

TIMED AGENDA

COURSE 18040P00

| MITNIK ON VOIR DIRE | |
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| :00 | HOW CAN THIS HELP LAWYERS OF ALL LEVELS? |
| :13 | VOIR DIRE: GET THE BAD ONES OUT |
| :30 | "FOR CAUSE" ANALOGIES |
| :38 | VOIR DIRE: WRAPPING IT AROUND THE LAW |
| :53 | PAIN AND SUFFERING & CASE SPECIFIC EVENTS |
| 1:05 | VOIR DIRE TAKE AWAYS, BURDEN OF PROOF, & SURVEILLANCE |
| 1:21 | END OF PROGRAM |
| TOTAL MINUTES: 81 MINUTES | |

| MITNIK ON TORT REFORM AND EARLY TRIAL CHALLENGES | |
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| :00 | VOIR DIRE: TORT REFORM |
| :13 | MINDS ARE MADE UP EARLY |
| :21 | ELIMINATE IT |
| :27 | OWN IT |
| :38 | IN CONTEXT VERSUS OUT OF CONTEXT |
| 1:21 | END OF PROGRAM |
| TOTAL MINUTES: 60 MIN | |

| MITNIK ON CROSS-EXAMINATION AND ANALOGY | |
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| :00 | CROSS-EXAMINATION IN VOIR DIRE, OPENING, AND CLOSING |
| :31 | THE POWER OF ANALOGY |
| 1:04 | END OF PROGRAM |
| TOTAL MINUTES: 64 MINUTES | |

| MITNIK ON STORYTELLING BEFORE AND DURING TRIAL | |
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| :00 | PICKING POWERFUL, PERFECT WORDS |
| :31 | THREE TRICKY TOPICS |
| :41 | RESURRECTING RECOGNIZABLE PHRASES |
| :57 | ASKING WINNING QUESTIONS |
| 1:10 | LEVERAGING INDEX CARDS FOR CLOSING ARGUMENT |
| 1:22 | END OF PROGRAM |
| TOTAL MINUTES: 82 MINUTES | |
| TOTAL PROGRAM: 287 MINUTES | |

COURSE NO. 180402P00

DESCRIPTION

As senior trial counsel for the nation's largest plaintiff firm, Morgan & Morgan, Keith Mitnik's methods have been battle-tested in every type of case, from small auto cases to eight-figure medical malpractice cases—not to mention business litigation, entertainment law, and tobacco cases. In this lecture, Keith expands upon concepts in his book, *Don't Eat the Bruises*, and addresses the following topics and more:

Mitnik on Voir Dire

- Getting jurors to self-identify their bias
- Using analogies to maximize challenges for cause
- Becoming comfortable discussing damages
- Discussing noneconomic damages in voir dire
- Discussing the burden of proof
- Putting surveillance in context before the jury sees it

Mitnik on TORT Reform and Early Trial Challenges

- Addressing invisible injuries with jurors
- Handling cases with little to no property damage
- Selecting powerful words and introducing recognizable phrases in opening statement

Mitnik on Cross-Examination and Analogy

- Foreshadowing cross-examination in voir dire and opening
- Admitting your client's pre-existing conditions
- Dismantling the defense's attack on letters of protection
- Asking winning questions in your direct examinations

Mitnik on Storytelling Before and During Trial

- Addressing invisible injuries with jurors
- Handling cases with little to no property damage

In this 4-part series of lectures, Mitnik provides a plethora of cutting-edge insights and tactics you can begin immediately adopting in your next case.

EDUCATIONAL MATERIALS

Mitnik, Keith. (2015) "Chapter 2: Educating Jurors About Bias" from *Don't Eat the Bruises*. (10 pages)

Mitnik, Keith. (2015) "Chapter 18: Cross-Examination: Holding Your Ground" from *Don't Eat the Bruises*. (14 pages)

Mitnik, Keith. (2015) "Chapter 24: The Power of Analogy" from *Don't Eat the Bruises*. (14 pages)

Trial Guides (2020). "Reference Guide: Mitnik on Voir Dire" (3 pages)

Trial Guides (2020). "Reference Guide: Mitnik on Tort Reform & Early Trial Challenges" (2 pages)

Trial Guides (2020). "Reference Guide: Mitnik on Cross-Examination & Analogy" (3 pages)

Trial Guides (2020). "Reference Guide: Mitnik on Storytelling Before and During Trial" (2 pages)

Total Educational Materials 48 Pages

PRESENTER

AUTHOR

- Senior Trial Counsel, Morgan and Morgan
- Author, *Don't Eat the Bruises: Foil Their Plans to Spoil Your Case*
- Author and Presenter, *The Power of Analogy* video
- Author and Presenter, *Winning at the Beginning: The Untapped Power of Voir Dire, Opening and Beyond* video
- J.D., Florida State University Law School, *with honors*
- B.S., Allied Legal Services, University of Central Florida, *magna cum laude*

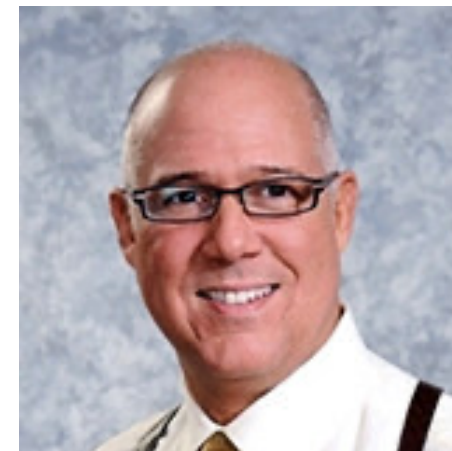
ADMISSIONS:

Florida, Tennessee, Middle District and Northern District for the United States District Courts of Florida, Federal Court of Claim – D.C., and 11th Circuit Court of Appeals.

Keith Mitnik is senior trial counsel for Morgan & Morgan, the largest personal injury law firm in America. At Morgan & Morgan, there are departments that handle every type of contingency fee plaintiff's case: general PI, medical malpractice, product liability, mass torts, commercial contingency, and so on. Keith's job is to try cases with all of these departments and, when they do not settle, to join forces at trial with the other lawyers handling them.

As a result, Keith is in trial with all kinds of cases almost every month—sometimes two or three times a month. He has a unique perspective on tactics that are currently in vogue with defense lawyers, and he has a chance to develop countermeasures. Most importantly, he has abundant opportunities to try out new strategies aimed at maximizing the likelihood of getting just results for clients. If he is not in trial, he spends much of his time working on new ideas and refining existing ones. For many years, his work has also involved teaching these methods to other plaintiffs' lawyers around the country.

Keith has averaged at least two million-dollar verdicts per year over the last ten years, and, in the last five years alone, seven eight-figure verdicts. That does not even include the long list of significant verdicts that were less than a million dollars but were far greater than the unfair amounts offered in settlement by insurance companies. Those cases that do not have catastrophic injuries are often the most difficult from which to obtain full justice, and Mitnik has successfully guided these juries to just outcomes time and time again.



WEBSITES

<https://www.forthpeople.com/attorneys/keith-r-mitnik/>

TRIAL GUIDES AUTHOR PAGE

<https://www.trialguides.com/blogs/authors/keith-mitnik>

LINKEDIN

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