

## TIMED AGENDA

START - STOP	TOPIC	LENGTH
12:30 - 12:50	Cross-Examination Preparation	20
12:50 - 1:10	Analyzing and Focusing Your Cross Technique	20
1:10 - 1:30	Polarizing the Witness	20
1:30 - 2:00	Q&A	30
<b>TOTAL MINUTES:</b> 60 MIN AND 30 MIN Q&A		

Program Start Time: 12:30 PM PT

Program End Time: 2:00 PM PT

### EDUCATIONAL MATERIALS

Malone, Patrick. (2016) Chapter 1: Laying the Mental Foundation, *The Fearless Cross-Examiner: Win the Witness, Win the Case*, Trial Guides (22 Pages)

Malone, Patrick. (2023) *Checklist for Cross-Examining the Professional Witness*, Handout (3 Pages)

### TRIAL GUIDES COURSE NO. 230613

### DESCRIPTION

Cross-examining the defense medical examiner (DME) is an important hurdle that you will have to face when your personal injury case goes to trial. With the right approach, you can effectively challenge their opinions and help the jury understand the weaknesses in their testimony. Join Patrick Malone, author of the *The Fearless Cross-Examiner* as he illustrates why the “old rules” of cross don’t work on professional witnesses.

This 60-minute cross examination CLE will cover:

- Cross-examination preparation
- Scouring the public record for your witness’s vulnerabilities
- Analyzing and focusing your cross technique
- The hypocrisy rule
- Polarizing the witness
- Linking money compensation to bias

Overall, cross-examining a defense medical expert requires thorough preparation, careful attention to detail, and a deep understanding of the expert's opinions and approach. By honing your cross examination skills, you can effectively challenge their testimony and help your jury to arrive at a fair and just decision for your client.

## PRESENTER



## PATRICK MALONE

- Trial Lawyer, Patrick Malone Associates
- J.D., Yale Law School
- National Endowment for the Humanities, University of Michigan
- B.A., *Summa Cum Laude*, University of Kansas
- Member, Inner Circle of Advocates
- Member, International Academy of Trial Lawyers
- Member, National Board of Trial Advocacy

**Admissions:** District of Columbia, Maryland, Virginia

Patrick Malone learned how to ask questions and get answers as an award-winning investigative journalist. Now he is a leading attorney working on behalf of seriously injured people in lawsuits against hospitals, doctors, drug companies, government agencies, and other defendants. Over the last three decades, he has won a long string of exceptional results for his clients. Malone is the author of *Winning Medical Malpractice Cases with the Rules of the Road Technique* and *The Fearless Cross-Examiner*, and he coauthored the bestselling advocacy book: *Rules of the Road: A Plaintiff Lawyer's Guide to Proving Liability* with Rick Friedman. He wrote a book for consumers, *The Life You Save: Nine Steps to Finding the Best Medical Care—and Avoiding the Worst*.

Patrick Malone grew up in Wichita, Kansas, and is the oldest of seven children in an Irish Catholic family. Malone and his staff work out of offices in Washington, DC a few blocks north of the White House; they represent clients throughout Maryland, Virginia, and the District of Columbia.

## WEBSITE

<https://www.patrickmalonelaw.com/>

## HONORS

- *Super Lawyers Washington D.C., Top 100 (among 70,000 D.C. bar members in private practice) (2017 to present)*
- *Super Lawyers main list since 2007*
- *Lawdragon 500 Leading Lawyers in America (2008, 2009)*
- *The Best Lawyers in America (2006 edition to present)*
- *Lawdragon 500 Leading Plaintiff Lawyers in America (2007)*
- *Irish Legal 100 (2009 to present) (leading Irish-American lawyers)*
- *Lawyer of the Year, Trial Lawyers Association of Metropolitan Washington, DC, 1995.*