

# Agenda



September 17, 2020  
Live Virtual Forum

## Litigation Law Forum 2020

**Program Producer:** William Clayton, Woolf, McClane, Bright, Allen & Carpenter

**Total Credits:** 4 General 1 Dual

*Topics will include Federal courtroom practice and procedure, key differences between federal and state appellate practice, pre-suit investigation techniques and ethics, and recent developments in damages caps.*

**9:00 – 10:00 am**

### **Federal Courtroom Practice and Experience**

*Honorable Eli Richardson, Middle District of Tennessee*

*Honorable William Campbell, Middle District of Tennessee*

*Zac Greene, Miller & Martin*

What makes a judge's day? What drives them crazy? How has the COVID-19 pandemic affected the federal courts? What is it like to transition from private practice to the federal bench, and what lessons from private practice influence how judges manage their docket? Learn the answers to these questions—as well as other valuable tips for litigators—directly from Tennessee's newest federal district court judges.

**10:00 – 11:00 am**

### **State Procedure and Application**

*Honorable Thomas Brothers, Judicial District of Tennessee*

STATE TRIAL COURTS PRACTICE & PROCEDURE, A VIEW FROM THE BENCH

1. The Vanishing Jury Trial.
2. The Importance of Motion Practice.
3. Effective Advocacy.
4. Current Practice During COVID.

**11:00 – 11:15 am**

**Break**

**11:15 am – 12:15 pm**

**Panel Discussion: Damages Caps**

*John Day, Law Offices of John Day PC*

*Will Perry, Butler|Snow*

*Buckner Wellford, Baker, Donelson, Bearman, Caldwell & Berkowitz, PC*

*Marty Phillips, Rainey Kizer Reviere & Bell PLC*

In a moderated panel discussion, plaintiff and defense lawyers will discuss the holdings of three recent cases from three different courts, *Lindenberg*, *McClay*, and *Yerbough*, that all have significant implications for the availability of punitive and non-economic damages in Tennessee and the statutes that limit those damages.

**Recorded**

**Knowing Your Court: Key Differences Between Federal and State Appellate Practice**

*Edmund Sauer, Bradley Arant Boult Cummings LLP*

There are important differences between federal and state appellate practice, ranging from error preservation in the trial court to obtaining relief (or preserving a victory) in the court of appeals. This presentation will explore some of those key differences to help practitioners effectively navigate both federal and state appellate courts.

**Recorded**

**DUAL**

**Pre-suit Investigation Techniques and Ethics**

*Harold Rushton, The Rushton Law Firm, PLLC*

This presentation is designed to explore pre-lawsuit investigations that should be conducted prior to filing a lawsuit. We will discuss the attorney's duty to verify their client's claims prior to filing a lawsuit and ethical considerations related thereto. We will also cover various aspects of when a claim may be barred or is no longer valid and should be dismissed. Finally, this presentation will also discuss the possibility of sanctions that may be implemented for wrongfully bringing or maintaining a frivolous lawsuit.