# **Winning at Pretrial**

**Effective Use of Appellate Counsel Before Trial** 

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# Two parts to every case:

- ► Fact strategy
- ► Law Strategy

# 1. Fact Strategy

**▶** Discovery, evidence, the story





# **Fact Strategy**

► Principal audience: the jury







# 2. Law Strategy

► Principal audience: the judge







# "Law Strategy"

- 1. Preparing for appeal in the trial court
- 2. Using law strategy to help win the trial



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