9781601562050, © 2012
Teaching materials available



NEGLIGENCE, MEDICAL MALPRACTICE, PRODUCTS LIABILITY, AND WRONGFUL DEATH

Farrell et al. v. Strong Line, Inc. et al.

REVISED SECOND EDITION

Thomas F. Geraghty

Anne Farrell's husband, Nathan, died after a heart transplant. There is reason to believe the equipment used in the surgery was defective and led to Nathan's untimely death. Anne is seeking damages from both the hospital and Dr. Madden, claiming negligence and medical malpractice. Additionally, the plaintiff is suing Strong Line, claiming both negligence and product liability due to the defective suture. All three defendants refute this claim and are contesting the amount of damages the plaintiff is seeking, maintaining that she cannot affirm that her husband's quality of life would have remained intact postsurgery. The professor will have choices for students to work with multiple defendants to complicate the charges. There are eight witnesses for the plaintiffs and five witnesses for the defendants.

\$28 | 256 pp., Pub. #28581, ISBN 9781556814198, © 1994
Teaching materials available



PRODUCTS LIABILITY

INDEMNITY AND CONTRIBUTION

World Oil Co. v. Northeast Shipbuilding, Inc., and Toiler Salvage Co.

FOURTH EDITION

Thomas F. Geraghty

One dark night the J.B. John Northeast Shipbuilding tanker grounded and broke in half, spilling 230,000 tons of crude oil into the water and subsequently onto Nita's shore. Now, an action for indemnification and contribution has been filed for the plaintiff who is seeking to recover \$1.2 billion in damages. This is not the first suit surrounding this accident. The State of Nita, Nita residents, and various other businesses sued World Oil for damages and were awarded a total of \$1.2 billion. There are ten witnesses for the plaintiff and five witnesses for the defendants, including several experts. This file is recommended for use in advanced advocacy courses.

\$28 | 234 pp., Pub. #28584, ISBN 9781556815263, © 1996
Teaching materials available



PRODUCTS LIABILITY/NEGLIGENCE

Garcia v. Vertex Manufacturing Company

SECOND EDITION

William S. Bailey and Frederick C. Moss

In this products-liability case involving the tip-over of an extended-reach personnel lift, a shipyard worker falls seventy feet when the lift he's in tips over. He suffers broken ankles in the fall and claims that he sustained a closed head injury. He sues Vertex Manufacturing, the maker of the lift, claiming negligent design. Experts will testify for both sides on the lift's design safety and industry standards. The defendant alleges that the lift was within industry standards and that it tipped over because of the plaintiff's employer's failure to properly train its workers. The defendant also disputes the plaintiff's claims of a head injury and personality change. If tried for liability only, there are three witnesses for the plaintiff and two for the defense. If damages are pursued, then there are five witnesses for the plaintiff and three for the defense. A CD-ROM containing photos of the accident scene and equipment, medical reports, and computer graphics is included.

\$35 | 144 pp., with CD-ROM, Pub. #28608, ISBN 9781601561077, © 2011



PROFESSIONAL RESPONSIBILITY

Exercises and Problems in Professional Responsibility

SECOND EDITION

Robert Burns, Thomas F. Geraghty, and Steven Lubet

One of the first legal ethics courses to rely on the power of simulation to provide a contextual grasp of a lawyer's obligations. The text gives students the ability to recognize and address professional responsibility problems in situations where they arise. The student exercises are usually the subject of disciplinary hearings in which other students, acting as prosecutors and defense counsel, argue the propriety of the actual decisions that the student lawyers make. The exercises and problems are taken from two case files, one civil and one criminal. These materials may be used independently or coordinated with *Problems and Materials in Evidence & Trial Advocacy* (see p. 31 for description) for a fully integrated program.

\$45 | 130 pp., Pub. #28700, ISBN 9781556816444, © 2001
Teaching materials available



Professionalism in the Real World: Lessons for the Effective Advocate

Lisa Penland and Melissa H. Weresh

Relevant and practical, *Professionalism in the Real World* walks the reader through the application of the Model Rules of Professional Conduct in everyday situations. The authors provide countless humorous and heartening real-life examples of the ethical missteps of the unwary attorney. Useful advice and checklists throughout the book will point the lawyer in the right ethical direction from the early stages of client engagement to appeals. Students and new practitioners alike will greatly benefit from this essential guide.

