

MATTHEW BENDER & COMPANY, INC.
ATTN: COLLABORATIVE PUBLISHING SOLUTIONS
701 E. WATER STREET
CHARLOTTESVILLE, VA 22902

PRSR STD.
U.S. POSTAGE
PAID
LexisNexis
22901

ORDER TODAY!

TO ORDER CALL 800-533-1637 OR
VISIT WWW.NITA.ORG/PUBLICATIONS

LexisNexis and the Knowledge Burst logo are registered trademarks of Reed Elsevier Properties Inc., used under license. Matthew Bender is a registered trademark of Matthew Bender Properties Inc. Other products or services may be trademarks or registered trademarks of their respective companies. Copyright 2010 Matthew Bender & Company Inc. All rights reserved.



FEATURED PUBLICATIONS



MODERN TRIAL ADVOCACY LAW SCHOOL

THIRD EDITION, 2010
STEVEN LUBET

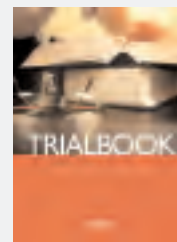
Steven Lubet guides the beginning advocate from developing a winning case theory through all phases of trial. He explains how to present a case as a story, and how to tell the story to the jury powerfully and persuasively.



PROBLEMS AND MATERIALS IN EVIDENCE & TRIAL ADVOCACY

FIFTH EDITION, 2010
ROBERT BURNS, STEVEN LUBET,
AND JAMES H. SECKINGER

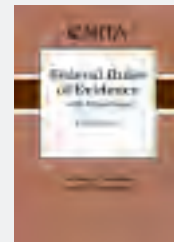
The case book features both a civil and criminal case file, including the choice of trial theory, organization, and presentation of evidence. The problems volume contains over 299 problems and exercises.



THE TRIALBOOK

THIRD EDITION, 2010
JOHN SONSTENG AND
ROGER HAYDOCK

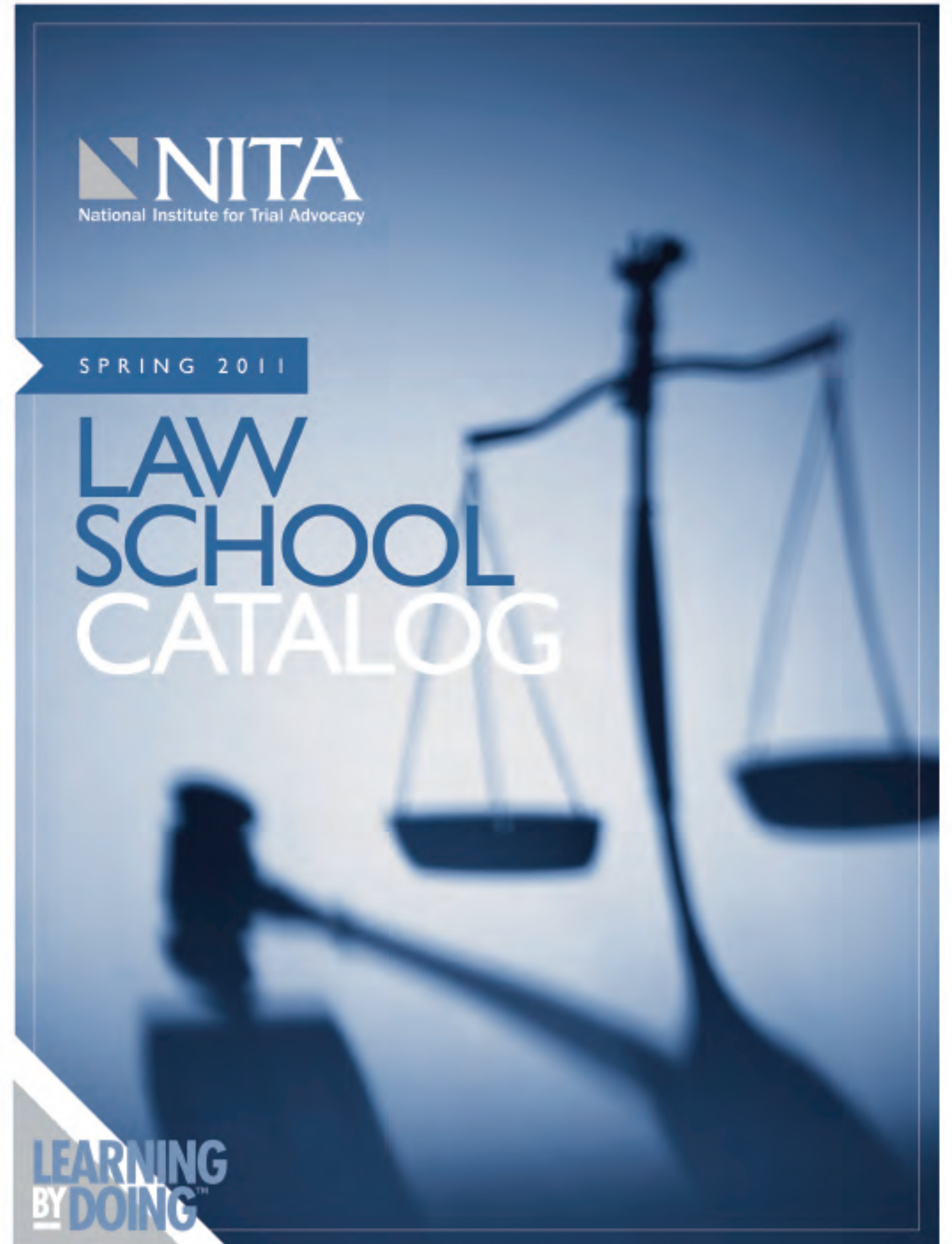
Designed as a primer, an advocacy refresher, and resource manual, *The Trialbook* can be used in all dispute resolution forums including courts, arbitrations, and administrative hearings.



FEDERAL RULES OF EVIDENCE WITH OBJECTIONS

NINTH EDITION, 2010

This pocket-sized guide contains the complete Federal Rules of Evidence as amended through December 1, 2010, and is combined with pattern objections and responses relating to each rule.



CONTENTS

ABOUT NITA	2
TOURNAMENT OF CHAMPIONS	4
ADVOCACY TEACHER TRAINING	5
OF SPECIAL INTEREST	6

CASE FILES

CIVIL CASE FILES	8
CHILD/JUVENILE ADVOCACY	8
CIVIL RIGHTS	8
CONTRACTS	9
DISCRIMINATION	12
ELDER LAW	15
MALPRACTICE	16
PERSONAL INJURY/NEGLIGENCE	16
PRODUCTS/LIABILITY	20
PROFESSIONAL RESPONSIBILITY	21
CRIMINAL CASE FILES	22

TEXTS

ALTERNATIVE DISPUTE RESOLUTION	28
APPELLATE ADVOCACY	30
CRIMINAL PRACTICE	31
DEPOSITIONS AND PRETRIAL	32
EVIDENCE	35
EXPERT WITNESS	36
TECHNOLOGY	37
TRIAL ADVOCACY	38
MULTIMEDIA	44
INDEX	45
ORDERING INFORMATION	47

BOARD OF TRUSTEES

LEO M. ROMERO
CHAIR

MICHAEL H. GINSBERG
CHAIR ELECT/TREASURER

ANGELA C. VIGIL
SECRETARY

SUSAN R. STEINGASS
PAST CHAIR

W. BAREFOOT BANKHEAD
BARBARA E. BERGMAN
PAMELA A. BRESNAHAN
HON. SUSAN NOLTING BURKE

DWIGHT J. DUNCAN
THOMAS F. GERAGHTY
MICHAEL A. KELLY
ROBERT G. KRUPKA
L. JOSEPH LOVELAND
BEN B. RUBINOWITZ
DEANNE C. SIEMER
GERALDINE SUMTER
ROBIN G. WEAVER
HON. ANN C. WILLIAMS

OFFICER
JOHN BAKER
PRESIDENT



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. As part of that mission NITA provides scholarships and minimum tuition programs for public service attorneys. NITA is also a leading publisher of legal resources for law schools and law school libraries.

WHY DO LAW SCHOOLS CHOOSE NITA PUBLICATIONS?

OUR GOAL IS THE SAME AS YOURS—
TO PROVIDE THE BEST ACADEMIC TRAINING AVAILABLE.

Each professor receives individual attention. NITA recognizes that professors develop unique methods for presenting material in the classroom. Our educational consulting team will work with you to select the right materials to meet your classroom goals. Teaching notes are available for most case files.

NITA provides experienced and knowledgeable consultants to work with law schools and professors to guide them through the various classroom materials options.

Ordering publications for your class is easy! Your NITA educational consultant is also the liaison to your bookstore and has developed relationships with your bookstore and law libraries. One school, one consultant means smooth sailing for your classroom.



DEAR PROFESSOR:

The legal community depends on law schools to turn out the best and the brightest new advocates year after year. The latest challenge is making sure that legal education pays career dividends to students and their future employers. The MacCrate and Carnegie reports have challenged law schools to develop practical skills training, so that their graduates will be valuable assets from their very first days on the job. We can help.

NITA has recently developed concentrated skills-based training programs for law schools that combine lectures, demonstrations, and workshops for both litigation and transactional classrooms, blending academic instruction from the professors with real-world expertise and advice from veteran practitioners. The central feature of this classroom experience is individual critiques of student performances in a secure non-threatening environment—a methodology that NITA pioneered nearly 40 years ago. This gives students the opportunity to combine their newly acquired knowledge with their own personal style and immediately test their effectiveness as advocates.

