



# Visual Persuasion for Insurance Defense Litigation.



*"Our goal is to get as much information, at a cost-effective rate, as early as possible, in order to settle cases."*

Insurance carriers demand maximum value for their litigation support dollars, regardless of exposure.

#### **Earlier Settlement on Better Terms.**

Resolving cases on favorable terms before trial requires impeccable preparation and persuasive advocacy. Outsourcing to **Legal Arts** makes your firm more efficient, enabling you to concentrate in-house resources on what you do best.

We perform expert investigative and creative work to package your strongest evidence into concise visual presentations that persuasively influence opponents to settle early on terms most favorable to your clients.

#### **Smart Visual Strategy.**

**Legal Arts** has perfected a creative methodology we call **Visual Strategy** to deliver critically important graphics that are foundationally bullet-proofed and proven influential to outcome.





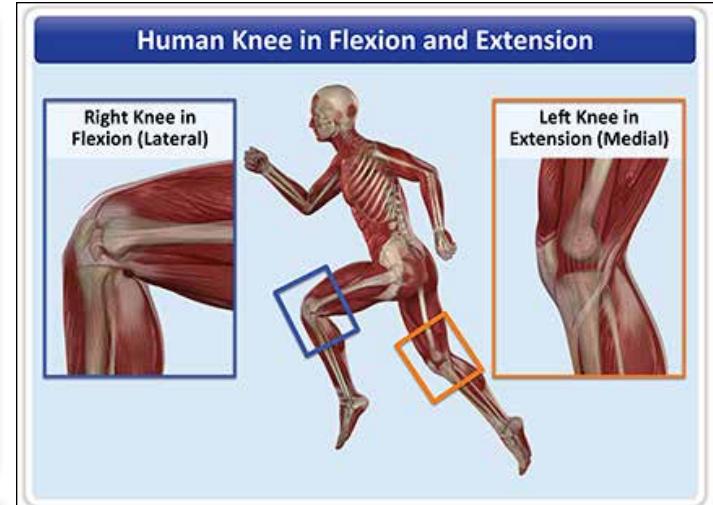
# Exploit labor cost-saving strategies.



Precise and historically accurate aerial photography is a smart choice for scene reconstructions. Using professional online applications, we can accurately measure distances and calculate areas directly on the photo.

Sometimes, a to-scale diagram is the best choice to eliminate clutter and focus on details otherwise hidden from view. We can also save you a lot of money basing to-scale diagrams on verified aerial imagery.

3D-laser scanned documentation is the best choice for accurate case-specific scene documentation nothing. Once a scene is preserved, they can be reconstructed from any viewpoint or incorporated into 3D renderings or animation.



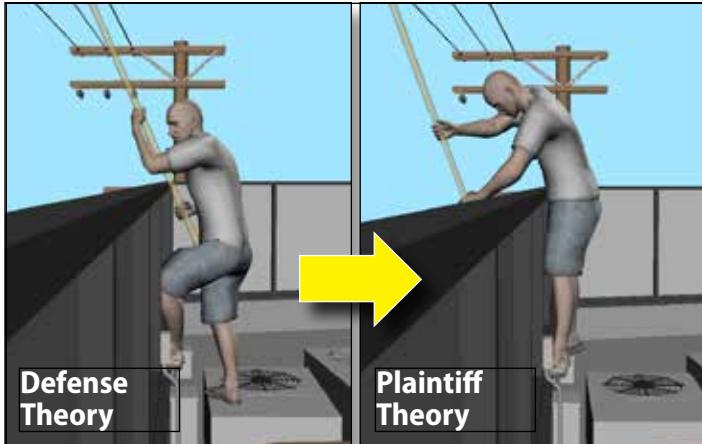
Royalty-free stock images cost as little as \$10 each, a fraction of the cost of custom medical illustration, and we can usually modify them to demonstrate case-specific trauma.