\$25 | 192 pp., Pub. #28741, ISBN 9781601560575, © 2009



In Re Cooperman

SECOND EDITION

Anthony J. Bocchino

This case file contains a four-count disciplinary action brought by the Nita State Bar against the respondent, Harriet Cooperman, a member of the Nita State Bar. The Bar alleges that Cooperman failed to adequately consult with her client, David Engles, during the course of his action against the Acme Paper Company. The Bar also states: Cooperman failed to adequately explain the contents of her fee agreement; she represented clients with conflicting interests without first obtaining the informed consent; and finally, she represented a client against a former client in a cause of action. The appendix contains the American Bar Association Rules of Professional Conduct applicable to this case. There are three witnesses for both the State Bar and the respondent.

\$28 | 90 pp., Pub. #28626, ISBN 9781556819575, © 2005



In Re Halbrock

John O. Sonsteng, Linda Thorstad, and Jennifer W. Miller

The Office of Lawyers Professional Responsibility petitioned the Supreme Court for disciplinary action in regard to Timothy B. Halbrock alleging the following: Misappropriation of Funds from Power Mitey Corporation; Misappropriation of Funds from Osborn, Lewis, Halbrock & Albert Law Firm and Failure to File and Pay Employee Withholding Taxes; Failure to Pay Personal Income Tax and File Returns; and Failure to Communicate with Client.

APPELLATE FILE

\$35 | 158 pp., Pub. #28513, ISBN 9781601561923, © 2011

TRIAL FILE

\$35 | 158 pp., Pub. #28473, ISBN 9781601561916, © 2011



TECHNOLOGY

Effective Use of Courtroom Technology: A Lawyer's Guide to Pretrial and Trial

Donald Beskind, Anthony J. Bocchino, Frank Rothschild, and Deanne Siemer

Stop fumbling around with your slides and videos and turn your court exhibits from dull and unruly to simple and effective. While technology is designed to make our lives easier, it can easily distract from your presentation if you are not in control of it. Authors Frank Rothschild, Donald Beskind, Anthony Bocchino, and Deanne Siemer have teamed up to help you overcome your handicaps with electronic equipment. This jargon-free, how-to book explains real issues and describes the technology driving the issues. A CD-ROM is included with computer-generated exhibits and a copy of the Microsoft® Appeal e-brief, courtesy of RealLegal.com. The appendices include rules regarding use of technology in federal courts, ensuring that even experienced dogs can learn new tricks.

\$50 | 448 pp. with CD-ROM, Pub. #28704, ISBN 9781556817281, © 2002

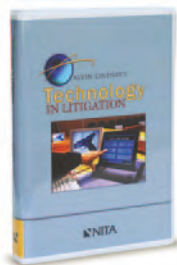


Technology in Litigation

Alvin F. Lindsay

Master the electronic courtroom and learn how to benefit from the wealth of productivity enhancements today's technology offers. Lindsay has simplified the learning curve by designing and presenting a powerful package of materials that provides practical, critical information for using technology in all phases of the litigation process. By viewing the five video segments and reading the accompanying booklet, students will painlessly learn how to become proficient with today's most popular software applications and tools available in each phase of the case management process. The package includes three DVDs (180:00) and a 162-page booklet.

\$195 | 3 DVDs (180:00), Pub. #28667, ISBN 9781601560186, © 2008



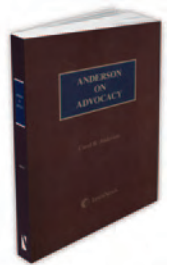
TRIAL ADVOCACY

Anderson on Advocacy

Carol Anderson

Successful trial lawyers are constantly working to improve their trial techniques and advocacy skills. *Anderson on Advocacy* presents effective approaches and advice on all aspects of trial practice. Carol Anderson, an award-winning clinical professor, illustrates her points with entertaining and educational examples from many of America's most successful trial lawyers, including: Michael Tigar, David Berg, Howard Nations, and John Edwards. These outstanding trial lawyers will help your students master the tactics and strategy of trial advocacy.

\$75 | 768 pp., Pub. #28375, ISBN 9781601560247, © 2003



Cardinal Rules of Advocacy: Understanding and Mastering Fundamental Principles of Persuasion

Hon. Douglas S. Lavine

In this compelling book, Lavine outlines the recurring core principles of persuasion that, when mastered, can lead to successful advocacy. Lavine's interdisciplinary approach draws from history, literature, psychology, drama, religion, and the law to discuss the fundamental principles of effective persuasion.