Many law schools already have skills-based training programs in place. So NITA's publications department has redoubled its efforts to give you the best training materials available.

We have focused our attention on updating NITA's best-selling titles and acquiring new case files to stimulate your classroom. This year we have new editions of *Modern Trial Advocacy*, *Problems & Cases in Evidence and Trial Advocacy*, *David Ball on Damages*, *Mediation Representation*, *Evidence in Context*, and *Trialbook*—all best sellers that have been made even better. You will also find new editions of *State v. Diamond*, *Taylor v. Pinnacle*, *Cranbrooke v. Intellex*, and *BMI v. Minicom*. And we have updated our practical pocket-sized rules books.

We're also pleased to offer some new and interesting case files. *State v. Peyton* is a basic DUI case that introduces students to drug testing procedures and courtroom challenges they are bound to encounter in practice shortly after passing the bar. Soon to be published, *Gilbert v. O'Neil* is a wrongful death action based on the mysterious death of a famous rock star. You can also expect to see our first pretrial textbook by year's end, titled *Trial Preparation for the New Advocate*, as well as a new book on a rapidly expanding field of practice, *International Commercial Arbitration Advocacy*.

Finally, we have recently partnered with LexisNexis/Matthew Bender to handle your fulfillment and customer support needs. Your bookstore is used to working with them and should have no problem with the transition. Your LexisNexis representative, who visits your school twice a year, has the latest information on NITA publications and can process your orders, as well as provide review copies of books you might be interested in using in your classes. Your students can order NITA publications on the LexisNexis/NITA website and will continue to receive our student discount and free shipping.

All of the changes at NITA this past year have been designed to give our law school professors the best skills development tools available and to give you broader access to our publications. We hope we have made your job a little easier as you continue to develop the talents of young practitioners who will soon be entering the legal job market. Please feel free to call me anytime for in-depth information on NITA publications and programs. The NITA family values your opinion and welcomes your suggestions.

Warm regards,

JEANNE PHILOTTOFF
NITA EDUCATIONAL CONSULTANT

THE CENTRAL FEATURE
OF THIS CLASSROOM
EXPERIENCE IS
INDIVIDUAL CRITIQUES
OF STUDENT
PERFORMANCES
IN A SECURE
NON-THREATENING
ENVIRONMENT.



CHAMPION: CHICAGO-KENT COLLEGE OF LAW



RUNNER UP: UNIVERSITY OF MARYLAND SCHOOL OF LAW



SEMI-FINALIST: STETSON UNIVERSITY COLLEGE OF LAW

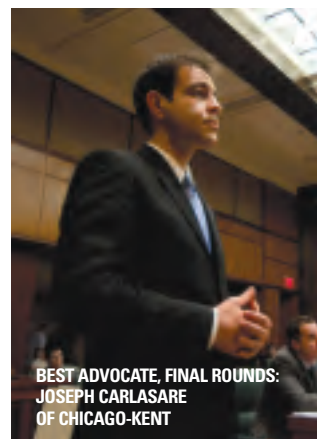


SEMI-FINALIST: LOYOLA LAW SCHOOL, LOS ANGELES

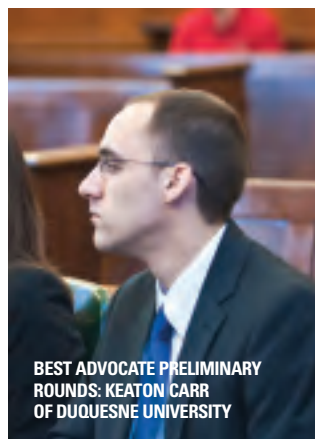
In 1989, Professor Charles E. "Chuck" Kirkwood of the University of Akron School of Law hosted the first Tournament of Champions Trial Competition. He invited the best student trial advocacy law schools in the nation. Invitations were based on performance over the years in two "open" student trial competitions, 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.

Today, the tournament is one of the premier law school trial competitions in the nation and is known for having the highest quality of congeniality and good sportsmanship. Each year, sixteen schools are invited. The invitations are based on a three-year performance record at the National Trial Competition and the ATLA National Student Trial Advocacy Competition, and performances at prior Tournament of Champions competition.

The 2010 Tournament of Champions was hosted by Duquesne University School of Law in Pittsburgh, PA, from October 27th to October 30th.



**BEST ADVOCATE, FINAL ROUNDS:
JOSEPH CARLISARE
OF CHICAGO-KENT**



**BEST ADVOCATE PRELIMINARY
ROUNDS: KEATON CARR
OF DUQUESNE UNIVERSITY**

2010 PARTICIPATING TEAMS

Duquesne University School of Law	Washington University School of Law in St. Louis
Suffolk University Law School	Chicago-Kent College of Law
Syracuse University College of Law	University of Kentucky College of Law
Cumberland School of Law, Samford University	Baylor Law School
Loyola University Chicago School of Law	University of New Mexico
Temple University Beasley School of Law	University of Maryland School of Law
Stetson University College of Law	University of Wisconsin School of Law
University of Akron School of Law	



**“ I AM VERY PROUD OF HAVING
ACHIEVED THE ADVOCATE AND
MASTER ADVOCATE DESIGNATIONS!**

MATT CHAPEL
ATTORNEY AT LAW, CELINA, OHIO

Refine your critiquing and teaching skills. Participants in NITA's Advocacy Teacher Training program improve their effectiveness as professors through intensive workshops focusing on specific skills of critique, also known as the NITA Method. You will learn to deliver specific and constructive critiques, effectively demonstrate key points of critique, teach the group while critiquing the individual, team-teach, critique multiple performances, and critique case analysis.

Advocacy Teacher Training helps participants enhance their competency and professionalism through expert faculty, innovative instructive materials, and the unrivaled NITA learning-by-doing method.

**JUNE 23-25, 2011
NEW YORK, NY**

Program Directors: Mike Kelly and Doris Cheng \$1,495
NYTT611 CLE Credits: 14*

**NOVEMBER 10-12, 2011
SAN FRANCISCO, CA**

Program Directors: Mike Kelly and Doris Cheng \$1,495
BKTT1111 CLE Credits: 14*

*NOTE: ALL CLE CREDITS ARE ESTIMATES.

TEACHER TRAINING, BECOMING A NITA FACULTY MEMBER, AND DESIGNATIONS

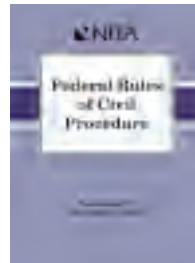
While the Advocacy Teacher Training course is not required to become a NITA faculty member, it is strongly recommended as the experience greatly increases teaching competency and likelihood of receiving required quality ratings from NITA program participants. All NITA faculty members must first teach at several NITA programs and achieve a minimum quality rating before being certified.

Those who meet these requirements are then given the NITA Faculty Certification and a special designation through NITA's alliance with LexisNexis® Martindale-Hubbell®. Those with this designation will have an icon indicating the achievement on their Martindale-Hubbell listing. This icon can also be placed on personal web pages, bios, and curriculum vitae.



FOR MORE INFORMATION

ON THE NITA FACULTY DESIGNATION AND OTHER NITA DESIGNATIONS, VISIT WWW.NITA.ORG/DESIGNATIONS.



FEDERAL RULES OF CIVIL PROCEDURE 2010 EDITION

NITA's 4-by-6-inch guide compiles the Federal Rules of Civil Procedure as amended through December 1, 2010. All approved forms are included. Look for other pocket-sized rules books throughout the catalog including: *Federal Rules of Appellate Procedure*, *Federal Rules of Criminal Procedure*, *Federal Rules of Evidence*, *Federal Rules of Evidence with Objections*, and *Objections at Trial*.

NEW!

\$20
268 PP.
2010
978-1-60156-164-0



FEDERAL RULES OF CRIMINAL PROCEDURE 2010 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 1, 2010.

NEW!

\$20
150 PP.
2010
978-1-60156-167-7



FEDERAL RULES OF EVIDENCE 2010 EDITION

NITA's 4-by-6-inch book compiles the Federal Rules of Evidence for U.S. Courts and Magistrates, as amended through December 1, 2010.

NEW!

\$20
78 PP.
2010
978-1-60156-161-9



FEDERAL RULES OF EVIDENCE WITH OBJECTIONS NINTH EDITION

Federal Rules of Evidence with Objections is a guide designed to fit easily into your pocket or backpack for quick reference. This is a complete text of the Federal Rules of Evidence as amended through December 1, 2010, and is combined with pattern objections and responses relating to each rule. Explanatory paragraphs alert the student to practice tips and legal interpretations crucial to understanding the rules.

NEW!

BEST SELLER!

\$35
236 PP.
2010
978-1-60156-162-6



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 with the entire book in PDF format hyperlinked and bookmarked for ease of use.

\$35
348 PP.
2008
978-1-60156-073-5



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. This card is an invaluable in-court reference, study guide, and trial preparation tool.

\$9.95
2008
978-1-60156-082-7

PREPACK OF 25 CARDS
IS ALSO AVAILABLE
\$248.75
978-1-60156-085-8



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. The NITA method is the key to winning in court.

\$35
272 PP.
2001
978-1-55681-713-7



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 then are introduced and explained with examples. Finally, the book stresses the importance of communication and working well with attorneys, clients, courts, and others.