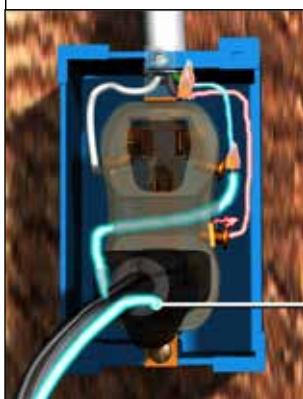
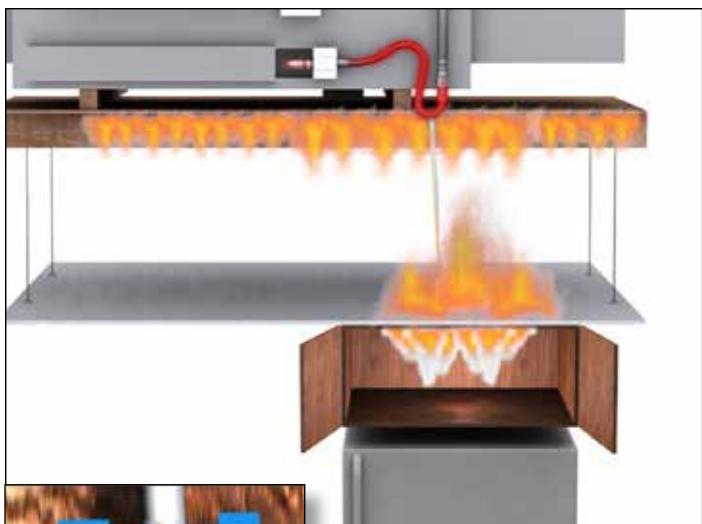
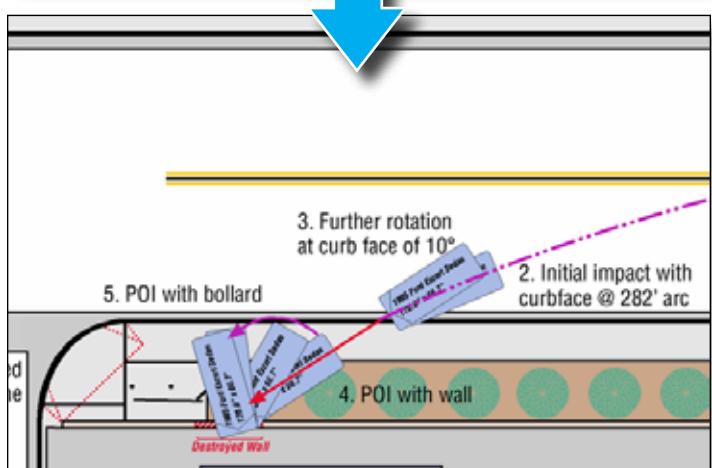
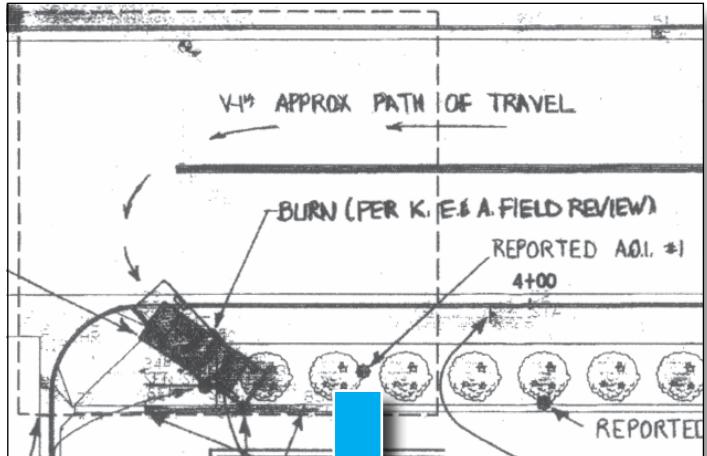
Stock calendars are very versatile. We use them to demonstrate long timespans, impeach malingering plaintiffs, and to display different events without resorting to text descriptions most commonly seen in conventional timelines.



# Demonstrate the truth.



For an electric shock case, we used **motion-capture-based simulations** to persuade the jury plaintiff blindly walked an upright pole into an overhead 12kV conductor (left) instead of innocently raising it end-up during improper rooftop operation (right).



Plaintiff's expert theorized a house fire was caused by a circuit-wide power surge caused by a wildfire two miles away. This tutorial animation demonstrated it was caused by an electrical short in the home

**Use their own graphics against them.** Because plaintiff expert missed crucial physical evidence on a curb face east of a fatal collision, he opined that a driver failed to negotiate a U-turn before impacting a roadside gas main (top).