\$50 | 288 pp., Pub. #28706, ISBN 9781556817694, © 2002



Children in the Courtroom: Challenges for Lawyers and Judges

SECOND EDITION

Sherrie Bourg Carter

In *Children in the Courtroom*, the author provides law students with the critical information they need to properly review and handle cases involving child witnesses. Through a detailed discussion of the complicated legal, investigative, and developmental problems that are commonly encountered when children are involved in the legal system, Bourg Carter offers practical tips to help legal professionals maneuver through the often thorny landscape of child witness litigation.



\$35 | 190 pp., Pub. #28742, ISBN 9781601560711, © 2009

Compendium of Trial Advocacy Drills

Robert A. Stein and Ben Rubinowitz

For every textbook that you adopt into your classroom, NITA will give you a complimentary copy of *Compendium of Trial Advocacy Drills*. The drills in this book are the same excellent drills that have been used to enhance skill training in NITA programs for years. The authors contacted NITA faculty and compiled their experiences in this small manual that will give you the tools to isolate and form building blocks that improve trial skills.



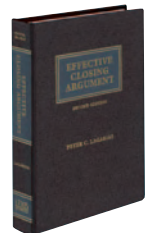
\$30 | 72 pp., Pub. #28728, ISBN 9781556819612, © 2006

Effective Closing Argument

SECOND EDITION

Peter C. Lagarias

Effective Closing Argument addresses the crucial subject of closing argument in an illuminating and exciting manner. Early on there is a dissertation on psychology and philosophy as they are related to the art of persuasion. These are foundation stones on which a persuasive closing argument is built, yet they have seldom if ever been systematically presented. The core ideas of the classical art of rhetoric are presented with vibrancy and in a manner most useful to the trial lawyer.

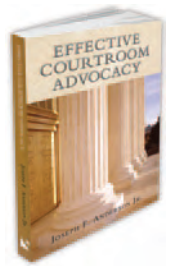


\$65 | 754 pp., Pub #28762, ISBN 9781422479285, © 1999

Effective Courtroom Advocacy

Hon. Joseph F. Anderson Jr.

Drawing from over twenty years of experience on the federal bench, Judge Joseph F. Anderson Jr. gives a unique perspective to the art of advocacy, that of the judge. Topics include effective trial tactics, how to handle the different types of judges a lawyer will encounter, common mistakes to avoid, and the “nuts and bolts” of evidence law. These topics are illustrated with amusing sidebars.



In addition, Judge Anderson presents invaluable feedback from jurors in trials over which he has presided, which was collected in informal interviews and questionnaires. Further, Judge Anderson includes the results of surveys that he has conducted with fellow judges on good and bad lawyering they have observed.

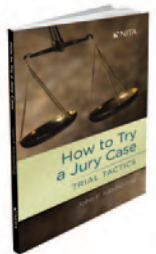
Finally, Judge Anderson illustrates his distilled wisdom in a mock transcript of a trial and offers transcripts of real-world examples of good advocacy.

\$45 | 230 pp., Pub. #28927, ISBN 9781601561244, © 2010

How to Try a Jury Case

John F. Kimberling

Anyone who properly prepares for trial and follows common-sense rules of persuasion and advocacy can be a good advocate in the courtroom. *How to Try a Jury Case* is an essential text for training law school students as well as beginning litigators to communicate with jurors and achieve their clients’ objectives at trial. *How to Try a Jury Case* tells how to prepare a case for trial and follows the lawyer through the opening statement, presentation of evidence, cross-examination, and closing argument. By studying this text, the beginner will avoid common mistakes.



\$65 | 224 pp., Pub. #28734, ISBN 9781601560193, © 2007

Inside Jurors' Minds: The Hierarchy of Juror Decision-Making

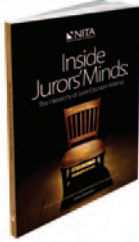
Carol Anderson

This book discusses the conscious and unconscious psychological factors that influence juror decision making. Jurors inevitably rely on the same "thinking tools" at trial that they use to solve problems and make decisions in their everyday lives, which makes it almost impossible for them to divorce instinct and emotion from decision making. Their fight-or-flight reflexes are stimulated not only by predators, but by information that makes them fear for their personal safety—even if the threatening information is something they merely imagine.

