

## **PCUBED LITIGATION PRESENTATIONS HELPS DEFENSE COUNSEL PERSUADE JURY THAT DEFENDANTS WERE NOT NEGLIGENT IN A PERSONAL INJURY CASE IN WHICH THE PLAINTIFF ATTORNEY ASKED JURORS TO AWARD \$800,000 – \$1.1 MILLION IN DAMAGES**

PCubed Litigation Presentations helped defense counsel for a trucking company and its two drivers persuade jurors that the drivers were not negligent for the injuries that the plaintiff alleged he sustained when he was dragged 20-to-40 feet by a cable wire that had been torn from his house and allegedly wrapped around him from his ankles to his waist. The plaintiff claimed that the wire had been struck by the tractor trailers being operated by the drivers as part of an oversize load convoy that was transporting mobile classrooms to their final destination, a middle school approximately five miles from the plaintiff's home. The plaintiff testified that he sustained multiple physical injuries to his spine, knee, hand, and head and developed Post Traumatic Stress Disorder that still persisted more than 5 years after the alleged incident had occurred. His attorney asked the jury in his closing argument to award the plaintiff \$800,000 to \$1.1 million to compensate him for his alleged injuries, but, after deliberating for approximately 12 hours over 3 days, the 13-person jury found that the drivers and trucking company were not negligent.

PCubed Litigation Presentations helped defense counsel to persuade the jury that his clients were not negligent by electronically displaying during defense counsel's direct and cross examinations and during his closing argument police and medical records that contained statements the plaintiff had made about how the alleged incident occurred, photographs of the scene taken by the police, and documentation establishing that a company retained by the defendant trucking company had conducted a route survey before the convoy began its trip that found no obstructions along the route that were lower than the height of the top of the mobile classrooms being transported. Using TrialDirector 6<sup>®</sup>, PCubed Litigation Presentations enlarged and/or called out portions of the exhibits and annotated and /or highlighted portions of the exhibits that supported defense counsel's themes of the case, with the statements in the police and medical reports emphasizing to the jury that the plaintiff had claimed that he saw the pole car that was the first vehicle in the convoy, just ahead of the 1<sup>st</sup> of the clients' two vehicles, strike the wire with its pole, causing a loud "whack . . . that sounded like a .22 gun had been fired", and saw the wires fall to the ground, and with the photographs showing that according to the plaintiff he had been dragged north despite the convoy having been travelling south.

PCubed Litigation Presentations further helped defense counsel erode the credibility of the plaintiff by creating a video that played an audio recording of the testimony of the plaintiff during a district court hearing and simultaneously displayed the transcript of that testimony in which the plaintiff told the judge that his neighbor's harassment was preventing him from sleeping because he was scared they would burn his house down, which directly contradicted the plaintiff's trial testimony – as well as the trial testimony of his girlfriend with whom he resided – that the sole cause of his alleged sleeping issues was the PTSD from the alleged incident.

PCubed Litigation Presentation's Mike Palermo was a civil litigation attorney for 18+ years before becoming a TrialDirector 6<sup>®</sup> certified trial technician and establishing PCubed Litigation Presentations.