\$35
238 PP.
2009
978-1-60156-084-1

CHILD / JUVENILE ADVOCACY



IN RE PENA

DIANE GERAGHTY, THOMAS F. GERAGHTY AND ANGELA C. VIGIL

TERMINATION OF PARENTAL RIGHTS

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.



SLOVIN V. SLOVIN

BARBARA S. BARRON AND LAWRENCE W. KESSLER

DIVORCE

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.

CIVIL RIGHTS



JAMES V. COLT

HON. ANDREW P. RODOVICH

EXCESSIVE USE OF FORCE

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
146 PP.
2003
978-1-55681-805-9

TEACHING MATERIALS
AVAILABLE

CASE FILE
\$28
144 PP.
2002
978-1-55681-768-7

NEGOTIATION AND
MEDIATION MATERIALS,
RITA SLOVIN:
\$18
104 PP.
2002
978-1-55681-788-5

NEGOTIATION AND
MEDIATION MATERIALS,
MICHAEL SLOVIN:
\$18
100 PP.
2002
978-1-55681-787-8

\$28
98 PP.
2007
978-1-55681-996-4



BIO-SOLUTIONS, INC. V. O'MALLEY

WILLIAM R. HINCHMAN

CORPORATE MISAPPROPRIATION

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.
2007
978-1-60156-017-9

TEACHING MATERIALS
AVAILABLE



BMI V. MINICOM, INC.

NINTH EDITION

ANTHONY J. BOCCHINO AND DONALD H. BESKIND

BREACH OF CONTRACT AND SALE OF GOODS

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.

CASE FILE, NINTH EDITION:
\$35
198 PP. WITH CD-ROM, 2009
978-1-60156-090-2

PLAINTIFF, NINTH EDITION:
\$35
182 PP. WITH CD-ROM, 2009
978-1-60156-093-3

DEFENDANT, NINTH EDITION:
\$35
184 PP. WITH CD-ROM, 2009
978-1-60156-094-0

FACULTY, NINTH EDITION:
\$35
198 PP. WITH CD-ROM, 2009
978-1-60156-095-7



COSMOPOLITAN LIFE INSURANCE CO. V. JORDAN AND MOORE

HON. ANDREW P. RODOVICH

BREACH OF CONTRACT

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.
2005
978-1-55681-936-0

TEACHING MATERIALS
AVAILABLE



CRANBROOKE V. INTELLEX SECOND EDITION ROBERT P. BURNS AND STEVEN LUBET

BREACH OF LICENSING AGREEMENT

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.



DIXON V. PROVIDENTIAL LIFE INSURANCE CO. ORIGINAL CASE FILE BY JAMES H. SECKINGER ADAPTED BY EDWARD R. STEIN AND FRANK D. ROTHSCHILD

BREACH OF CONTRACT (COURTROOM TECHNOLOGY FOCUS)

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.



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. ORDOVER)

BREACH OF CONTRACT AND ARSON

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 stock holder of the company, has filed a civil action law suit 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.

CASE FILE
\$35
236 PP.
2010
978-1-60156-115-2

PLAINTIFF,
SECOND EDITION
\$35
226 PP. WITH CD-ROM, 2009
978-1-60156-110-7

DEFENDANT,
SECOND EDITION
\$35
226 PP. WITH CD-ROM, 2009
978-1-60156-111-4

FACULTY,
SECOND EDITION
\$35
238 PP. WITH CD-ROM, 2009
978-1-60156-112-1

\$35
168 PP. WITH CD-ROM
2000
978-1-55681-719-9

TEACHING MATERIALS
AVAILABLE

\$35
120 PP. WITH CD-ROM
2009
978-1-60156-087-2

TEACHING MATERIALS
AVAILABLE



LI V. ROSS AND ROSS CONSTRUCTION CO., INC. SECOND EDITION PAUL J. ZWIER

TORTIOUS INTERFERENCE

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.



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.



PAUL V. DYNAMO SPORTING GOODS, DILLON, AND HANSON SECOND EDITION MORGAN CLOUD

BREACH OF CONTRACT AND FRAUDULENT INDUCEMENT

This pretrial case file features a breach of contract focusing on evidentiary privileges, professional responsibility, and client misconduct. Michelle Paul is seeking 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 the plaintiff's 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, including professional responsibility, trial advocacy, civil procedure (practice component), and pre-trial advocacy.



QUINLAN V. KANE SECOND EDITION RANK D. ROTHSCHILD, DEANNE C. SIEMER AND ANTHONY J. BOCCHINO

BREACH OF CONTRACT (COURTROOM TECHNOLOGY FOCUS)

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.

CASE FILE
\$35
184 PP. WITH CD, 2005
978-1-55681-941-4

DEVELOPING DEPOSITION
SKILLS EDITION (AS):
\$35
156 PP. WITH CD-ROM, 2007
978-1-55681-945-2

DEVELOPING DEPOSITION
SKILLS EDITION (BS):
\$35
162 PP. WITH CD-ROM, 2007
978-1-55681-946-9

FACULTY, SECOND EDITION:
\$25
197 PP. WITH CD-ROM, 2007
978-1-55681-947-6

\$35
106 PP. WITH CD-ROM
2008
978-1-60156-050-6

A'S EDITION:
\$28
288 PP., 2008
978-1-60156-003-2

B'S EDITION:
\$28
288 PP., 2008
978-1-60156-004-9

FACULTY:
\$28
304 PP. 2008
978-1-60156-002-5

\$35
98 PP. WITH CD-ROM
2004
978-1-55681-877-6



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., 1998
978-1-55681-614-7

**SUZANNE T. CARSON:
PLANNING FOR
INCAPACITY**
\$35
144 PP., 1998,
978-1-55681-601-7

TEACHING MATERIALS
AVAILABLE



GREEN V. HALL AND ROSE

SIXTH EDITION (ADVANCED)
KENNETH S. BROUN

RACIAL DISCRIMINATION AND BLOCK BUSTING

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 Green's realtor, Sylvia Rose, because of the Green's 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.
1997
978-1-55681-548-5

TEACHING MATERIALS
AVAILABLE



VENDING OPERATOR, INC. V. NITA DEPARTMENT OF TRANSPORTATION

THIRD EDITION/ADVANCED
STEVEN LUBET

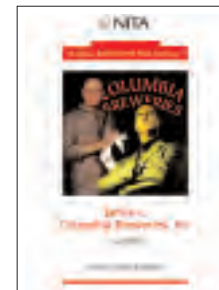
BREACH OF CONTRACT

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
218 PP., 1993
978-1-55681-372-6
TEACHING MATERIALS
AVAILABLE

A'S EDITION:
\$28
148 PP., 1993
978-1-55681-370-2

B'S EDITION:
\$28
146 PP., 1993
978-1-55681-371-9



JARVIS V. COLUMBIA BREWERIES, INC.

HON. ANDREW P. RODOVICH

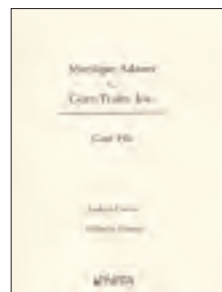
AGE DISCRIMINATION IN THE WORKPLACE

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.
2005
978-1-55681-968-1

TEACHING MATERIALS
AVAILABLE

DISCRIMINATION



ADAMS V. CORR-TRAIN, INC.

ANDREA CURCIO AND DEBORAH YOUNG

SEXUAL HARASSMENT

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.
2002
978-1-55681-817-2

TEACHING MATERIALS
AVAILABLE



JONES V. KIDS-R-OURS, INC.

PAUL CHILL AND HOLLACE P. BROOKS

ADA ACTION

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., 1995
978-1-55681-458-7

TEACHING MATERIALS
AVAILABLE



POLISI V. CLARK AND PARKER & GOULD

ANTHONY J. BOCCHINO AND DAVID A. SONENSHEIN

SEXUAL HARASSMENT AND DEFAMATION

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. There are three witnesses for both the plaintiff and the defendants. Additionally, NITA's *Problems and Materials in Civil Procedure and Advocacy Before the Appellate Courts* focus on this case file.