Because jurors unconsciously weigh information in a hierarchical fashion, the "hierarchy of juror decision making" can serve as a blueprint for creating strategies to counteract the most common thinking errors that can skew jurors' perceptions of the case. This is a valuable weapon that should be in every trial lawyer's arsenal.

\$45 | 180 pp., Pub. #28467, ISBN 9781601561817, © 2012

NEW IN 2012



Justice for All: The Challenges of the Mentally Ill in the Legal System

Sherrie Bourg Carter

Representing clients with mental illness is a challenging task that requires specialized skills and knowledge that few attorneys receive in law school. Yet such skills and knowledge are critical to competent and effective representation in all areas of legal practice. In *Justice for All*, Bourg Carter uses her eighteen years of experience working with mentally ill clients in the legal system to provide attorneys and law students with: step-by-step guidelines for identifying diminished capacity in clients; easy-to-understand descriptions of diagnostic jargon, common diagnoses and their legal relevance to criminal, civil, and family law cases; and practical strategies for dealing with agitated, paranoid, or personality-disordered clients. Appendices include an attorney checklist for possible mental health issues, a glossary of common mental health terms, and a list of commonly prescribed medications for mental illnesses.

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Jury Speech Rules: The Art of Ethical Persuasion

SECOND EDITION

David M. Malone

Jury Speech Rules shows trial lawyers that persuasive jury opening statements and closing arguments require imagination, story-telling skills, and a thorough knowledge of the legal and ethical rules that govern this important part of trial. Using famous historical cases and many useful examples, they demonstrate when things go wrong and when they are done right.

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NEW EDITION



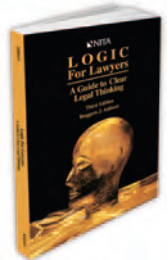
Logic for Lawyers: A Guide to Clear Legal Thinking

THIRD EDITION

Hon. Ruggero J. Aldisert

A thirty-year veteran of the bench, Aldisert helps law students understand and apply the elements of legal logic. Using these skills, you can argue more persuasively—both in briefs and before the court. Just as critically, you can also expose flaws in adversaries' arguments. The result? A competitive edge in the courtroom.

\$60 | 300 pp., Pub. #28699, ISBN 9781556815386, © 1997



Making Your Record

Leticia Araujo Perez

This compact volume will be of great assistance to young trial lawyers, as well as law students who would like to prepare themselves for courtroom careers. Harking to the experiences set forth here should result in a more confident presentation.

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Modern Trial Advocacy: Analysis and Practice

BEST SELLER

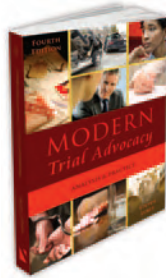
FOURTH EDITION

Steven Lubet

NITA's best-selling text, *Modern Trial Advocacy: Analysis and Practice*, has set the standard for trial advocacy texts since 1993. All of NITA's renowned full trial programs use the text, as do prominent law schools nationwide. Steven Lubet guides the beginning advocate from developing a winning case theory through all phases of trial. He explains how to present a case as a story, and how to tell the story to the jury powerfully and persuasively. The Fourth Edition includes:

- An expanded section on the uses of theory, theme, and story frame
- Expanded discussion of witness preparation
- Sections on developing "story arcs" in opening statements and final arguments
- A section on the persuasive value of inferences and cognitive theory
- Expanded discussion of witness "credibility variables," explaining how to bolster or undermine testimony

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Law School and Canadian editions also available



Modern Trial Advocacy: Law School Edition

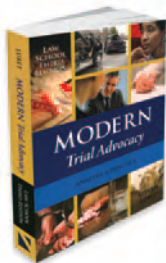
BEST SELLER

THIRD EDITION

Steven Lubet

Modern Trial Advocacy: Law School Edition presents a realistic and contemporary approach to learning and developing trial advocacy skills. Dedicated to the law student, the book contains a "Trial Basics" chapter, which discusses what happens in a trial and the role the advocate plays. The law school edition has checklists that guide students in their performance.

