

# RULES AND PROCEDURES FOR FEDERAL COURT SUCCESS



**Atlanta, Georgia  
July 24, 2007**

**Master crucial rules and procedures before  
you walk into the federal courtroom.**

Presented by John B. Gamble Jr., Paul Robert Koster,  
Cynthia Matthews Daley and Torin D. Togut

Continuing Education:

CLE - 6.0

See inside for details!

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# Properly and Confidently Handle Cases in Federal Court

## Why You Need to Attend

Is this your situation? You're headed to federal court and you want to do everything possible to ensure your success. But federal court is a whole new ball game. And you have a million questions and concerns about the stringent rules and precise procedures you are expected to know and follow. Costly mistakes are possible at every step and federal court simply isn't the place you can take a learn-as-you-go approach.

Finally, the workings of the federal court are revealed in this timely, foundational seminar. Both plaintiff and defense counsel will learn the numerous behind-the-scenes rules and procedures attorneys must comply with - and where the potential for mistakes exists. Tackle the issues that confront even experienced attorneys who are practicing in federal court. Use the most advantageous ways to determine jurisdiction. Draft the motions and pleadings so vital to your success. Master the critical deposition skills you need to compete in the courtroom. Get practice pointers you can apply immediately to conduct yourself like a veteran.

- Properly file cases in federal court according to the stringent rules.
- Easily follow rules governing electronic data discovery - so you can ensure it can be used.
- Succeed in federal court with tactics and tips for the use of evidence, witnesses and expert testimony.
- Discover how the emerging role of alternative dispute resolution may impact your future cases.
- Get a firm grasp of proceedings before U.S. Magistrates so you can be prepared for anything.

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## Important Details

**July 24 - ATLANTA - Sheraton Buckhead Hotel Atlanta**  
3405 Lenox Road NE, Atlanta GA 30326 404-261-9250

**Time:** Registration is from 8:30 – 9:00 a.m. The program will begin at 9:00 a.m. and end at 4:30 p.m. Complimentary snacks and refreshments are provided. Lunch is on your own. Pre-Registration is encouraged.

**Mail:** Registration form on back of this brochure

**Phone:** (800) 930-6182

**Fax:** (715)835-1405

**Online:** [www.nbi-sems.com](http://www.nbi-sems.com)

If you need to register at the door, you may wish to call us first to confirm availability and to receive information regarding schedule or location changes.

**Tuition:** \$319 for the first registrant, \$309 for each additional registrant — a savings of \$10!

**Directions & Parking:** To obtain directions and parking information, please contact the facility listed above.

**FREE Reference Manual:** *Rules and Procedures for Federal Court Success* – Your learning doesn't end with the conclusion of the seminar presentation. With our comprehensive course manual, written specifically to accompany each program, you'll have all the information you need right at your fingertips. This manual, included with your tuition, allows you to take the seminar back to the office with you!

**Audio Recordings:** This seminar will be recorded in its entirety. If you can't attend, you can still obtain the benefits of the information provided by purchasing the manual and CD. See the registration form to order. If you wish to receive the cassette tape instead of the CD, please contact us at (800) 930-6182.

**Cancellation:** Register today at no risk! If your plans change later and you can't attend the program just call and let us know.

**Your Satisfaction is 100% Guaranteed.** We're so confident that this seminar will provide you with practical, valuable information that we back it up with an unconditional guarantee. If you're not completely satisfied, let us know and you'll receive a full refund.

# What You Will Learn

## I. PREPARE TO SUCCEED IN FEDERAL COURT

*Cynthia Matthews Daley, 9:00 - 10:00*

- A. Jurisdiction and Venue - How to Select the Right Court
- B. How to Properly File a Case in Federal Court
- C. Serve and Respond to the Summons - the Right Way
- D. Practical Tips for Drafting Pleadings and Motions
- E. Techniques for Putting Together a Successful Trial Strategy
- F. Secrets to Surviving in Federal Court
- G. How to Lose a Case, Quickly and Easily
- H. Appellate Considerations You Must Focus On

