

# Snake Charming

Using or combating popular plaintiff's trial tactics.

Don't misapply the theories

## Don't misapply the theories

- It's not about buzz-words
- It's not about fear

## Don't misapply the theories

- It's about why this case should matter to the jurors

## The juror's subconscious

- Jurors may feel uncomfortable blaming someone for inadvertence or true accidents

Don't cry  
over spilled  
milk



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## Title search: Snake Charming: Using or Combating Popular Plaintiff's Trial Tactics

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42<sup>nd</sup> Annual Page Keeton Civil Litigation Conference session  
"How to Charm a Snake (and Maybe a Few Reptiles)"