\$65 | 458 pp., Pub. #28722, ISBN 9781601561411, © 2009
General and Canadian editions also available

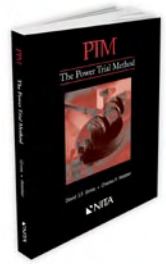


The Power Trial Method

David J.F. Gross and Charles F. Webber

An easy-to-read trial skills primer, *The Power Trial Method* begins with a simple question about jury trials: who has the power in the courtroom to decide whether you win or lose? Gross and Webber developed this material to introduce law students to the trial process and to reduce the anxiety associated with jury trials by emphasizing key methods of persuasion and presentation. *The Power Trial Method* describes how to assess the trial judge's use of power and to persuade the jury to use its own power. The authors also examine the importance of a trial theme and how to create fairness points among many other relevant issues.

\$75 | 356 pp., Pub. #28707, ISBN 9781556817700, © 2003



Problems in Trial Advocacy

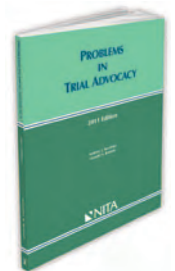
BEST SELLER

2011 EDITION

Anthony J. Bocchino and Donald H. Beskind

Problems in Trial Advocacy, 2011 Edition provides the subject matter for realistic courtroom simulations, and many of the problems are based on actual trials—both civil and criminal. Hands-on problems cover opening statements, direct and cross-examination of lay and expert witnesses, introduction of exhibits, witness impeachment, and closing arguments. Many popular NITA problems and fact patterns are included and have been updated with current date references and many new and enhanced exhibits. A CD-ROM containing electronic copies of all the exhibits is included. These concise exercises give students the opportunity to learn quickly without having to memorize a full case file of facts.

\$65 | 500 pp. with CD-ROM, Pub. #28733, ISBN 9781601561602, © 2011

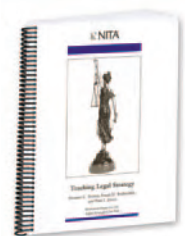


Teaching Legal Strategy

Deanne C. Siemer, Frank D. Rothschild, and Paul J. Zwier

Legal Strategy is a course in which students can consider theoretical aspects of strategy and methods for working through a strategy problem, and then apply those theories and methods to practical problems. The problems involve a small business that encounters a series of situations requiring advice with respect to strategy.

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Trial Advocacy Basics

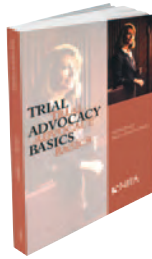
Dent Gitchel and Molly Townes O'Brien

Trial Advocacy Basics is a brief yet comprehensive guide for the beginning trial lawyer. It offers practical advice on every stage of trial preparation and practice from voir dire to verdict. The authors explain trial procedures and techniques in a straightforward and understandable way, using colorful examples, memorable quotes, and humor.

In correlation with topics covered in trial advocacy courses, each chapter covers a separate phase of the trial process including:

- An introduction to the trial process and courtroom decorum
- Tips, strategies, and theory to help a lawyer understand how to prepare for trial
- Jury selection
- Opening statements and closing arguments
- Direct and cross-examinations
- Impeachment
- Objections
- And more

\$55 | 272 pp., Pub. #28729, ISBN 9781556819650, © 2006



Trialbook

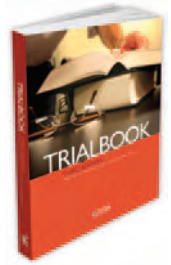
THIRD EDITION

John O. Sonsteng and Roger Haydock

Trialbook provides a systematic approach to preparing and presenting a case. It's designed as a primer, an advocacy refresher, and resource manual, and can be used in all dispute resolution forums including courts, arbitrations, and administrative hearings. The materials apply to all types of cases—civil and criminal.

Advocates at all levels of experience will find *Trialbook* very useful. Novice lawyers will have, in one readily available source, an outline of the information they need to prepare and present a case. Experienced lawyers can use this book to refresh their abilities and to augment what they already know. The modular design allows users to revise, add, or delete sections to serve each individual's unique approach to the practice of advocacy. The forms are also provided in word-processor format on an included CD-ROM.

\$65 | 410 pp. with CD-ROM, Pub. #28908, ISBN 9781601561046, © 2010



Trial Advocacy for the Child Welfare Lawyer

Marvin Ventrell

From case analysis and opening statement through closing argument, *Trial Advocacy for the Child Welfare Lawyer: Telling the Story of the Family* is a concise and comprehensive treatment of the trial. It incorporates generations of trial advocacy wisdom into the context of juvenile and family court proceedings. A veteran instructor of the NITA teaching methodology, Marvin Ventrell walks you through a "how-to method" of each stage of the case, using real-life examples of child welfare cases. These essential lessons extend beyond child welfare proceedings and provide insight and skills applicable to all family and domestic relations cases. Trials, effectively presented, are stories—stories of mothers, fathers, children—stories of the family. *Trial Advocacy for the Child Welfare Lawyer* teaches you how to present the story of the family from the unique and powerful perspective of each litigant. From nuts and bolts to advanced practice techniques, each trial skill is treated as a mechanism of persuasion for both judge and jury.