**EXPERTS/TRIAL
ADVOCACY, SECOND
EDITION (ADVANCED):**
\$35
264 PP. WITH CD-ROM, 2001
978-1-55681-774-8

TEACHING MATERIALS
AVAILABLE

**PLAINTIFF'S DEPOSITION,
SECOND EDITION:**
\$28
224 PP., 2001
978-1-55681-772-4

**DEFENDANT'S
DEPOSITION,
SECOND EDITION:**
\$28
202 PP., 2001
978-1-55681-773-1



ROWE V. PACIFIC QUAD, INC.
FOURTH EDITION
DAVID B. OPPENHEIMER AND FRED C. MOSS

SEXUAL HARASSMENT

“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., 2008
978-1-60156-049-0
TEACHING MATERIALS
AVAILABLE

PLAINTIFF'S
DEPOSITION:
\$28
122 PP., 2009
978-1-60156-068-1

DEFENDANT'S
DEPOSITION:
\$28
118 PP., 2009
978-1-60156-069-8

FACULTY MATERIALS:
\$28
138 PP., 2009
978-1-60156-070-4



TAYLOR V. PINNACLE PACKAGING PRODUCTS, INC
HON. ANDREW P. RODOVICH

SEXUAL HARASSMENT

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, 2010
978-1-60156-133-6

PLAINTIFF'S
DEPOSITION:
\$35
50 PP., WITH CD-ROM, 2010
978-1-60156-135-0

DEFENDANT'S
DEPOSITION:
\$35
50 PP., WITH CD-ROM, 2010
978-1-60156-136-7

FACULTY MATERIALS:
\$35
28 PP., WITH CD-ROM, 2010
978-1-60156-134-3



WILLIAMS V. SIMONSON
ANTHONY J. BOCCHINO AND DAVID A. SONENSHEIN

SEXUAL HARASSMENT

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., 2004
978-1-55681-891-2

PLAINTIFF'S
DEPOSITION:
\$35
178 PP., 2004
978-1-55681-884-4

DEFENDANT'S
DEPOSITION:
\$35
176 PP., 2004
978-1-55681-885-1



ELDER LAW

ARMISTEAD V. FORTUNE FIDELITY BANK
DONNA S. HARKNESS

RESCISSION AND CONVERSION

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.
2005
978-1-55681-917-9

TEACHING MATERIALS
AVAILABLE



ESTATE OF BRACHER V. TRANQUIL GLEN ASSISTED LIVING
DONNA S. HARKNESS

PERSONAL INJURY AND WRONGFUL DEATH

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.
2004
978-1-55681-894-3



ESTATE OF QUANDERRY V. DAVIDSON
DONNA S. HARKNESS

WILL CONTEST

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.
2006
978-1-55681-938-4

TEACHING MATERIALS
AVAILABLE



STATE V. COOPER
DONNA S. HARKNESS

ELDER ABUSE

Ethan Elderbahn 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 Elderbahn 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.
2005
978-1-55681-930-8

TEACHING MATERIALS
AVAILABLE



MALPRACTICE

STEELE V. KITCHENER

DENNIS TURNER

MEDICAL MALPRACTICE

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
2004
978-1-55681-896-7

TEACHING MATERIALS
AVAILABLE

PERSONAL INJURY/NEGLIGENCE

BROWN V. BYRD

FRANK D. ROTHSCHILD, DEANNE C. SIEMER AND ANTHONY J. BOCCHINO

CAR ACCIDENT

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
2001
978-1-55681-744-1

CONSTANTINE V. PRINCE AND WORLDWIDE FOOTWEAR, INC.

WILLIAM S. BAILEY

WRONGFUL DEATH

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
2003
978-1-55681-842-4



FISHER V. YANKEE DOODLE CORP.

REVISED FOURTH EDITION

C. STEVEN FURY

SLIP-AND-FALL

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.
1993
978-1-55681-381-8



FITZGERALD V. NITA & WESTERN RAILROAD

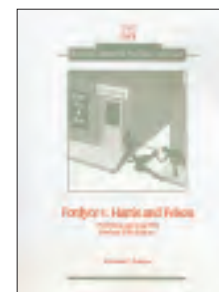
FOURTH EDITION

TEXT BY LAURENCE M. ROSE, GRAPHICS AND
ELECTRONIC FILES BY FRANK D. ROTHSCHILD

WRONGFUL DEATH (RAILROAD ACCIDENT)

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 judges 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
2009
978-1-60156-076-6



FORDYCE V. HARRIS AND FELSON

REVISED FIFTH EDITION

ABRAHAM P. ORDOVER

ASSAULT (DAMAGES)

After a violent beating, Henry Fordyce was hospitalized with a fractured skull, and although he has completely recovered, his medical bills total \$20,080 and his lost wages are estimated at \$16,000. The criminal case has already been tried in *State v. Harris*, but now the plaintiff is suing for damages from both Gerald Harris and Edward Felson, who beat him with a broom and smashed his skull with their boots.

\$28
144 PP.
1992
978-1-55681-301-6



FULBRIGHT V. AMERICRAFT INDUSTRIES AND PARKER

THIRD EDITION

EDWARD R. STEIN AND ANTHONY J. BOCCHINO

TRAFFIC ACCIDENT

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
2008
978-1-60156-054-4



GARCIA V. PINNACLE
SECOND EDITION
WILLIAM S. BAILEY

Marine Resources workers Raymond Garcia and John Machado were painting the hull of the dry-docked cruise ship, Smorgasboard, when the personnel lift in which they were riding fell seventy feet, throwing both men to the ground. Garcia sustained serious ankle and head injuries and is bringing this personal-injury case against Pinnacle Work Platform, from which his employer rented the lift. The plaintiff seeks to recover damages from the defendant on the basis that it failed to properly service the lift and did not have competent staff in its service department. There are twelve potential witnesses, nine for liability and three for damages.

\$35
2003
978-1-60156-107-7



MCLAIN V. BARBER
THIRD EDITION
ANTHONY J. BOCCHINO AND RONALD L. BEAL

TRAFFIC ACCIDENT
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.
1997
978-1-55681-540-9



POTTER V. SHRACKLE AND THE SHRACKLE CONSTRUCTION CO.
FIFTH EDITION
KENNETH S. BROUN AND FRANK D. ROTHSCHILD

WRONGFUL DEATH (TRAFFIC ACCIDENT)
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
240 PP. WITH CD-ROM
2004
978-1-55681-801-1

TEACHING MATERIALS AVAILABLE



SCRUGGS V. SNYDER
SECOND EDITION
WILLIAM S. BAILEY AND FREDERICK C. MOSS

DUTY OF CARE IN EMERGENCY (TRAFFIC ACCIDENT)
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. It is important to note that 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
2008
978-1-60156-044-5



STRANGE V. WRIGLEY
SECOND EDITION
HON. ANDREW P. RODOVICH

BATTERY AND NEGLIGENCE (GUNSHOT WOUND)
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.
2008
978-1-60156-083-4

TEACHING MATERIALS AVAILABLE



WILLIAMSON V. SHRACKLE
MOLLY TOWNES O'BRIEN, STEVEN FRIEDMAN, AND KEVIN L. PRINS

TRAFFIC ACCIDENT
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.
1999
978-1-55681-680-2

PRODUCTS/LIABILITY



FARRELL ET AL. V. STRONG LINE, INC. ET AL.
 REVISED SECOND EDITION
 THOMAS F. GERAGHTY

NEGLIGENCE, MEDICAL MALPRACTICE, PRODUCTS LIABILITY, AND WRONGFUL DEATH
 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.
 1994
 978-1-55681-419-8

TEACHING MATERIALS
 AVAILABLE



WORLD OIL CO. V. NORTHEAST SHIPBUILDING, INC., AND TOILER SALVAGE CO.
 FOURTH EDITION
 THOMAS F. GERAGHTY

INDEMNITY AND CONTRIBUTION
 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 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.
 1996
 978-1-55681-526-3

TEACHING MATERIALS
 AVAILABLE

“

I FIND NITA PUBLICATIONS INDISPENSABLE TO THE TRIAL EVIDENCE AND ADVANCED TRIAL ADVOCACY COURSES THAT I TEACH. COMBINING THEORY AND PRACTICE AS ONLY THE MOST EXPERIENCED TRIAL LAWYERS AND MOST EFFECTIVE TEACHERS CAN, THESE MATERIALS MAKE IT POSSIBLE FOR ME TO MOVE MY STUDENTS BEYOND MERELY KNOWING TO UNDERSTANDING.”

JEROME E. DEISE
 LAW SCHOOL PROFESSOR, DIRECTOR OF THE ADVOCACY PROGRAM AND
 NATIONAL TRIAL TEAM AT THE UNIVERSITY OF MARYLAND SCHOOL OF LAW



**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 and Trial Advocacy* for a fully integrated program.

\$45
 130 PP.
 2001
 978-1-55681-644-4

TEACHING MATERIALS
 AVAILABLE



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.
 2005
 978-1-55681-957-5



**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.
 2009
 978-1-60156-057-5



STATE V. BAKER
SECOND EDITION
JOSEPH E. TAYLOR

FIRST-DEGREE MURDER (SELF-DEFENSE)
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
2007
978-1-55681-995-7

TEACHING MATERIALS
AVAILABLE



STATE V. CHAMBERS
JOSEPH E. TAYLOR AND LINCOLN N. MINTZ

BATTERY OF A POLICE OFFICER
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.
1999
978-1-55681-565-2

TEACHING MATERIALS
AVAILABLE



STATE V. BURNS
REVISED FIFTH EDITION
ANTHONY J. BOCCHINO AND DONALD H. BESKIND

FELONY MURDER AND ARMED ROBBERY
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, rehabilitation issues, and gives the students the opportunity to try their skills with adverse examination. There are three witnesses for both the plaintiff and the defendant.

\$28
144 PP.
1992
978-1-55681-297-2

TEACHING MATERIALS
AVAILABLE



STATE V. COLE
SECOND EDITION
MICHAEL S. SANDS

FIRST-DEGREE MURDER (SELF-DEFENSE)
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.
2009
978-1-60156-102-2

TEACHING MATERIALS
AVAILABLE



STATE V. CASEY
JOSEPH E. TAYLOR

FIRST-DEGREE MURDER (TWO COUNTS)
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 didn'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
2003
978-1-55681-818-9

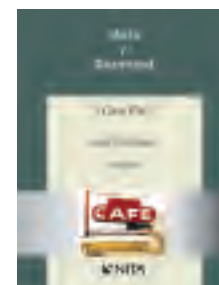


STATE V. DELANEY
SECOND EDITION
JOSEPH E. TAYLOR

ROBBERY
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.
2008
978-1-60156-048-3

TEACHING MATERIALS
AVAILABLE



STATE V. DIAMOND
FIFTH EDITION
JAMES H. SECKINGER

FIRST-DEGREE MURDER
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, are available to testify.

