

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

AND

**DISTRICT OF DELAWARE CHAPTER
OF THE FEDERAL BAR ASSOCIATION**



FEDERAL TRIAL PRACTICE SEMINAR



2015 OVERVIEW



FEDERAL TRIAL PRACTICE SEMINAR
THE HONORABLE CHRISTOPHER J. BURKE, CHAIR



Federal Trial Practice Seminar
2015 Seminar Description

Purpose of the Seminar

The Federal Trial Practice Seminar (“Seminar”) is a program sponsored by the United States District Court for the District of Delaware and the District of Delaware Chapter of the Federal Bar Association. The Seminar is a multi-week instructional trial practice program for lawyers with less than 10 years of practice experience who have an interest in regularly litigating in the District Court.

The Seminar has two primary goals. First, it seeks to provide the participants with a venue in which they can practice federal trial skills and learn from experienced practitioners in order to hone those skills. Second, it offers an opportunity for the Court to educate the participants as to what is expected of those who practice in federal court in the District.

This will be the fourth time the Seminar has been offered, with the prior Seminars occurring in 2010, 2011 and 2013.



2013 Seminar Participants

Content of the Seminar

The eight Seminar participants will take part in instructional sessions once a week for seven consecutive weeks, beginning in April 2015. These sessions will take place on Tuesday evenings. Each session will be held in a courtroom (or courtrooms) at the United States Courthouse at 844 North King Street in Wilmington. Sessions will begin at 5:00 p.m. and will end no later than 8:00 p.m. These seven Seminar sessions will cover topics including Courtroom Presentation and Demeanor, Opening Statements, Direct Examination, Cross Examination and Closing Statements.

Five of these seven evening Seminar sessions will be “speaker-driven” sessions, where there will be a presentation on the topic of the evening from one of the Judges or the invited speakers. These presentations will also typically include a “how to” component, in which the speaker will demonstrate an example or examples of how to effectively advocate in the courtroom regarding the given topic of the evening. Lastly, each of these speaker-driven sessions will include a discussion on the topic of the evening by a panel, which will be composed of the featured speaker, the Judges present and each of our Program Mentors who are in attendance. Each of the speaker-driven sessions will include at least two hours of legal instruction.

Two of the seven Seminar sessions will be “Practicum” sessions. In these sessions, the participants will engage in mock presentations to the Judges and Program Mentors relating to particular topics that have been the focus of a prior speaker-driven session. The participants will thereafter receive constructive criticism and feedback from the Judges and Program Mentors regarding their presentation. These Practicum sessions will include at least two hours of legal instruction.

In addition to the seven Seminar sessions with the full group of Judges and Program Mentors, the participants will receive a presentation from United States Magistrate Judge Christopher J. Burke on the topic of effectively arguing motions *in limine*. About a week after the instructional session, the participants will appear before Judge Burke to argue a motion *in limine* relevant to the Seminar’s Mock Trial.

Lastly, after the Seminar sessions and presentations listed above are completed, the participants will participate in a day-long Mock Trial. As part of the Mock Trial, the participants will give opening statements, engage in direct and cross examination of witnesses, and make closing arguments, all before a real jury of Delaware citizens. After the trial is completed, a panel made up of the Judges and Program Mentors in attendance will provide feedback on how the participants performed. This Mock Trial will include at least five hours of legal instruction, and is scheduled to be held on June 5, 2015.

Other Benefits of the Seminar

As noted above, a group of Program Mentors will be an important part of the Seminar. These Program Mentors are Delaware-based practitioners with significant experience practicing in Delaware's District Court. These attorneys will be expected to attend all or nearly all of the Seminar sessions, and will offer feedback and advice to the participants during each session.

The Seminar also provides the participants with other opportunities to interact with the District Court Judges and Program Mentors. These interactions will include a Program Orientation Meeting, held before the start of the Seminar, in which the Judges and Program Mentors will discuss what they hope the participants will gain from the Seminar. In addition, there will be a Closing Ceremony, held after the completion of the Seminar, in which participants will receive a diploma commemorating their completion of the Seminar. Participants are asked to invite a senior attorney to this event who has served as a mentor to them during their career.

The Seminar will also provide opportunities to interact with alumni of the Seminar. These alumni can provide the participants with their unique perspective on how to take the skills learned in the Seminar and develop them in practice.



2013 Opening Ceremony



FEDERAL TRIAL PRACTICE SEMINAR



Federal Trial Practice Seminar **2015 Seminar Schedule**

- December 5, 2014: **Distribute Program Announcement and Call for Applications**
- January 9, 2015: **Applications Due**
- February 23, 2015: **Participants Notified of Acceptance to the Seminar**
- April 7, 2015: **Program Orientation Meeting**
Location: Hotel DuPont Christina Room
5:30 p.m. to 7:30 p.m.
- April 14, 2015: **Courtroom Presentation and Demeanor**
Location: Courtroom 2A
5:00 p.m. to 7:30 p.m.
- Featured Speakers:
- Honorable Sue L. Robinson
- April 21, 2015: **Opening Statements**
Location: Courtroom 2A
5:00 p.m. to 7:30 p.m.
- Featured Speaker:
- David Rudovsky, Esquire
- April 28, 2015: **Practicum: Opening Statements**
Location: Courtroom 2A (meet) and TBD
5:00 p.m. to 8:00 p.m.

May 5, 2015:

Closing Statements

Location: Courtroom 2A

5:00 p.m. to 7:30 p.m.

Featured Speaker:

Theodore V. Wells Jr., Esquire

May 12, 2015:

Practicum: Closing Statements

Location: Courtroom 2A (meet) and TBD

5:00 p.m. to 8:00 p.m.