## II. ADHERE TO THE FEDERAL RULES OF CIVIL PROCEDURE

*Cynthia Matthews Daley, 10:00 - 10:30 and 10:45 - 11:15*

- A. Explore Involved and Difficult Disclosure Requirements
- B. Avoid Mistakes in Deposition Practice and Procedure
- C. The Most Powerful Written Discovery Strategies
- D. Tactics and Tips on the Use of Evidence, Witnesses and Expert Testimony
- E. How-to's for Managing Cases and Pre-Trial Conferences

## III. COMPLY WITH THE NEW ELECTRONIC DISCOVERY RULES

*John B. Gamble Jr., 11:15 - 12:15*

- A. An Insightful Overview of the New E-Discovery FRCP Rules
- B. Recent Decisions in E-Discovery That Every Litigator Should Know About
- C. Preserving Your Client's E-Data For Use in Court Where It Counts
- D. Use of Computer Forensic Experts Under the New Rules

## IV. MAINTAIN AN ETHICAL PRACTICE FROM START TO FINISH

*Paul Robert Koster, 1:15 - 2:15*

- A. Rules of Professional Responsibility You Must Adhere To
- B. Outside Activities That May Create Conflicts of Interest
- C. Practical Problems in Setting Attorney's Fees
- D. Schedules, Deadlines and Malpractice - Get Informed

## V. UNDERSTAND THE LOCAL RULES OF FEDERAL COURTS

*Torin D. Togut, 2:15 - 3:15*

- A. Northern District
- B. Middle District
- C. Southern District

## VI. EXAMINE SELECTED ISSUES AND ANSWERS FOR SUCCESS IN THE FEDERAL COURT SYSTEM

*Paul Robert Koster, 3:30 - 4:30*

- A. The Emerging Role of Alternative Dispute Resolution
- B. When a State Action Can Be Removed to Federal Court
- C. Get a Firm Grasp of Proceeding Before U.S. Magistrates

### Who'll be there...

This **intermediate level seminar** is designed for both plaintiff and defense counsel and will benefit new and seasoned attorneys, paralegals and other litigation support personnel.

\* If needed, the above agenda may be changed to best accommodate all our attendees.

## Credit Information

This seminar is a valuable opportunity to get the continuing education that's so crucial to keeping up to date in your profession. Not only was this program carefully designed to meet its educational objectives, but you can also take advantage of specific continuing education credits we've arranged with appropriate accrediting organizations:

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For additional questions regarding continuing education credits please contact us at (866) 240-1890.

# RULES AND PROCEDURES FOR FEDERAL COURT SUCCESS

## Who Will Teach You

**JOHN B. GAMBLE JR.** is a partner in the Atlanta office of the management labor and employment law firm of Fisher & Phillips LLP. A native of Athens, Georgia, Mr. Gamble received his J.D. degree from Duke University in 1974 and his A.B. with honors from the University of North Carolina-Chapel Hill in 1971. He has more than 25 years of experience in the defense of management in employment litigation, including federal and state trial court and appellate work throughout the U.S., with emphasis on complex litigation, trade secrets and non-competition issues, employment tort claims, retaliatory discharge claims and whistleblower claims. Mr. Gamble's experience in the labor and employment field includes collective bargaining, union representation cases and organizing campaigns, unfair labor practice charges, federal and state administrative agency practice, and numerous labor arbitrations, as well as counseling and preventive work, and speeches and seminars for clients and industry associations. One of Mr. Gamble's unique specialties within his firm is employer protection of electronic data for litigation purposes, and he is the firm's primary expert in the provisions of the Sarbanes-Oxley Act, particularly as it impacts the field of employment law. He has published numerous articles in the field of employment law in national law journals and online services for employers and their lawyers, including articles on recent developments in e-discovery and in the application of Sarbanes-Oxley to the field of human resources, and has been a frequent seminar lecturer on such topics to industry groups and groups of employers and attorneys. Among Mr. Gamble's many reported cases is *Roadway Express v. Brock*, 624 F. Supp. 195 (N.D. Ga. 1985), *aff'd in part and rev'd in part*, 481 U.S. 252 (1987), in which he obtained an injunction against the U.S. Department of Labor in a whistleblower case brought by OSHA under Section 405 of the Surface Transportation Assistance Act. Mr. Gamble is admitted to practice before the United States Supreme Court, the U.S. Courts of Appeals for the Fifth, Sixth and Eleventh Circuits, and the Supreme Courts of Georgia, Florida and Alabama. Before joining Fisher & Phillips in 1981, he had an extensive trial and appellate practice focused on commercial litigation and the defense of tort claims in Georgia and Alabama. Mr. Gamble has been selected as a Georgia Super Lawyer, Employment Litigation.

