

California Trial Evidence 2016

San Francisco, Live Webcast and www.pli.edu,* October 27, 2016

Why You Should Attend

Mastering the complexities of California evidence often can be the difference between winning and losing at trial. Recent case law and statutory developments in the law of evidence render this mastery critical in modern litigation and trials. This program is designed to give you the most up-to-date information on California evidence standards. The panelists represent top-flight trial attorneys and judges who will provide winning strategies for your practice.

What You Will Learn

Our expert faculty will lead you through the most pertinent and tricky trial evidence topics, such as:

- Crediting and discrediting witnesses
- Winning with demonstratives
- Making the most out of your motions *in limine*
- Expert witness evidence
- Overcoming obstacles to admissibility, and
- Judges will teach how to win the evidence game at trial

Who Should Attend

Civil and criminal trial attorneys who want to hone their evidence skills and stay on top of recent developments in the field should attend. This program will be highly valuable for newer attorneys trying their first few trials as well as for experienced courtroom advocates who will stay abreast of recent developments. Plan to attend just for the invaluable tips from our experienced faculty.

Program Schedule

Morning sessions 9:00 a.m. – 12:30 p.m.

9:00

Program Overview and Introductions

Patricia L. Peden

9:15

The End Goal—Crediting and Discrediting Witnesses

- How to develop a trial theme tied to your evidence
- It's your story: How to make the most of your trial witnesses
- The adverse witness: Effective impeachment and cross examination
- Winning evidentiary disputes at trial

Thomas J. Brandi, Matthew J. Jacobs

10:15

Effective Use of Demonstrative Evidence

- Graphic illustrations and photographs
- Animations
- Foundation for scientific evidence
- Visual recordings
- Jury views

Thomas B. Mayhew, Julie Salamon

11:15

Networking Break

11:30

Making the Most Out of Your Motions *in Limine*

- Deciding what motions *in limine* to file
- Using discovery to maximize your chances of winning
- Best approach to and uses for defensive motions *in limine*
- Best approach to and uses for affirmative motions *in limine*
- Motions *in limine* during trial—monitoring and putting on your case around excluded evidence.

Richard C. Darwin, Michael K. Ng

12:30

Lunch

Afternoon sessions 1:45 p.m. – 5:00 p.m.

1:45

The Use of Experts at Trial

- Privilege and communications with the expert
- Planning for the *Daubert* challenge
- Expert as vehicle for admission at trial of otherwise inadmissible evidence
- Rules of evidence and the cross-examination of opposing expert

James R. Batchelder, Laurie Edelstein

2:45

Overcoming Obstacles to Admissibility

- Making and responding to trial objections
- Laying the foundation
- Hot topics in hearsay
- Ruling the relevance roost
- Short cuts to authentication
- Preserving the record
- Offers of proof

The Honorable Laurel Beeler, Robin G. Workman

3:45

Networking Break

4:00

The Most Common Evidentiary Errors Seen From the Bench and How You Can Avoid Them

- Judges perspective on common evidence issues
- Common evidentiary mistakes made at trial
- Techniques to impress your judge at trial
- Evidence tips and best practices

Mark Conrad (moderator), The Honorable Tracie L. Brown, The Honorable Jeffrey S. White

5:00

Adjourn

Faculty

Chairperson

Patricia L. Peden
LeClairRyan LLP
San Francisco

James R. Batchelder
Ropes & Gray LLP
East Palo Alto

The Honorable Laurel Beeler
Magistrate Judge
United States District Court
San Francisco

Thomas J. Brandi
The Brandi Law Firm
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The Honorable Tracie L. Brown
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The Honorable Jeffrey S. White
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