\$35
54 PP. WITH CD-ROM
2010
978-1-60156-053-7



STATE V. DONALDSON

JOSEPH E. TAYLOR AND MICHAEL S. SANDS

SECOND-DEGREE MURDER

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.
1996
978-1-55681-505-8

TEACHING MATERIALS
AVAILABLE



STATE V. JORDAN

HON. ANDREW P. RODOVICH

FIRST-DEGREE MURDER

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.
2005
978-1-55681-934-6

TEACHING MATERIALS
AVAILABLE



STATE V. HARRIS

LAURENCE M. ROSE

FIRST-DEGREE ASSAULT

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.

\$28
76 PP.
1997
978-1-55681-554-6



STATE V. LAWRENCE

SECOND EDITION

FRANK D. ROTHSCHILD, DEANNE C. SIEMER, AND ANTHONY J. BOCCHINO

ROBBERY/PURSE SNATCHING (COURTROOM TECHNOLOGY FOCUS)

As Gale Fitzgerald walked toward her house from the bus stop, she felt a sharp tug on her purse. 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.

\$28
104 PP. WITH CD-ROM
2004
978-1-55681-880-6



STATE V. JACKSON

THIRD EDITION

LAURENCE M. ROSE, REBECCA SITTERLY, AND FRANK ROTHSCHILD

ARSON

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 mistrial and a hung jury. In the post-trial proceedings, Sonia Peterson pled guilty to conspiracy to commit 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*.

\$35
132 PP. WITH CD-ROM
2009
978-1-60156-088-9



STATE V. O'NEILL

REVISED FIFTH EDITION

JAMES H. SECKINGER

FIRST-DEGREE MURDER

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.

\$28
144 PP.
1992
978-1-55681-305-4

TEACHING MATERIALS
AVAILABLE



STATE V. JOHNSON

JEAN MONTOYA

SEXUAL ASSAULT

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.
2000
978-1-55681-676-5

TEACHING MATERIALS
AVAILABLE



STATE V. PATTERSON

HON. ANDREW P. RODOVICH

ATTEMPTED MURDER (DOMESTIC VIOLENCE)

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.
2004
978-1-55681-903-2

TEACHING MATERIALS
AVAILABLE



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
2010
978-1-60156-125-1



STATE V. SANCHEZ

REVISED EDITION

ELIZABETH I. BOALS

FIRST-DEGREE MURDER (GANGS)

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 non-traditional experts with specialized knowledge of gang behavior. There are five witnesses for both the state and the defense.

\$35
123 PP.
2009
978-1-60156-146-6

TEACHING MATERIALS
AVAILABLE



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
2008
978-1-60156-065-0



STATE V. SOUTHLEY

SECOND EDITION

BARBARA S. BARRON AND LAWRENCE W. KESSLER

AGGRAVATED ROBBERY AND POSSESSION OF A CONTROLLED SUBSTANCE

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.
2009
978-1-60156-075-9



STATE V. TYLER

JOHN J. FRANCIS

BURGLARY (PRETRIAL)

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.
2008
978-1-60156-914-8

PROSECUTOR:
\$28
88 PP.
2008
978-1-60156-000-1

TEACHING MATERIALS
AVAILABLE



STATE V. WYATT

DAVID S. RUDOLF AND THOMAS K. MAHER

HIT-AND-RUN AND RECKLESS DRIVING

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.
1995
978-1-55681-476-1

TEACHING MATERIALS
AVAILABLE



UNITED STATES V. CLARK

DONALD Q. COCHRAN

FEDERAL PROPERTY CRIME INVOLVING DNA EVIDENCE

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
2006
978-1-55681-997-1

TEACHING MATERIALS
AVAILABLE

CASE FILE TEACHING NOTES

NITA OFFERS TEACHING NOTES FOR A NUMBER OF CASE FILES.
NEARLY ALL OF THESE TEACHING NOTES ARE AVAILABLE IN A PDF FILE.

FOR MORE INFORMATION EMAIL: REVIEWCOPY@LEXISNEXIS.COM OR CALL 800.533.1646



ADVANCED NEGOTIATION AND MEDIATION THEORY AND PRACTICE: A REALISTIC INTEGRATED APPROACH

NITA PRACTICAL GUIDE SERIES
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.
2005
978-1-55681-950-6



ARBITRATION ADVOCACY

SECOND EDITION
NITA PRACTICAL GUIDE SERIES
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. Cooley, an experienced judge, trial attorney, arbitrator, and mediator, and Lubet, author of NITA's best-selling *Modern Trial Advocacy*, introduce 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.
2003
978-1-55681-799-1



MEDIATION ADVOCACY

SECOND EDITION
NITA PRACTICAL GUIDE SERIES
JOHN W. COOLEY

This classic text includes sections on various mediation design processes and techniques. Cooley 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.
2002
978-1-55681-780-9



MEDIATION REPRESENTATION: ADVOCATING AS A PROBLEM-SOLVER (IN ANY CULTURE OR COUNTRY)

SECOND EDITION
HAROLD I. ABRAMSON

Representing clients effectively in mediations requires a set of problem-solving techniques that are different from those used in adversarial negotiation and arbitration. Abramson offers a new approach for your classroom, tailored to realize the full benefits of mediation practice. *Mediation Representation* contains checklists and appendices, including samples of a briefing paper, opening statements, agreements to mediate, a confidentiality agreement, mediation rules, and a detailed explanation of how to use decision trees.

\$35
2010
978-1-60156-108-4

TEACHING MATERIALS AVAILABLE.



ESSENTIAL FOR ANY COURSE IN MEDIATION IN ANY FORMAT -LAW SCHOOLS, PROFESSIONAL TRAININGS- ANYWHERE."

CARRIE MENKEL-MEADOW
PROFESSOR, GEORGETOWN UNIVERSITY LAW CENTER



THE MEDIATOR'S HANDBOOK

SECOND EDITION
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; preconference, conference, and postconference 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.
2006
978-1-55681-994-0



WINNING ON APPEAL: BETTER BRIEFS AND ORAL ARGUMENT

SECOND EDITION • NITA PRACTICAL GUIDE SERIES

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 roadmap 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.

“

TOLD FROM A JUDGE'S VIEWPOINT, THE BOOK IS AN EXPOSÉ OF APPELLATE LAWYERING FROM THE OTHER SIDE OF THE BENCH. IT FILLS A CURIOUS VOID IN THE EXISTING LITERATURE ON APPELLATE ADVOCACY, UNTIL NOW AUTHORED ALMOST EXCLUSIVELY BY NON-JUDGES. WHILE PRACTITIONERS AND ACADEMICS OFTEN HAVE INVALUABLE INSIGHTS, THEIRS IS ONLY HALF THE STORY.”

ALEX KOZINSKI

JUDGE, U.S. COURT OF APPEALS FOR THE NINTH CIRCUIT

BEST SELLER!

\$75
500 PP.
2003
978-1-55681-824-0



FEDERAL RULES OF APPELLATE PROCEDURE WITH APPROVED FORMS

2007 EDITION

NITA's 4-by-6 inch volume contains the rules of appellate procedure as amended through December 1, 2007, which includes all updates to Rule 25.

\$20
112 PP.
2007
978-1-60156-030-8

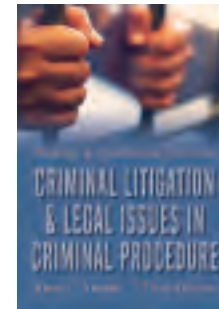


STATUTORY INTERPRETATION: THE SEARCH FOR LEGISLATIVE INTENT

RONALD BENTON BROWN AND SHARON JACOBS BROWN

Statute reading can prompt more questions than answers due to ambiguities and inconsistencies. This concise guide provides law students with a convenient source to find the proper methods and tools of statutory interpretation. Footnotes are kept to a minimum but are included to illustrate a particular method.

\$20
192 PP.
2002
978-1-55681-785-4



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. *Criminal Litigation and Legal Issues in Criminal Procedure* merges elements from these two types of courses into one and seeks to bridge the gap between them.

\$45
236 PP.
2009
978-1-60156-098-8



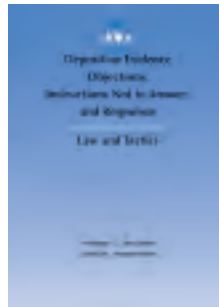
PRACTICAL CRIMINAL PROCEDURE: A CONSTITUTIONAL MANUAL

NITA PRACTICAL GUIDE SERIES

BRENT E. NEWTON

Practical Criminal Procedure is a comprehensive yet easily accessible manual of the constitutional rules of criminal procedure. Newton examines constitutional criminal procedure chronologically—beginning at the initial probable cause determination and ending with collateral appeals. The major topics in constitutional criminal procedure are examined, including reference to significant decisions of the United States Supreme Court that affect the relevant procedure.

\$35
352 PP.
2005
978-1-55681-897-4



DEPOSITION EVIDENCE: OBJECTIONS, INSTRUCTIONS NOT TO ANSWER, AND RESPONSES REVISED

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. The authors provide 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.
2006
978-1-55681-958-2



DEPOSITION RULES: THE ESSENTIAL HANDBOOK TO WHO, WHAT, WHEN, WHERE, WHY, AND HOW

FOURTH 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.
2005
978-1-55681-955-1



THE EFFECTIVE DEPOSITION: TECHNIQUES AND STRATEGIES THAT WORK

REVISED THIRD EDITION
NITA PRACTICAL GUIDE SERIES
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, 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.