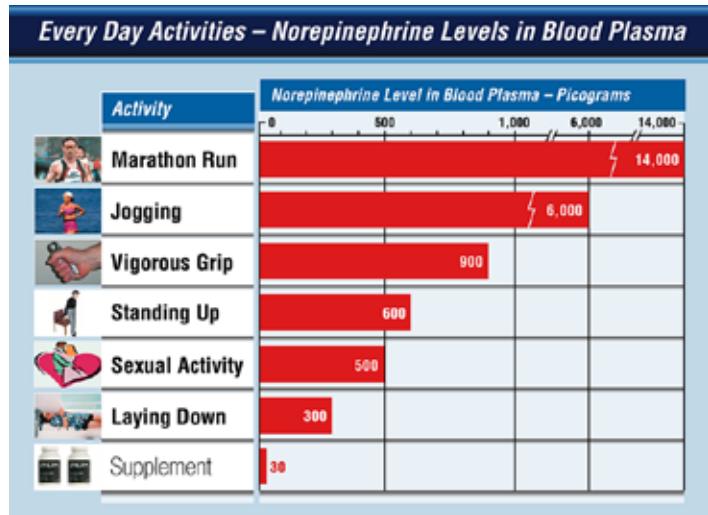
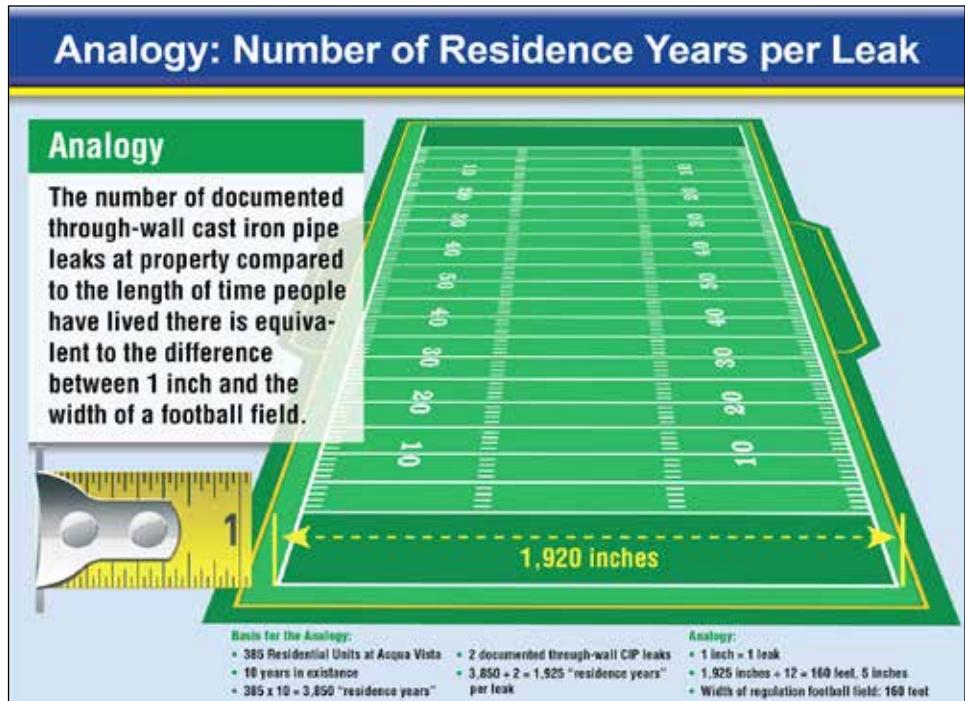
Actually, the driver drifted across the centerline and lost control of her vehicle because she impacted the curb face, causing her to drive into the gas main from the opposite direction (above).



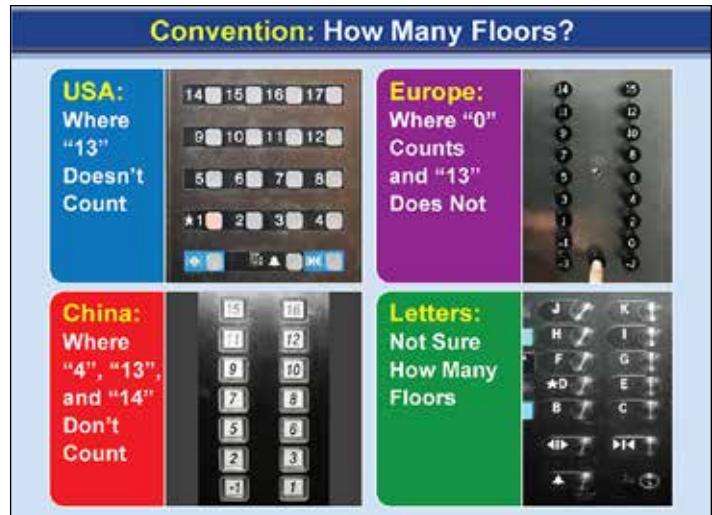
# Simplify & clarify your messages.

Analogy can be very persuasive when precisely crafted. For the defense of a foreign cast iron pipe manufacturer accused of fabricating defective products, trial counsel demonstrated insignificant historical occurrences of through-wall leaks with this graphic.