May 19, 2015:

Direct Examination

Location: Courtroom 2A

5:00 p.m. to 7:30 p.m.

Featured Speaker:

Dan K. Webb, Esquire

May 21, 2015:

Arguing Motions in Limine

Location: Chambers 2A

12:00 p.m. to 1:00 p.m.

Featured Speakers:

Honorable Christopher J. Burke

May 26, 2015:

Cross Examination

Location: Courtroom 2A

5:00 p.m. to 7:30 p.m.

Featured Speaker:

Stephen D. Susman, Esquire

May 27-29, 2015:

Arguments on Motions in Limine

Location: Courtroom 2A

June 5, 2015:

Mock Trial

Location: Courtroom 2A and TBD

9:00 a.m. to 4:00 p.m.

June 16, 2015:

Closing Ceremony

Location: Hotel DuPont Christina Room

5:30 p.m. to 7:30 p.m.

THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE



Judge Christopher J. Burke, Judge Richard G. Andrews, Judge Sue L. Robinson,
Judge Gregory M. Sleet, Chief Judge Leonard P. Stark, Judge Mary Pat Thyng, Judge Sherry R. Fallon

2015 FEDERAL TRIAL PRACTICE SEMINAR PROGRAM MENTORS



COLM F. CONNOLLY
MORGAN, LEWIS & BOCKIUS LLP



JOSEPH J. FARNAN, JR.
FARNAN LLP



DOUGLAS E. MCCANN
FISH & RICHARDSON

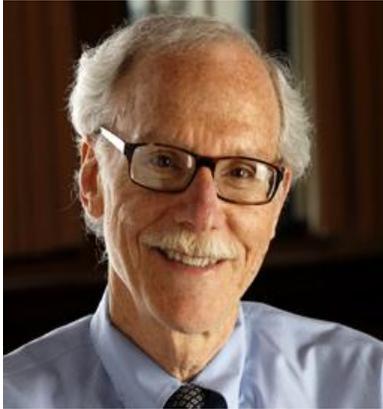


DAVID C. WEISS
FIRST ASSISTANT UNITED STATES
ATTORNEY

MARYELLEN NOREIKA
MORRIS, NICHOLS, ARSHT & TUNNELL LLP

2015 FEDERAL TRIAL PRACTICE SEMINAR DISTINGUISHED SPEAKERS

DAVID RUDOVSKY



David Rudovsky, one of the nation's leading civil rights and criminal law practitioners, is a founding partner of Kairys, Rudovsky, Messing & Feinbery, LLP and Senior Fellow at the University of Pennsylvania Law School where he teaches Criminal Law, Constitutional Criminal Procedure and Evidence.

Mr. Rudovsky's practice includes cases on police and governmental misconduct, prisoners' rights, first amendment freedoms and racial discrimination. He has argued two significant civil rights cases before the United States Supreme Court: *Mitchell v. Forsyth* and *City of Canton v. Harris*.

Mr. Rudovsky has been a recipient of the MacArthur Foundation Fellowship, the Judge Gerald R. Flood Award for Public Interest Accomplishments, the ACLU Civil Liberties Award and the Philadelphia Bar Association Cesare Beccaria Award for Criminal Justice.

THEODORE V. WELLS, JR.



Ted Wells is co-chair of the Litigation Department at Paul, Weiss, Rifkind, Wharton & Garrison LLP and is resident in their New York office.

Mr. Wells has a varied litigation practice that includes white-collar criminal defense, complex civil and corporate litigation, healthcare fraud, environmental matters and class action litigation. Some of Mr. Wells' clients have included I. Lewis "Scooter" Libby, Eliot Spitzer, Michael Milken, Carnival Corporation and Exxon Mobil Corporation.

Mr. Wells was named one of "The Decade's Most Influential Lawyers" in 2010 by the *National Law Journal*. His skills as a trial lawyer have been recognized by numerous publications, including *Chambers USA*, *Benchmark Litigation* and *The Legal 500*. Mr. Wells is also a fellow of the American College of Trial Lawyers.

2015 FEDERAL TRIAL PRACTICE SEMINAR DISTINGUISHED SPEAKERS

DAN K. WEBB

Dan Webb is the Chairman of Winston & Strawn and is resident in the firm's Chicago office.



Prior to joining Winston & Strawn, Mr. Webb was the United States Attorney for the Northern District of Illinois. His current practice focuses on major commercial, civil, regulatory and white-collar criminal cases. Mr. Webb has tried more than 100 jury cases. In addition, one of Mr. Webb's more notable representations included an internal investigation of the New York Stock Exchange related to its compensation of its Chairman and CEO, Richard A. Grasso.

Mr. Webb was named as one of the "100 Most Influential Lawyers in America" by the *National Law Journal* and has been recognized by numerous publications for his trial skills, including *Chambers USA*, *Illinois Super Lawyers* and *The Legal 500*.

STEPHEN D. SUSMAN

Stephen Susman is a founding partner of Susman Godfrey LLP and is resident in the firm's New York office.



Mr. Susman has been recognized as one of the most successful plaintiff's attorneys in the United States. Mr. Susman's practice has encompassed many areas of complex commercial litigation, including antitrust and products liability. Mr. Susman's notable representations include a \$550 million verdict to victims of a nationwide price-fixing conspiracy and representing Northrop in its suit over the F-18 jet fighter.

Mr. Susman has received countless awards for his trial work. He was ranked as among the fourteen best trial lawyers in *America's Top Trial Lawyers*, and *The Business Insider* listed him as one of eleven lawyers you do not want to see across the aisle.