

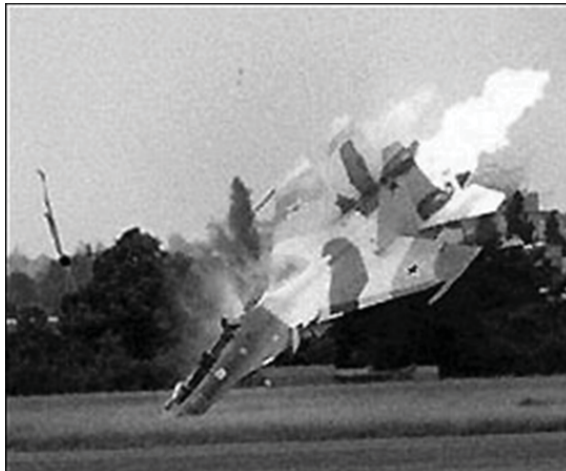
# Dealing With Bad Facts

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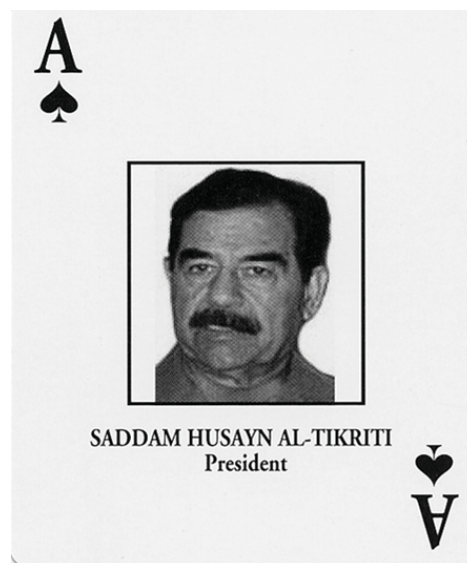
## “The Wrong Stuff”



## “The *Wrong* Stuff”

- “[H]e crashed and was burned beyond recognition, but he should have known better than to wait so long before lowering the flaps. He nosed over and dove straight into Chesapeake Bay. [H]ow could anybody be in such poor condition as to pass out *that quickly* from hypoxia? There are no *accidents* and no fatal flaws in the machines: there are only pilots with the wrong stuff.”

## Bad Clients and Bad Witnesses



## Importance of the Plaintiff

- “It is an old rule and a good rule, that it is the duty of the trial court to try the lawsuit and not the individual litigant, for it has been said many times ‘A bad person may have a good lawsuit.’”  
*Transport Ins. Co. v. Cossaboon* (El Paso 1956).

In a Just World, Bad Things Do  
Not Happen to Good People



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First appeared as part of the conference materials for the  
41<sup>st</sup> Annual Page Keeton Civil Litigation Conference session  
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