

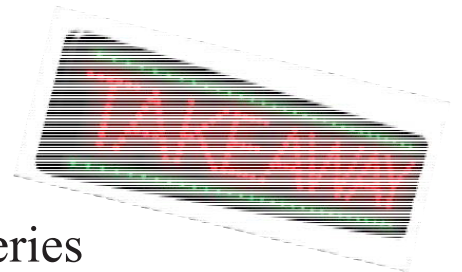
# EQUITABLE RELIEF AT TRIAL AND ON APPEAL

*Andy Attorney Gets Crosswise With His Client and Firm*

Lara Hollingsworth

Jeff Levinger

## MAJOR TAKEAWAYS



- Equity offers the potential for big recoveries
- Litigants are turning to equitable relief as the punitive damages of the future
- Juries play an important role in finding the facts underlying equitable relief
- Equitable remedies can provide an opportunity to shift traditional burdens of proof on liability and monetary relief
- The trial court will fashion the ultimate relief, which the court of appeals will review for abuse of discretion

## MEET ANDY ATTORNEY

- 35 years old
- Partner in 25 person law firm
- Primarily appellate practice
- Handles insurance defenses cases
- Charges \$275 per hour



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## ANDY HAS ASPIRATIONS

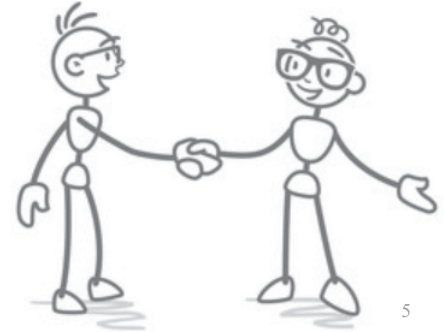
- Bigger cases
- Less work for insurers
- Broader name recognition
- Ability to charge higher rates



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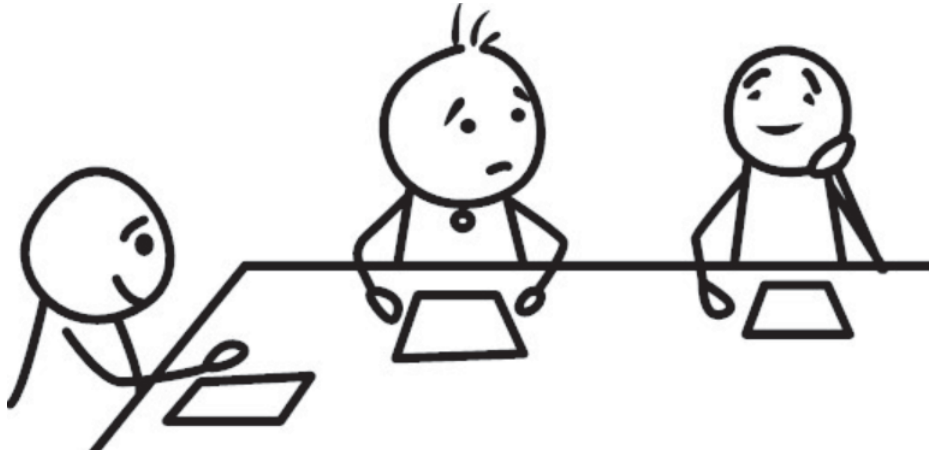
# ANDY'S MARKETING PLAN

- Joins PJC Committee on *Malpractice, Premises & Products*
- Touts jury charge experience
- Speaks at defense-oriented seminars
- Markets to east and west coast lawyers defending lawsuits in Texas



# THE PJC COMMITTEE

- Andy gets “the speech”
- Becomes acquainted with lawyers on both sides of docket
- Volunteers for subcommittees



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Title search: Equitable Relief at Trial and on Appeal

Also available as part of the eCourse

[2018 eConference on State and Federal Appeals](#)

First appeared as part of the conference materials for the  
28<sup>th</sup> Annual Conference on State and Federal Appeals session  
"Equitable Relief at Trial and on Appeal"