\$45 | 156 pp., Pub. #28520, ISBN 9781601561497, © 2011



Trial Technique & Evidence

THIRD EDITION

Michael Fontham

This book is an invaluable resource and in-depth guide dedicated to assisting the trial attorney in every aspect of preparing for and conducting trials, including understanding and applying the rules of evidence in trial. The *Third Edition*, by Michael Fontham, adds material on electronic evidence, expert witness, examination of witnesses, jury studies and their implications for trial practice, and changes to the Federal Rules of Evidence. *Trial Technique & Evidence* is an excellent reference for the new attorney preparing for that first case or the seasoned attorney looking for a new perspective. The following features are included:

- Example outlines for arguments and examinations
- Example transcripts for examinations
- Use of a complete fact pattern to illustrate points throughout the text
- Instructions and advice on preparing for trial and selecting a jury
- In-depth analysis of evidence rules and their application in trial

\$85 | 896 pp., Pub. #28743, ISBN 9781601560728, © 2008



Winning at Trial

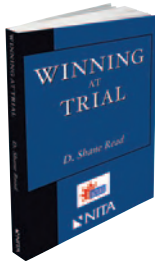
D. Shane Read

Winning at Trial uses innovative techniques to teach students and experienced lawyers alike the art of presenting a clear and compelling case in order to win at trial. These skills are gained first by observing then by doing, and in *Winning at Trial* the reader is enabled to do just that by analyzing famous trials, namely the O. J. Simpson and the Timothy McVeigh trials. This book is one of the most comprehensive trial advocacy resources published in recent years. Students, lawyers, and judges alike will benefit from Read's wisdom. The book includes two DVDs containing almost four hours of footage from the O. J. Simpson trial and a focus group deliberating a civil trial.

The Association for Continuing Legal Education (ACLEA) selected *Winning at Trial* to receive the Award for Professional Excellence in Publications in the 2008 "ACLEA's Best" international awards competition.

\$75 | 440 pp. and 2 DVDs, Pub. #28732, ISBN 9781601560018, © 2007
Teaching materials available

BEST SELLER



Winning Jury Trials: Trial Tactics and Sponsorship Strategy

THIRD EDITION

Robert H. Klonoff and Paul L. Colby

Winning Jury Trials covers a broad spectrum of issues likely to confront the advocate every day and provides a "default position" on how to resolve most tactical issues arising at trial. *Winning Jury Trials* covers such topics as: which witnesses to call; whether to introduce negative evidence; how to handle marginal evidence; and how to tie everything else—exhibits, opening and closing statements, cross-examination, etc.—into your evidence.

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Tournament of Champions



Samford University Cumberland School of Law October 2013

In 1989, Professor Charles E. "Chuck" Kirkwood of the University of Akron School of Law hosted the first Tournament of Champions Trial Competition. He invited the best trial advocacy law schools in the nation. Invitations were based on performance over the years in two "open" student trial competitions: the National Trial Competition and the ATLA National Student Trial Advocacy Competition. The tournament was informal and fun, with a focus on outstanding trial advocacy skills. In 1995, NITA recognized the outstanding quality of this tournament and chose to sponsor the Tournament of Champions. In 2005, LexisNexis® became a co-sponsor.

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Semifinalist: St. John's University School of Law

Semifinalist: UC Berkeley School of Law

Best Advocate, Preliminary Rounds:

Cory Ricci of Samford University, Cumberland School of Law

Best Advocate, Final Rounds:

Stephen Netherton of Baylor Law School

2012 Tournament of Champions Participating Law Schools:

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1997 Temple University School of Law

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1991 Stetson University College of Law

1990 South Texas College of Law

1989 Stetson University College of Law

Tournament of Champions



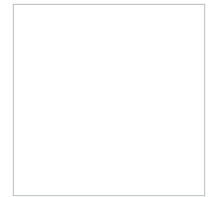
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