



Case Strategy Session

A full day of strategy that delivers a blueprint for your case.

Where we start.

From pre-discovery to pre-trial, we can help you. We map out strengths, weaknesses, and narrative strategies for BOTH SIDES of the dispute. Beyond simply focusing on your strategy, we help you think like your opponent. This 360° process delivers a case blueprint (in the form of a report) that can be used as a guide throughout the entire litigation process. Without a carefully plotted map, every path looks equally inviting.

What we do.

We are persuasion experts. Our tools are language, science and art. During a full-day “war room” session, we help you craft a narrative strategy that accentuates your advantages and curtails your shortfalls.

Beyond the facts, a story has to be told. Core themes must speak to your likely audience. We suggest methods of attaining and organizing facts. We discuss discovery directions and deposition themes. We offer you visual sketches that convey your story succinctly. This is the body of the blueprint.



Narrative Control

Persuasion starts at 40,000 feet, not in the weeds. Great facts are useless if you have not yet won the audience (and kept them on your side).

We are very experienced at developing narratives that both convince your decider AND are carefully protected from your opponent’s likely countermoves.



Strengths & Weaknesses

Science has shown that human brains are highly-vulnerable to misjudging our own strengths and weaknesses. Moreover, honest evaluations can be influenced by group dynamics.

As outsiders, we can guide you through a regimented and deliberate process that delivers a clear view of the case, both flowers and thorns.



The Psychology Edge

We’ve seen stacks of psychology research on persuasion, negotiation, attention, decision-making and more. Yet, this data is rarely utilized in litigation strategy.

We speak the languages of LAW & HUMAN COGNITION. This can deliver a major edge in your narrative/evidentiary strategy and outcome.

How you benefit.

At the end of the process, we will deliver you a report that summarizes all of the valuable work that was produced throughout this full-day brainstorming/strategy session.

A direction is chosen. Subsequent actions will become more fluid and efficient. Every deed is performed with a collective purpose in mind. Rather than engaging in a series of on-the-fly decisions, your team’s orchestrated actions will translate into brilliant results.



Cyber Case Strategy Session Option

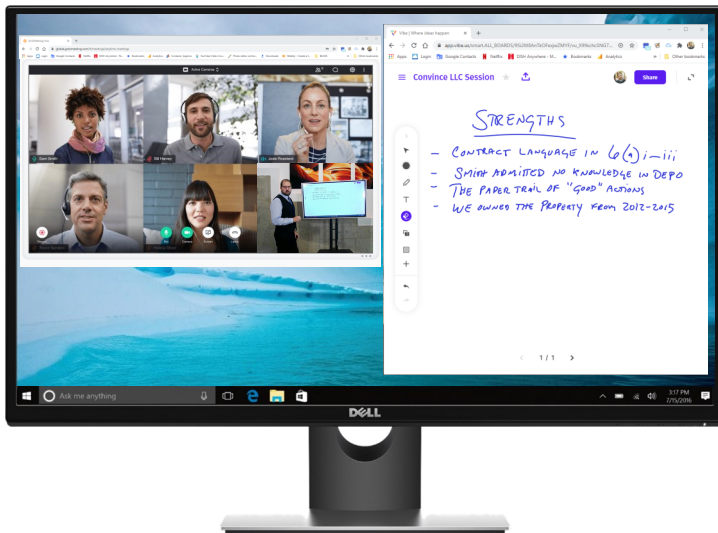
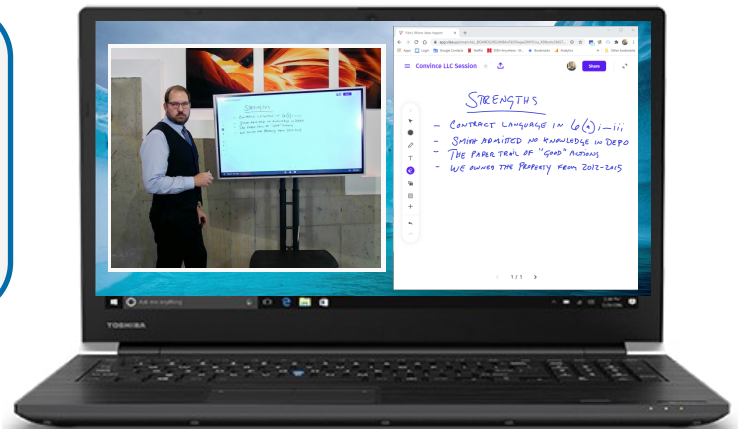
A full day of strategy delivered through your computer.