The number of such leaks (two) that occurred throughout a mid-rise condominium tower in residence years (3,850) = one leak every 1,925 residence years. This is equivalent in scale to one inch compared to the width of a football field.



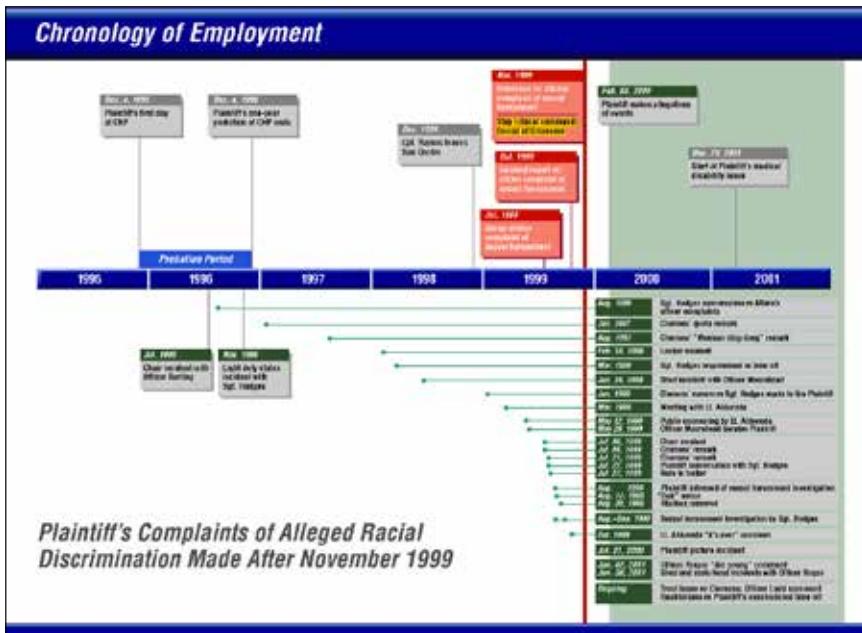
Alarmist plaintiff claims that a dietary supplement containing Ephedra caused sudden cardiac death was placed into proper context by comparing norepinephrine levels in blood plasma for several common activities.



In defense of purported misrepresentation of square footage in luxury condominiums, this analogy demonstrated that absent uniform standards, quantification can be subjective, as in the number of floors in a building.

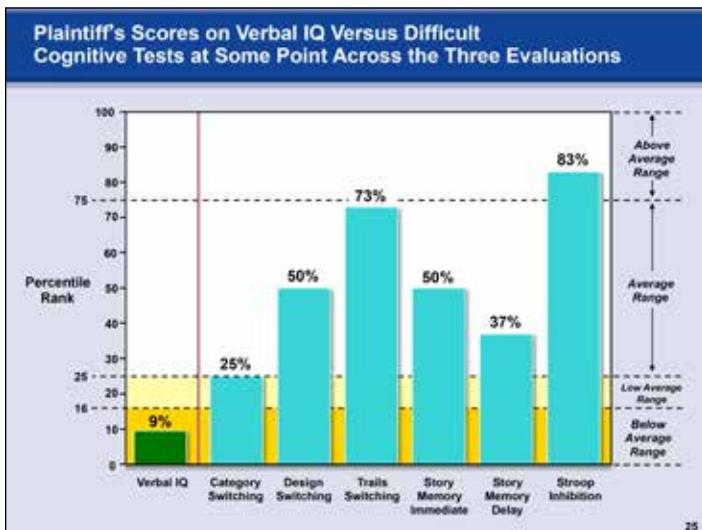


# Influence outcome with graphics.



Impeach plaintiff's credibility by graphically exposing serious omissions and inconsistencies in his or her story.

**Left:** In this racial discrimination case, the defense revealed that plaintiff failed to report 20 alleged discriminatory acts until after he was accused of workplace sexual harassment.



**Plaintiff Is Not Cognitively Impaired Due to His Accident**

**Doris Fletcher, M.D. Treating Neuropsychologist**

Q. All right. So what you're saying is the problems he was complaining of, the cause is more likely due to the depression and other factors than the original concussive injury?  
 A. That was my clinical opinion.  
 \* \* \*  
 Q. So there was at least a reasonable suspicion on your part that he was fudging the results?  
 A. Yeah. You know, I'm just going to editorialize a little, but we had this high powered attorney who thought he could control the situation, pull the wool over my eyes. That was my feeling.

Defend traumatic brain injury claims in mediation and trial with graphical summaries of medical evaluations.