BEST SELLER!
\$85
432 PP.
2007
978-1-60156-047-6



FACT INVESTIGATION: A PRACTICAL GUIDE TO INTERVIEWING, COUNSELING, AND CASE THEORY DEVELOPMENT

NITA PRACTICAL GUIDE SERIES
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.
2000
978-1-55681-532-4



FINALLY A BOOK HAS BEEN WRITTEN THAT DEVOTES ITSELF TO THIS CRITICAL ASPECT OF A TRIAL LAWYER'S WORK. ZWIER AND BOCCHINO'S EXCELLENT NEW BOOK *FACT INVESTIGATION* IS NOT ONLY A HANDY REFERENCE TOOL BUT WELL WORTH A READ FROM START TO FINISH!”

KENNETH S. BROUN
HENRY BRANDIS PROFESSOR OF LAW, UNIVERSITY OF NORTH CAROLINA SCHOOL OF LAW



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:

- ▶ How and why legal decision makers construct their own case stories and use them to decide a case;
- ▶ 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;
- ▶ How to run voir dire like focus groups and focus groups like voir dire;
- ▶ Why you should never ask focus group members which side in a case they like;
- ▶ Why you should think twice before ever again asking a “why” question in voir dire or focus groups;
- ▶ How to leave the “bad juror” mindset behind; and
- ▶ How to take full advantage of the only four channels available to deliver any legal case.

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

\$65
564 PP.
2005
978-1-55681-790-8



HOW TO DO YOUR OWN FOCUS GROUPS: A GUIDE FOR TRIAL ATTORNEYS

DAVID BALL

This easy-to-follow book shows you how to organize and direct your own focus groups: deciding what kind of focus group best fits your case, selecting the focus jurors, and analyzing your conclusions. *How to Do Your Own Focus Groups* is designed so that attorneys can easily start conducting their own focus groups, and it also contains information about hiring trial consultants to run them for you. The book includes a CD-ROM with sample schedules, letters, forms, and questionnaires that you can adapt to your focus group.

\$55
184 PP. WITH CD-ROM
2001
978-1-55681-695-6



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.
2005
978-1-55681-923-0



ZWIER BRINGS TO BEAR PRACTICAL TRIAL EXPERIENCE, YEARS OF TEACHING TRIAL PRACTICE, AND KNOWLEDGE OF A BROAD ARRAY OF ACADEMIC DISCIPLINES TO ANALYZE AND EXPLAIN A SUBJECT RARELY WRITTEN ABOUT. HE HAS CREATED AN INTELLIGENT, THOUGHTFUL, AND THOUGHT-PROVOKING BOOK.”

MICHAEL R. FEAGLEY
MAYER BROWN ROWE & MAW, CHICAGO, IL



WRITTEN AND ELECTRONIC DISCOVERY: THEORY AND PRACTICE

FIFTH EDITION

JOHN HARDIN YOUNG, TERRI A. ZALL, AND ALAN F. BLAKLEY

A comprehensive and practical guide, *Written and Electronic Discovery: Theory and 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.
2009
978-1-60156-056-8



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.
2005
978-1-55681-888-2

TEACHING MATERIALS
AVAILABLE



EVIDENCE IN CONTEXT: A TRIAL EVIDENCE WORKBOOK

FOURTH EDITION

ROBERT P. BURNS, STEVEN LUBET, AND JAMES H. SECKINGER

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
2004
978-1-42249-166-9

TEACHING MATERIALS
AVAILABLE



A PRACTICAL GUIDE TO FEDERAL EVIDENCE: OBJECTIONS, RESPONSES, RULES, AND PRACTICE COMMENTARY

NINTH EDITION

NITA PRACTICAL GUIDE SERIES

ANTHONY J. BOCCHINO AND DAVID A. SONENSHEIN

Now in its Ninth 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, 2008, 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.

\$65
352 PP.
2009
978-1-60156-099-5



PROBLEMS AND MATERIALS IN EVIDENCE & TRIAL ADVOCACY

FIFTH EDITION

ROBERT BURNS, STEVEN LUBET, AND JAMES H. SECKINGER

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.

CASES, FIFTH EDITION:
\$55
262 PP. WITH CD-ROM, 2010
978-1-42249-167-6

PROBLEMS, FIFTH EDITION:
\$45
102 PP., 2010
978-1-42249-169-0

TEACHING MATERIALS
AVAILABLE



EFFECTIVE EXPERT TESTIMONY

SECOND EDITION

PRACTICAL GUIDE SERIES

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.
2006
978-1-55681-959-9



EXPERT RULES: 100 (AND MORE) POINTS YOU NEED TO KNOW ABOUT EXPERT WITNESSES

SECOND 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.

\$30
190 PP.
2001
978-1-55681-721-2



EXPERT TESTIMONY: A GUIDE FOR EXPERT WITNESSES AND THE LAWYERS WHO EXAMINE THEM

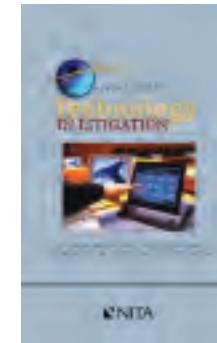
SECOND EDITION

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 examples of expert witness examinations and detailed discussion of techniques for coping with lawyer questioning
- ▶ Additional checklists for quick reference

\$45
208 PP.
2009
978-1-60156-096-4



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 present 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.

Technology in Litigation features:

- ▶ Exclusive video footage of the interior of a federal circuit court
- ▶ In-depth advice on how to prepare, build, and present a case using available technology and most current e-discovery practices
- ▶ Relevant recent changes to and how to stay current with e-discovery software programs
- ▶ Research materials and resources, computer presentation hardware and available peripherals, common courtroom settings and their limitations, and recommended websites, to name a few, are all examined in-depth.

The concepts presented will assist with:

- ▶ Using pretrial discovery methods and technology to prepare the case
- ▶ Using technology to build the case
- ▶ Using technology to present the case
- ▶ Keeping current with changing law surrounding e-discovery
- ▶ Preparing well-designed and well-written pleadings and other motions documents
- ▶ Preparing and presenting effective actual and demonstrative evidence

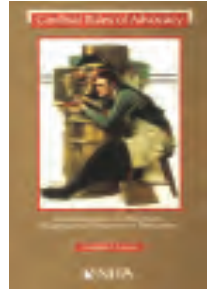
THE PACKAGE INCLUDES
3 DVDS (180:00) AND A
162-PAGE BOOKLET. (180:00)

\$195
2008
978-1-60156-018-6



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



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.
2002
978-1-55681-769-4



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.
2009
978-1-60156-071-1



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.
2006
978-1-55681-961-2



DAVID BALL ON DAMAGES 3: A PLAINTIFF'S ATTORNEY'S GUIDE FOR PERSONAL INJURY AND WRONGFUL DEATH CASES

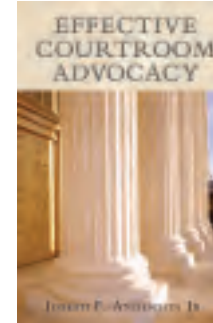
THIRD EDITION
DAVID BALL

Attorneys nationwide depend on David Ball for step-by-step guidance to get top-dollar settlements and verdicts. *David Ball on Damages 3* provides major innovations, improvements, and refinements throughout, based on the last five years' cases across the country and hundreds of hours of intensive juror and case research. This new edition includes an enhanced guide for better opening statements, powerful new jury voir dire methods, and pivotal new "invisible control" cross-examination techniques. For David Ball "newbies" as well as veterans, this is an essential new edition.

BEST SELLER!

NEW!

\$105
540 PP.
2010
978-1-60156-154-1



EFFECTIVE COURTROOM ADVOCACY

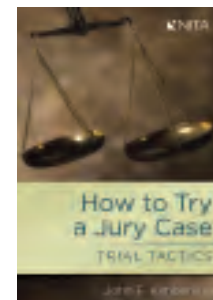
JOSEPH F. ANDERSON JR.

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. As he states, he has had "ample opportunity for extensive, and generally objective, observation of the battle" in the courtroom. 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 interview 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.
2010
978-1-60156-124-4



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.
2007
978-1-60156-019-3



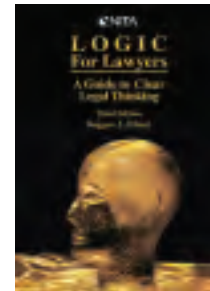
JUSTICE FOR ALL: THE CHALLENGES OF MENTAL ILLNESS IN THE LEGAL SYSTEM

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, with jails and prisons becoming repositories for hundreds of thousands of mentally ill people each year, the unprecedented growth of the world's elderly population (and its often accompanying cognitive decline), and the higher incidence of domestic violence, substance abuse, and child abuse allegations in family law matters, 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;
- ▶ Practical strategies for dealing with agitated or paranoid clients;
- ▶ Effective strategies for managing 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.

\$25
104 PP.
2009
978-1-60156-089-6

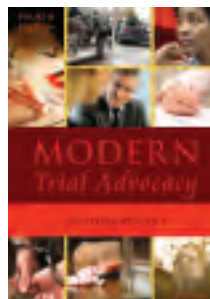


LOGIC FOR LAWYERS: A GUIDE TO CLEAR LEGAL THINKING

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.
1997
978-1-55681-538-6



MODERN TRIAL ADVOCACY: ANALYSIS AND PRACTICE

FOURTH EDITION
STEVEN LUBET

Now in its Fourth Edition, 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.