**PAUL ROBERT KOSTER** is managing partner of the Atlanta law firm of Daley, Koster & LaVallee, LLC, where he focuses his practice on the areas of employment law, government liability, governmental relations and appellate litigation. Mr. Koster has been named a Georgia Super Lawyer Rising Star for two consecutive years. He is a former attorney for the United States Court of Appeals for the D.C. Circuit and former member of the faculty at Emory University School of Law. He is admitted to the bars of Georgia, Maryland, the 5th, 11th, D.C. Circuits and the United States Supreme Court. Mr. Koster earned his J.D. degree, magna cum laude, from the Catholic University of America in Washington, D.C.

**CYNTHIA MATTHEWS DALEY** is a partner with Daley, Koster & LaVallee, LLC, where she practices in the areas of governmental liability, employment law and education law. In addition to her private practice, Ms. Daley also is a Magistrate Judge in Carroll County, Georgia. She has been a featured speaker at numerous seminars and published several articles on employment and education law as well as professionalism and ethics in practice. Ms. Daley received her B.A. degree from the University of West Georgia and her J.D. degree from Georgia State University. She is a member of the State Bar of Georgia, the American Bar Association where she serves as vice-chair for the Tort and Insurance Practice Section, and Defense Research Institute where she serves as the Governmental Liability Committee's Annual Meeting Chair.

**TORIN D. TOGUT** is currently on the clinical faculty of the University of Georgia School of Law as a Cousins Public Interest Fellow and teaches special education law as well as supervises law students in a special education practicum. Mr. Togut has worked primarily as a public interest attorney with Georgia Legal Services Program for more than 22 years. He has also been engaged in the private practice of law since June 1977. Mr. Togut has extensive experience practicing law in the federal courts of Georgia and in the Eleventh Circuit Court of Appeals. His practice in federal court has focused on representation of families of children with disabilities, education law, employment discrimination, civil rights and disability litigation, and federal criminal practice. Mr. Togut is a member of the State Bar of Georgia, and the Northern, Middle and Southern Districts of Georgia, the Eleventh Circuit Court of Appeals and the United States Supreme Court. He also is a member of the State Bar of Vermont, Vermont District Court and Second Circuit Court of Appeals. Mr. Togut has been a frequent speaker in the areas of special education and disability law at local, regional and national workshops and conferences. He also has spoken at conferences and workshops on federal practice, civil rights litigation and legal ethics. He received his B.S. degree from Cornell University and his J.D. degree from the University of LaVerne College of Law.

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Our distinguished authors help you identify and understand vital medical records so you can effectively integrate them into your trial preparation strategy. They'll also share practical tips for choosing the right medical expert and ways to get the most relevant testimony once the best expert is found. Explore how some of the hot button topics in medical cases - like DNA evidence - can affect the outcome of your case. Get tips from veteran medical litigators for powerful, persuasive presentation of medical evidence at trial. Come away with the information you need to present a clear picture to those deciding the fate of your client. By: Eric J. Frisch, Mary Katherine Greene, Sean L. Hynes, Kevin P. Race and Robert D. Roll.  
204 Pages © August 2006

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You're just weeks away from litigating your first civil trial. And, like many new attorneys, you find you have more questions than answers as you face the challenge of how to be successful in the courtroom. You're seeking a way to quickly sharpen your trial skills and minimize your stress so you can walk into court confident and prepared.

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