**Above left:** visually demonstrate inconsistent cognitive testing to influence damages negotiations and awards.

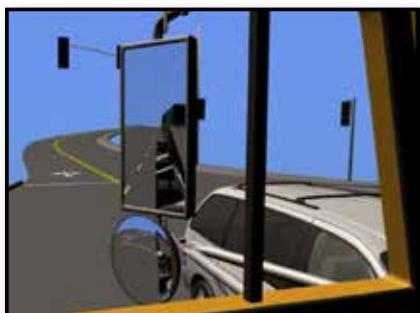
**Left:** aid fact finder retention by combining excerpt deposition testimony with a witness photo.



#### One Complaint About Defendant's Behavior



## Employment & Labor



## Auto Liability



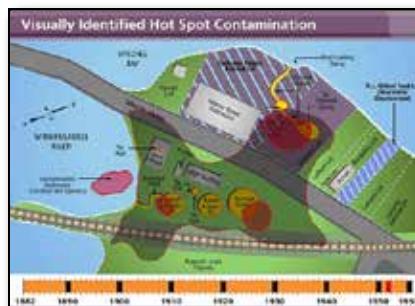
## Medical Malpractice



## Legal Malpractice



## Construction Defect



## Environmental



## Toxic Tort



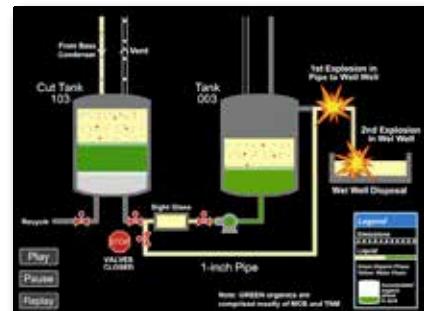
## Premises Liability



## Insurance Coverage



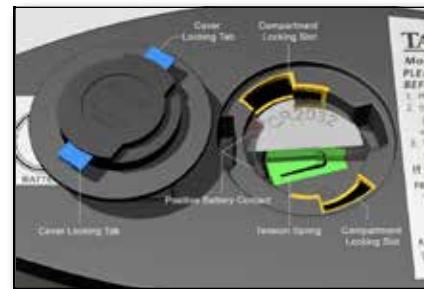
## Personal Injury



## Fire & Explosion



# Forensic Economics



## Product Liability



# Take your pick of pricing options.



## 1. Phased Pricing

- Best choice for long-term projects versus quick-turnaround engagements
- Appropriate when early tasks are predictable and later tasks are not
- Accommodates budget reconsideration or renegotiation at certain project milestones



## 2. Flat Fee/Value Pricing

- Fee matches total perceived value of service and deliverables
- Eliminates hourly fee unpredictability
- May apply to information known at time of proposal and not future material changes
- Best choice when scope is predictable



## 3. Hourly & Volume Pricing

- Pay only for what you want, when you need it
- Rates may be negotiable based on nature and quantity of hours under contract
- Exact to-the-minute start/stop timekeeping and tenth-of-hour billing
- Best choice when uniformity between cases is inconsistent or when scope is unpredictable
- Open-ended unless combined with a ceiling cost
- Potentially substantial hourly rate discounts for volume work





# About Legal Arts®

**Founded in 1979**, Legal Arts is one of the nation's few pioneer demonstrative exhibit specialty firms operating under original ownership.

**During the 1980s**, the firm expanded into a wide range of practice areas and was routinely engaged for hundreds of cases per year, large and small.

**In the 1990s**, the firm strategically evolved from a local one-size-fits-all service to a nationwide provider concentrating in intellectual property, product liability, and mass tort litigation.

**Through the 2000s**, the firm supported hundreds of patent infringement matters while covering a full spectrum of practice areas in the San Diego market.

**Entering the 2010s**, until its merger with RJR Legal Arts was *Lorillard Tobacco Company's* go-to creative and trial presentation provider for hundreds of decertified class action matters. The firm also expanded activity in the corporate and insurance defense markets.

Today, with over 7,000 cases under the same leadership, Legal Arts is uniquely qualified to quickly evaluate any matter, ascertain the most cost efficient and effective creative approach, and develop superlative deliverables in any medium, on time, on budget, every time.

## Contact

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- Physical Models
- Professional Photography & Video Documentation
- Courtroom Presentation Technology & Hotseat Operation
- Graphics Library and Database Management
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### Licensed Investigation Services\*

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- Evidence Collection and Eyewitness Verification
- Event Reconstruction
- Expert Foundational Testimony

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