

# **Samuel H. Solomon**

## Experience Summary of Litigation Consulting and Trial Strategy

### **Litigation, Graphics and Trial Strategy**

#### **Wachtell Lipton Rosen & Katz**

Supported the plaintiffs as lead consultant in trial and visual communications strategy for a large property insurance claim against multiple major insurance companies. Developed visuals and case themes to clearly communicate complex insurance terms and concepts, along with providing document imaging and coding services, and at-trial technology support.

Supported the defense in a NASD disciplinary hearing against a member firm. Developed graphics and hi-tech presentation strategy for hearing. Consulted on defense strategy for opening and closing statements as well as witness examinations. Gathered and analyzed stock and public records data for defense strategy and expert reports.

#### **Simpson Thacher**

Supported the defense in a Federal civil matter filed against a major investment bank. Conducted out-of-state venue study as well as provided graphics and technological support for mediations.

#### **Skadden, Arps, Slate, Meagher & Flom**

Supported major investment banks in one of the largest class action securities cases in history. Provided comprehensive consultation to trial team on multiple rounds of jury research, including simulations and mock trials, graphics consultation, witness preparation for deposition and trial. Trial strategy involved use of multi-case triangulation (analysis of related cases), supplemental jury questionnaire and jury selection. Drafted language for jury instructions and other communication with the federal judge. Venue specific expertise used to inform case strategy.

#### **Constantine & Partners**

Lawsuit against Visa and MasterCard brought on behalf of more than 5 million merchants, claiming that Visa and MasterCard were violating antitrust laws. Animated graphics developed for the entire trial including expert witnesses. Executed jury research, provided document imaging & coding services, and at-trial technology support.

#### **Proskauer Rose**

Supported the defense in a class action discrimination case against a major regional railroad. Involved in jury research, voir dire development and supplemental juror questionnaires. Developed an overall presentation and graphics strategy to visually communicate complex statistical expert testimony critical to the case.

#### **Cahill Gordon & Reindel LLP**

Breach of contract case involving owed invention royalties. Involved in jury research, jury selection, graphics development and trial technology.

#### **Cadwalader, Wickersham and Taft**

Collaborated with the trial team in crafting the visual communications strategy and technology for civil litigation involving a major insurance company in New York State Court. Electronic exhibits, static boards and video production were utilized through out the trial.

#### **Gold, Schwartz & Co**

Assisted in all phases of trial preparation in a breach of contract defense case involving a former CEO of a pharmaceutical company. Developed jury research, presentation strategy, voir dire, pre-trial jury questionnaire, graphics and technology strategy. Assisted client in settlement negotiations.

**Grant & Eisenhofer**

Lead consultant in trial strategy, presentation graphics, jury research and video production. Case involved commercial litigation relating to excess insurance coverage. This case study was published as Phoenix v. Manhattan by the National Institute of Trial Advocacy.

**Holland & Knight**

Civil RICO and fraud claims against a publisher for interference in the relationship between manufacture and independent representatives. Involved in jury research, jury selection, graphics and trial persuasion. Record punitive award for Eastern District of NY, Islip.

**Jones, Day, Reavis & Pogue**

Involved in the jury research, graphics design, strategy and theme development for a complex insurance case involving multiple parties over an extensive period of time. Direct interaction with experts and jury consultants to design and implement graphical presentation in support of this bankruptcy case.

**Kreindler & Kreindler**

Animated graphics developed to simulate air turbulence resulted in a positive verdict for the plaintiff. This animation was key to the highest amount awarded for emotional distress in the state court of Manhattan.

**LeBoeuf, Lamb, Greene & MacRae**

Worked with trial team on trial presentation strategies, graphics design, digital evidence display software, video production and integration with jury research results. Breach of contract involving major hotel management company in Delaware Federal Court.

**Davis Wright Tremaine LLP**

Defense of libel and discrimination case in-damages only trial. Included jury research, strategy, graphics and technology. Damages significantly mitigated.

**Meyer, Suozzi, English & Klein**

Developed a simplified presentation while working in tandem with litigation team and financial experts in this breach of contract case. Assisted in the development of presentation strategy to address the contentions of the plaintiffs regarding very complex financial dealings in Long Island state court.

**Patterson Belnap**

Support for intellectual property case before the International Trade Commission. Involved in strategy, animations, graphics and technology.

**Ray & Alton**

Worked with trial team on trial presentation strategies, graphic design and jury science for this implied warranty case in federal court in Columbus, OH.

**Simpson, Thacher & Bartlett**

Insurance coverage defense in a pollution cost recovery action. Provided presentation technology assistance as well as review of graphics for trial.

**Skadden Arps**

Lead-paint defense of a landlord-tenant litigation matter. Assisted in jury research, strategy and graphics for trial.

**Thomas Stubbs**

Thematic development, graphics design and technology implementation for wrongful-death suit against ValuJet Airlines. Incorporated traditional and hi-tech presentation demonstratives including static boards and 2-D animation.

**Winston & Strawn**

Assisted litigation team in document management and technology implementation for bankruptcy trial in New York Federal Court. Designed electronic presentation for opening statement in defense of major financial institution.

## Speaking Experience

The Attorney-Client Privilege: Eroding or Evolving, American College of Trial Lawyers (ACTL), La Quinta, California, March 2007

Employment Practices Liability Insurance Conference (ACI) - Using Electronic Evidence to Aid in Defending EPL Cases - A Judge Perspective, New York, NY, January 24, 2007

Co-founded and presented at the successful ALI-ABA program on *Electronic Discovery and Records Management* first held in Chicago, May 2005 and continues to be held twice annually.