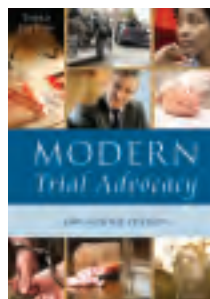
The Fourth Edition has been updated to include:

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

BEST SELLER!

\$85
536 PP.
2009
978-1-60156-127-5

LAW SCHOOL AND
CANADIAN EDITIONS
ALSO AVAILABLE



MODERN TRIAL ADVOCACY: LAW SCHOOL EDITION

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.

BEST SELLER!

\$65
458 PP.
2009
978-1-60156-141-1

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.

BEST SELLER!

\$75
356 PP.
2003
978-1-55681-770-0



PROBLEMS IN TRIAL ADVOCACY

2007 EDITION
ANTHONY J. BOCCHINO AND DONALD H. BESKIND

Contributing authors include: Kenneth S. Broun, Steven Lubet, John M. Maciejczyk, Louis M. Natali, Frank D. Rothschild, James H. Seckinger, Deanne C. Siemer, Edward R. Stein, and Warren Wolfson.

To develop trial skills, students must practice techniques and strategies under the watchful eyes of experienced faculty. NITA's learning-by-doing programs are based on this premise, as is our well-known trial advocacy textbook, *Problems in Trial Advocacy*. The problems in this textbook are date-specific and are designed to develop the basic skills necessary for all trial lawyers. The situations are realistic and involve a variety of both civil and criminal cases. The exhibits are included on a CD-ROM.

**NEW EDITION
COMING SOON!**

\$65
468 PP. WITH CD-ROM
2006
978-1-60156-009-4

TEACHING MATERIALS
AVAILABLE



THEATER TIPS AND STRATEGIES FOR JURY TRIALS

THIRD EDITION
DAVID BALL

In *Theater Tips and Strategies for Jury Trials*, Ball helps one navigate the changes that occur in jury trials instead of being blindsided by them. Based on both research and the experiences of lawyers and trial consultants across the country, *Theater Tips and Strategies for Jury Trials* presents techniques of the stage and screen used to win in the courtroom. Ball discusses how to use theater concepts to persuade and motivate jurors. He instructs attorneys how to look, talk, and act naturally, and to communicate the truth clearly and memorably in order to gain trust and credibility from judges and jurors.

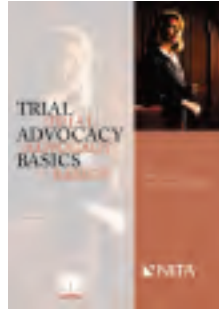
\$65
384 PP.
2003
978-1-55681-779-3



MODERN TRIAL ADVOCACY IS NOT JUST A COOKBOOK OF LEGAL SKILLS—IT GIVES EXAMPLES OF WHY A LAWYER SHOULD DO SOMETHING VERSUS MIMICKING A FORMULA TO COPY.

MORGAN CLOUD

PROFESSOR OF LAW, EMORY UNIVERSITY SCHOOL OF LAW AND FORMER DIRECTOR OF CLINICAL PROGRAMS



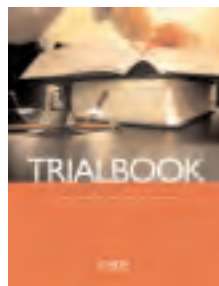
TRIAL ADVOCACY BASICS

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
- ▶ Exhibits and illustrative aids
- ▶ Expert witnesses

\$55
272 PP.
2006
978-1-55681-965-0



THE TRIALBOOK

THIRD EDITION

JOHN SONSTENG AND ROGER HAYDOCK

The Trialbook provides a systematic approach to preparing and presenting a case. It's designed as a primer, an advocacy refresher, and resource manual, and it 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 *The 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-processing format on an included CD-ROM.

\$65
2010
978-1-60156-104-6



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.

BEST SELLER!

\$75
440 PP. AND TWO DVDS
2007
978-1-60156-001-8

TEACHING MATERIALS
AVAILABLE



AN IMPORTANT AND TIMELY ADDITION TO THE TRIAL LITERATURE. *WINNING AT TRIAL* IS BOTH AN ENORMOUSLY INSTRUCTIVE TEXT FOR LAW STUDENTS AND AN INVALUABLE RESOURCE FOR THE EXPERIENCED TRIAL LAWYER. SHANE READ HAS SKILLFULLY BRIDGED THE GAP BETWEEN THEORY, TRIAL STRATEGY, AND THE DEVELOPMENT OF FUNDAMENTAL COURTROOM SKILLS. THROUGH DETAILED EXPLANATIONS AND WELL-CHOSEN EXAMPLES FROM HIGH PROFILE CASES, *WINNING AT TRIAL* EXPLAINS IN DETAIL HOW TO DO IT AND WHY IT WORKS."

J. STEVEN BECKETT

DIRECTOR, TRIAL ADVOCACY PROGRAM, UNIVERSITY OF ILLINOIS, COLLEGE OF LAW



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 (1) which witnesses to call; (2) whether to introduce negative evidence; (3) how to handle marginal evidence; and (4) how to tie everything else—exhibits, opening and closing statements, cross examination, etc.—into your evidence.

\$75
272 PP.
2007
978-1-60156-028-5



THIS IS THE BEST SINGLE BOOK I HAVE EVER READ ON TRIAL PRACTICE."

RICHARD NEELY

RET. CHIEF JUSTICE, WEST VIRGINIA COURT OF APPEALS

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.

**FIVE DVDS (4:43:00)
AND SUPPORT MATERIALS
1996
978-1-42247-909-4** **\$295**

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)

**FIFTEEN DVDS (12:08:00)
AND SUPPORT MATERIALS
1975
978-1-42247-910-0** **\$595**

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)

**ELEVEN DVDS (8:45:00)
AND SUPPORT MATERIALS
1987
978-1-42247-921-6** **\$995**

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.

**ONE DVD (1:09:00)
1993
978-1-42247-922-3** **\$95**

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.

**ONE DVD (2:00:00)
AND SUPPORT MATERIALS
2002
978-1-55681-813-7** **\$10**

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.

**ONE DVD (1:55:00)
2005
978-1-42247-924-7** **\$295**

100 VIGNETTES FOR IMPROVING TRIAL EVIDENCE SKILLS

David A. Sonenshein, Anthony J. Bocchino, JoAnne Epps 35

31 WAYS TO WINNING ADVOCACY

Frank D. Rothschild 44

ADAMS V. CORR-TRAIN, INC.

Andrea Curcio, Deborah Young 12

ADVANCED NEGOTIATION AND MEDIATION THEORY AND PRACTICE

Paul J. Zwier, Thomas F. Guernsey 28

ARBITRATION ADVOCACY

John W. Cooley, Steven Lubet 28

ARMISTEAD V. FORTUNE FIDELITY BANK,

Donna S. Harkness 15

BASIC CONCEPTS IN THE LAW OF EVIDENCE

Irving Younger 44

BIO-SOLUTIONS, INC. V. O'MALLEY

William R. Hinchman 9

BMI V. MINICOM, INC.

Anthony J. Bocchino, Donald H. Beskind 9

BROWN V. BYRD

Frank D. Rothschild, Deanne C. Siemer, Anthony J. Bocchino 16

CARDINAL RULES OF ADVOCACY

Hon. Douglas S. Lavine 38

CHILDREN IN THE COURTROOM

Sherrie Bourg Carter 38

COMPENDIUM OF TRIAL ADVOCACY DRILLS

Robert A. Stein, Ben Rubinowitz 38

CONSTANTINE V. PRINCE AND WORLDWIDE FOOTWEAR, INC.

William S. Bailey 16

COSMOPOLITAN LIFE INSURANCE CO. V. JORDAN AND MOORE

Hon. Andrew P. Rodovich 9

CRANBROOKE V. INTELLEX

Robert P. Burns, Steven Lubet 10

CRIMINAL LITIGATION AND LEGAL ISSUES IN CRIMINAL PROCEDURE

Brent E. Newton 31

DAVID BALL ON DAMAGES

David Ball 38

DEPOSITION EVIDENCE

Anthony J. Bocchino, David A. Sonenshein 32

DEPOSITION RULES

David M. Malone 32

DIXON V. PROVIDENTIAL LIFE INSURANCE CO.

Edward R. Stein, Frank D. Rothschild, James H. Seckinger 10

EFFECTIVE COURTROOM ADVOCACY

Joseph F. Kimberling 39

THE EFFECTIVE DEPOSITION

David M. Malone, Peter T. Hoffman, Anthony J. Bocchino 32

EFFECTIVE EXPERT TESTIMONY

David M. Malone, Paul J. Zwier 36

ESTATE OF BRACHER V. TRANQUIL GLEN ASSISTED LIVING

Donna S. Harkness 15

ESTATE OF QUANDERRY V. DAVIDSON

Donna S. Harkness 15

EVIDENCE IN CONTEXT

Robert P. Burns, Steven Lubet, James H. Seckinger 35

EXERCISES AND PROBLEMS IN PROFESSIONAL RESPONSIBILITY, EXPERT RULES

Robert Burns, Thomas F. Geraghty, Steven Lubet 21

EXPERT TESTIMONY

David M. Malone, Paul J. Zwier 36

FACT INVESTIGATION

Steven Lubet 36

FACTS CAN'T SPEAK FOR THEMSELVES

Paul J. Zwier, Anthony J. Bocchino 33

FARRELL ET AL. V. STRONG LINE, INC. ET AL.