Can this process work online?

YES! We have invested in the technology that makes the process effective through stellar online collaboration. We have an advanced digital whiteboard that projects written information onto each participant's screen and even allows independent manipulation by video conference attendees. Further, we utilize a paid third-party conferencing application which delivers high-bandwidth streaming via an HD PTZ (pan/tilt/zoom) camera.

DIGITAL WHITEBOARD

Our digital whiteboard sets the standard for online collaboration. Participants can view the presenter as a video participant (via screenshare) or interact with the whiteboard via their web browser. It's an amazing new way to share flipchart paper.



HIGH-BANDWIDTH STREAMING

Free online conferencing services are great, but often encounter lags and data caps. We pay for top quality streaming to ensure a clear and fluid collaborative experience. You're only asked to log on through your browser. (No downloads required!)

HIGH-DEFINITION P-T-Z CAMERA

The Case Strategy Session requires the consultant to move and interact with participants and the whiteboard interchangeably. We use an HD Pan/Tilt/Zoom (PTZ) Camera to follow the consultant through position changes during the day.





Case Strategy Session

WHAT DOES THE DAY LOOK LIKE?

A consultant will lead your team through a full-day, regimented process that has been designed to maximize brainstorming, strategy development and projecting outcomes.

- We help you design a case strategy that accentuates your advantages and curtails your shortfalls.
- We give you our opinions on how triers of fact will likely view your case.
- We use our experience on both sides of the aisle to help you craft your opponent's likely narrative.
- We suggest ways to organize your facts into "sticky" tag lines and narratives that are powerful persuaders because they are memorable.
- We help you prune your case down to its most effective facts, exhibits and themes.
- We brainstorm innovative demonstratives that will get your points across quickly and clearly.
- We explore your character and witness strategy (including adverse) with a focus on who will tell what part of the narrative.

At the conclusion, there will be many pages of DIGITAL flipchart paper filled with your case strategy. We will take that info and turn it into a deliverable report for you to reference throughout the remaining litigation process.

PREPARING FOR THE CASE STRATEGY SESSION

Who should attend?

Please have all the key players on the litigation team in attendance. The process works fine with large groups (we prefer a minimum of 3 attendees). Tasks may be assigned and decisions made, so it's best to have everyone on the same page.

Please be prepared to get into the details of the case. Depending on the stage of the case, it's possible that questions will arise that you may not be able to immediately answer. Given this, it can be helpful to have the client attend or have someone assigned to reach out with questions.

What should the room look like?

Please make sure the conference room we utilize has wall/window space for hanging flipchart paper. (We use painter's tape, so your walls are safe.)

We also require a projector or video monitor that the room can view for our PowerPoint presentation.

Finally, we request the space be big enough to fit everyone comfortably with room to spread out. This is a long day and you won't want to be cramped.



Matt McCusker, MA

Convince LLC and LitPredict Founder

Summary

Matt McCusker is an internationally-known Litigation Consultant with extensive plaintiff and defense experience in civil and criminal cases. He is a former President of the American Society of Trial Consultants (ASTC) and has a strong history of success in crafting winning strategies for trial teams, government entities and Fortune 500 corporations.

Matt is also the founder of LitPredict, a revolutionary new method of predicting litigation outcomes via an online testing platform. Cases are quantitatively and qualitatively evaluated independently by 10+ local arbitrators and/or retired judges via a secure online portal. The results encompass amazing strategic advantages.

Matt's Convince LLC skills include: witness preparation, case narrative/strategy, mock trials & focus groups, jury de-selection, and shadow jury testing.

Press

Matt has served as a source for many media outlets, including: *the Wall Street Journal*, *CNN*, *the Los Angeles Times*, *Celebrity Court*, *NPR's "This American Life with Ira Glass"*, *the Chicago Tribune*, *the St. Louis Post-Dispatch*, *California Lawyer Magazine*, *the Cleveland Plain Dealer* and *The Jury Expert*. He wrote an ABA top 100 blog called *Deliberations* and has presented at law schools, CLEs, professional organizations and conferences (DRI, NDAA, ABA, etc.).

Groups

American Society of Trial Consultants (ASTC President 2012-13)

American Bar Association

American Psychology-Law Society

American Psychological Association