“How Jurors Make Decisions” – Presentation to ALI-ABA – Program on Civil Practice and Litigation Techniques in Federal and State Courts– San Juan, Puerto Rico – 1/05

“Labor and Employment” – Presentation to ALI-ABA – Program on Advanced Employment Law and Litigation – Washington, DC – 10/04

“Visual Story Telling” – Presentation to Ultimate Trial Advocacy ATLA Course at Harvard – Art of Persuasion – Cambridge, MA – 3/04

“How Jurors Make Decisions” – Presentation to ALI-ABA – Program on Civil Practice and Litigation Techniques in Federal and State Courts– Scottsdale, AZ – 2/04

“Visual Story Telling” – Presentation to ATLA – Civil Litigation & Expert Testimony – Dallas, TX – 6/03

“Jury Research and Demographics on Product Liability Cases” – Presentation to ALI-ABA – Product Liability – Coral Gables, FL – 2/03

“How Jurors Make Decisions” – Presentation to ALI-ABA – Program on Civil Practice and Litigation Techniques in Federal and State Courts– St. Thomas, Virgin Islands – 1/03

“The New Discovery” Panel Discussion – ALI-ABA: 21<sup>st</sup> Century Litigation Program – New York, NY – 6/02

“The Art and Science of Effective Courtroom Communication” – Courtroom Communication/Jury Consultation at Stewart McKelvey Sterling Scales – New Brunswick, Canada – 11/02

“The Art of War – Pursuing Electronic Evidence as Your Corporate Opportunity” – Presentation to Pennsylvania Bar Institute – Philadelphia, PA – 8/02

Technology in the Courtroom – “Advanced Trial Presentation and Jury Engineering” – Presentation to the FDCC – Sun Valley, ID – 7/02

“Visual Presenters” – FDCC – Boca Raton, FL – 4/02

Lecture Series I: Technology in Courtroom; Do’s & Don’ts in PowerPoint - LLM in Trial Advocacy at Temple Law School – 09/01

“Persuasion in a Railroad Crossing Case” and “Effective Use of Technology at Trial” – Association of Trial Lawyers of America – 7/01 Annual Meeting – Montreal, Canada

“Intellectual Property Agreements for Subcontractors and Employees” - Demonstrative Evidence Specialists Association - Cleveland, OH 06/01

“Advocacy with PowerPoint” - Continuing Legal Education - DC Trial Lawyers Association – 03/01 – Washington, DC

“Technology in the Courtroom” and “PowerPoint Presentations” – Temple School of Law Masters Program – 12/00  
– Philadelphia, PA

## **Publications and Appearances**

Interviewed as Jury Expert on CBS Early Morning Show covering the Michael Jackson trial (6/05)

Kimberly Guilfoyle Newsom and Vinnie Politan - Court TV (Scott Peterson Case) (11/11/04)

Fox & Friends (the Peterson verdict) (11/14/04)

Catherine Crier Live - Court TV (Scott Peterson Case) (11/11/04)

MSNBC's Lester Holt Live (11/10/04)

Greta Van Susteren (Scott Peterson mock trial) (11/8/04)

Appeared as defense attorney in a mock trial with evidence from the Scott Peterson murder trial on *48 Hours Investigates* (10/30/04)

HR Advisor: *Understanding Juror Attitudes in Employment Litigation*, published by Thomson West, March/April 2003

Co-authored *What Juries Want to Hear II: Reverse Engineering the Verdict*, published by Temple Law Review, Spring 2001 (74:1).

Co-authored *Demonstration: Presentation Technology in the Courtroom, Homestead Properties, Inc. v. Manhattan Fire and Casualty Co.* This demonstration, designed by NITA illustrates how the use of courtroom technology changes customary procedures in a trial. (8/00)

The University of Tennessee, College of Law Review, Spring 2000 (67:3), *What Juries Want To Hear: Methods For Developing Persuasive Case Theory.*

Contributing author *Effective Use of Courtroom Technology – A Judge’s Guide to Pretrial and Trial.* This is the foremost sourcebook on the substantive, communications and technology issues regarding courtroom and trial systems for Federal and State judges. Publication of NITA and the Federal Judicial Center. (7/01)

Co-authored *PowerPoint for Litigators: How to Create Effective Illustrative Aids and Demonstrative Exhibits for Trial, Mediation and Arbitration.* This how-to book, developed by NITA, provides important instruction in the use of PowerPoint for the creation of trial exhibits. (4/00)

Contributed to *Modern Visual Evidence*, Release 29, Chapter 14 – The Electronic Courtroom, Law Journal Press (1999).

Included in the 2<sup>nd</sup> edition of the ABA’s *Going to Trial – A Step-by-Step Guide to Trial Practice and Procedure* (2000).

## **Teaching**

Instructor – Cardozo Law School: Jury Decision Making and Effective Communications in the Courtroom (11/05)

Instructor – Yeshiva College: Three public lectures on Politics, Psychology, Technology, and the Law (9/05)

Instructor of Law – Masters of Law, Temple Law School, Philadelphia, PA (1999 to 2008)

Instructor – NITA Hanley Advanced Advocacy Course – Boulder, CO (1999-2001)

Instructor – National College of Advocacy – ATLA. Various courses. (1998-2001)

Member, Trial Presentation Education Committee, NITA