Eric Oliver 33

FEDERAL RULES OF APPELLATE PROCEDURE

Thomas F. Geraghty 20

FEDERAL RULES OF CIVIL PROCEDURE

. 6

FEDERAL RULES OF CRIMINAL PROCEDURE

. 6

FEDERAL RULES OF EVIDENCE

. 6

FEDERAL RULES OF EVIDENCE WITH OBJECTIONS

Anthony J. Bocchino, David A. Sonenshein 6

FEDERAL TRIAL OBJECTIONS QUICK REFERENCE CARD

Sydney A. Beckman 7

FISHER V. YANKEE DOODLE CORP.

C. Steven Fury 17

FITZGERALD V. NITA & WESTERN RAILROAD

Laurence M. Rose, Frank D. Rothschild 17

FLINDERS ALUMINUM FABRICATION CORPORATION V. MISMO FIRE INSURANCE COMPANY

Rebecca Sitterly, Laurence M. Rose, Frank D. Rothschild, Abraham P. Ordover 10

FORDYCE V. HARRIS AND FELSON

Abraham P. Ordover 17

FULBRIGHT V. AMERICRAFT INDUSTRIES AND PARKER

Edward R. Stein, Anthony J. Bocchino 17

GARCIA V. PINNACLE

William S. Bailey 18

GREEN V. HALL AND ROSE

Kenneth S. Broun 13

HOW TO DO YOUR OWN FOCUS GROUPS

David Ball 34

HOW TO TRY A JURY CASE

John F. Kimberling 39

IN RE COOPERMAN

Anthony J. Bocchino 21

IN RE PENA	
Diane Geraghty, Thomas F. Geraghty, Angela C. Vigil	8
JAMES V. COLT	
Hon. Andrew P. Rodovich	8
JARVIS V. COLUMBIA BREWERIES, INC.	
Hon. Andrew P. Rodovich	13
JONES V. KIDS-R-OURS, INC.	
Paul Chill, Hollace P. Brooks	13
JUSTICE FOR ALL	
Sherrie Bourg Carter	39
LEGAL STRATEGY	
Paul J. Zwier	34
LI V. ROSS AND ROSS CONSTRUCTION CO., INC.,	
Paul J. Zwier	11
LOGIC FOR LAWYERS	
Hon. Ruggero J. Aldisert	40
MASTERING THE ART OF CROSS-EXAMINATION	
Irving Younger	44
MCLAIN V. BARBER	
Anthony J. Bocchino, Ronald L. Beal	18
MEDIATION ADVOCACY	
John W. Cooley	28
MEDIATION REPRESENTATION	
Harold I. Abramson	29
THE MEDIATOR'S HANDBOOK	
John W. Cooley	29
MOCK TRIALS	
Steven Lubet, Jill Trumbull-Harris	7
MODERN TRIAL ADVOCACY	
Steven Lubet	40
MODERN TRIAL ADVOCACY: LAW SCHOOL EDITION	
Steven Lubet	40
NITA CITY HOUSING AUTHORITY V. JOHNSON	
Mark S. Caldwell	11
OBJECTIONS AT TRIAL	
Myron H. Bright, Ronald L. Carlson, Edward J. Imwinkelried	7
OPENING STATEMENTS: A MODERN APPROACH	
Hon. Sanford M. Brook	44
PAUL V. DYNAMO SPORTING GOODS, DILLON, AND HANSON	
Morgan Cloud	11
POLISI V. CLARK AND PARKER & GOULD	
Anthony J. Bocchino, David A. Sonenshein	13
POTTER V. SHRACKLE AND THE SHRACKLE CONSTRUCTION CO.	
Kenneth S. Broun, Frank D. Rothschild	18
THE POWER TRIAL METHOD	
David J. F. Gross, Charles F. Webber	41
PRACTICAL CRIMINAL PROCEDURE	
Brent E. Newton	31
A PRACTICAL GUIDE TO FEDERAL EVIDENCE	
Anthony J. Bocchino, David A. Sonenshein	35

PREPARING THE LAY WITNESS FOR DEPOSITION	
David A. Sonenshein, John Chesney	44
PROBLEMS AND MATERIALS IN EVIDENCE AND TRIAL ADVOCACY	
Robert Burns, Steven Lubet, James H. Seckinger	35
PROBLEMS IN TRIAL ADVOCACY	
Anthony J. Bocchino, Donald H. Beskind and contributing authors	
Kenneth S. Broun, Steven Lubet, John M. Maciejczyk, Louis M. Natali, Jr., Frank D. Rothschild, James H. Seckinger, Deanne C. Siemer, Edward R. Stein, Warren Wolfson	41
PROFESSIONALISM IN THE REAL WORLD: LESSONS FOR THE EFFECTIVE ADVOCATE	
Lisa Penland, Melissa H. Weresh	21
QUINLAN V. KANE	
Frank D. Rothschild, Deanne C. Siemer, Anthony J. Bocchino	11
ROWE V. PACIFIC QUAD, INC.	
David B. Oppenheimer	14
SCRUGGS V. SNYDER	
William S. Bailey, Frederick C. Moss	19
SELECTING AND PREPARING THE EXPERT WITNESS	
David A. Sonenshein, John Chesney, Anthony J. Bocchino	44
SLOVIN V. SLOVIN	
Barbara S. Barron, Lawrence W. Kessler	8
STATE V. BAKER	
Joseph E. Taylor	22
STATE V. BURNS	
Anthony J. Bocchino, Donald H. Beskind	22
STATE V. CASEY	
Joseph E. Taylor	22
STATE V. CHAMBERS	
Joseph E. Taylor, Lincoln N. Mintz	23
STATE V. COLE	
Michael S. Sands	23
STATE V. COOPER	
Donna S. Harkness	15
STATE V. DELANEY	
Joseph E. Taylor	23
STATE V. DIAMOND	
James H. Seckinger	23
STATE V. DONALDSON	
Joseph E. Taylor, Michael S. Sands	24
STATE V. HARRIS	
Laurence M. Rose	24
STATE V. JACKSON	
Laurence M. Rose, Rebecca Sitterly, Frank D. Rothschild	24
STATE V. JOHNSON	
Jean Montoya	24
STATE V. JORDAN	
Hon. Andrew P. Rodovich	25

STATE V. LAWRENCE	
Frank D. Rothschild, Deanne C. Siemer, Anthony J. Bocchino	25
STATE V. O'NEILL	
James H. Seckinger	25
STATE V. PATTERSON	
Hon. Andrew P. Rodovich	25
STATE V. PEYTON	
Elizabeth I. Boals	26
STATE V. SANCHEZ	
Elizabeth I. Boals	26
STATE V. SKYWOLF	
Joseph E. Taylor	26
STATE V. SOUTHLEY	
Barbara S. Barron, Lawrence W. Kessler	26
STATE V. TYLER	
John J. Francis	27
STATE V. WYATT	
David S. Rudolf, Thomas K. Maher	27
STATUTORY INTERPRETATION	
Ronald Benton Brown, Sharon Jacobs Brown	30
STEELE V. KITCHNER	
Dennis Turner	16
STRANGE V. WRIGLEY	
Andrew P. Rodovich	19
TAYLOR V. PINNACLE PACKAGING PRODUCTS, INC.	
Andrew P. Rodovich	14
TECHNOLOGY IN LITIGATION	
Alvin F. Lindsay	37

THEATER TIPS AND STRATEGIES FOR JURY TRIALS	
David Ball	41
TRANSACTIONAL PRACTICE SERIES	
Nancy J. Knauer	12
TRIAL ADVOCACY BASICS	
Dent Gitchel, Molly Townes O'Brien	42
THE TRIALBOOK	
John Sonsteng, Roger Haydock	42
UNITED STATES V. CLARK	
Donald Q. Cochran	27
VENDING OPERATOR, INC., V. NITA DEPARTMENT OF TRANSPORTATION	
Steven Lubet	12
WILLIAMS V. SIMONSON	
Anthony J. Bocchino, David A. Sonenshein	14
WILLIAMSON V. SHRACKLE	
Molly Townes O'Brien, Steven Friedman, Kevin L. Prins	19
WINNING AT TRIAL	
D. Shane Read	43
WINNING JURY TRIALS	
Robert H. Klonoff, Paul L. Colby	43
WINNING ON APPEAL	
Hon. Ruggero J. Aldisert	30
WORLD OIL CO. V. NORTHEAST SHIPBUILDING, INC., AND TOILER SALVAGE CO.	
Thomas F. Geraghty	20
WRITTEN AND ELECTRONIC DISCOVERY	
John Hardin Young, Terri A. Zall, and Alan F. Blakley	34

COMPLIMENTARY COPY POLICY

If NITA materials are adopted, NITA will provide one complimentary copy of most publications to the faculty member teaching the course per every fifteen students who use the same book. Any faculty material beyond this ratio must be purchased. We regret that we cannot issue any of our audio/visual material complimentary.

For review copies email: reviewcopy@lexisnexis.com
or call your LexisNexis representative at 800.533.1646

TO ORDER

CALL 800-533-1637 OR VISIT
WWW.LEXISNEXIS.COM/NITA