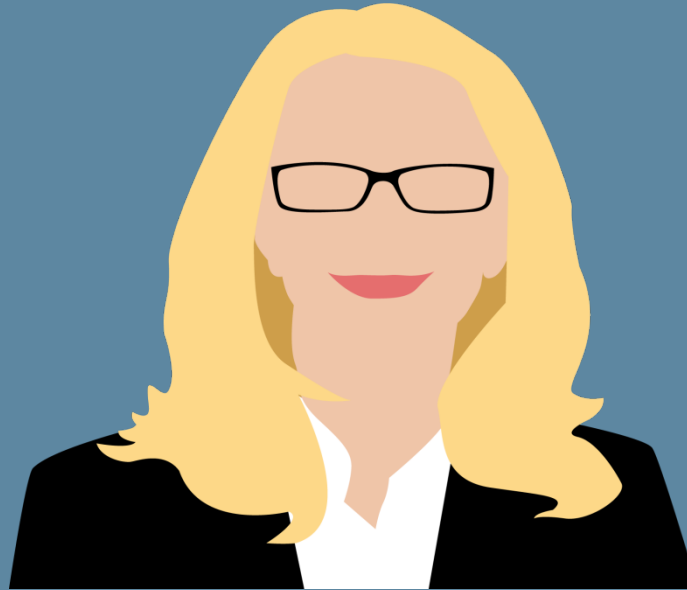


Legal Lunch with Laura



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Future Lunch Date

Tuesday, September 17, 2013

Workplace Violence

*Webinars are held on the third Tuesday of every other month from 12:00 – 1:00 p.m.

Oh No! I've Been Sued! What To Do Next: The Anatomy Of A Lawsuit

Presentation by
Eric J. Pelletier, Esq.
Laura L. Rubenstein, Esq.

Meet Eric J. Pelletier, Esq.



Mr. Pelletier is a business litigator who handles complex business and employment litigation. Mr. Pelletier has successfully represented plaintiffs and defendants in securities fraud litigation; defended a national construction company in a million dollar fraud and consumer protection act claim, and handled a high profile sexual harassment lawsuit.

Mr. Pelletier is also ethics counsel for Offit Kurman.

Since 2004, Mr. Pelletier has served as a Member of the Maryland Attorney Grievance Commission's Peer Review Panel.

Objectives for Today's Webinar

- Learn what to do if you are served with a lawsuit
- Understand why lawsuits take so long to resolve
- Preparing for costs, fees and other expenses
- Understanding the legal processes involved

Disclaimer: This webinar is provided for informational purposes only and is not deemed professional or legal advice. Participation in this webinar does not create an attorney-client relationship with Attorneys Pelletier or Rubenstein or Offit Kurman. The opinions expressed throughout this webinar are the opinions of Attorneys Pelletier and Rubenstein and may not necessarily reflect the opinions of Offit Kurman.

Webinar Poll

Has your company ever been sued?

A. Yes

B. No

How are lawsuits served?

Resident Agent or other Designated
Corporate Agent

- Via Sheriff
- Via Private Process Server
- Via Certified Mail
- Via Hand Delivery

The Importance of Deadlines

- a. Summons - Don't ignore/ don't default
- b. Don't cut it close - need to involve lawyers earlier, not later
- c. Preliminary Motions and Counterclaims - these take time to prepare
- d. Once case is "at issue" deadlines are still important

Rules of Civil Procedure

- a. Civil vs. Criminal
- b. Rules control what parties must do, and when they must do it.

Examples: responding to Motions, seeking and responding to discovery requests, pre-trial motions. etc.

- c. Penalties for non-compliance

Discovery Process

- a. The process by which parties seek information
- b. Interrogatories and Requests for Production of Documents
- c. Examination of Parties
- d. Depositions

Preparing for Depositions

- a. Depositions are interviews conducted under oath
- b. Meeting your lawyer beforehand
- c. Review of materials
- d. Answer the question asked / not volunteering information
- e. Don't discuss what you and your lawyer discuss

Webinar Poll

Generally, how long can a deposition last?

- A. 1 hour
- B. 1 day
- C. Indefinitely
- D. I don't know

Dispositive Motions

- a. These may end the case without trial
- b. Deposition testimony and Affidavits / declarations are included
- c. Let lawyer know if someone is not available to sign their affidavit

Webinar Poll

How long does it generally take for a case to go from Service to Trial?

- A. 6 months
- B. 8 months
- C. 1 year
- D. More than 1 year

Getting Ready for Trial

- a. Affidavits normally will not suffice for trial
- b. Meet and prepare; anticipate testimony from the other side
- c. Re-read the Complaint (etc.) your deposition, discovery responses and affidavits

The Trial

- a. Be respectful to the Court, jury, and the process
- b. No Bo, Luke, and Daisy Duke clothes; dress conservatively, and like a professional
- c. Don't lose your cool
- d. Don't taint the witness

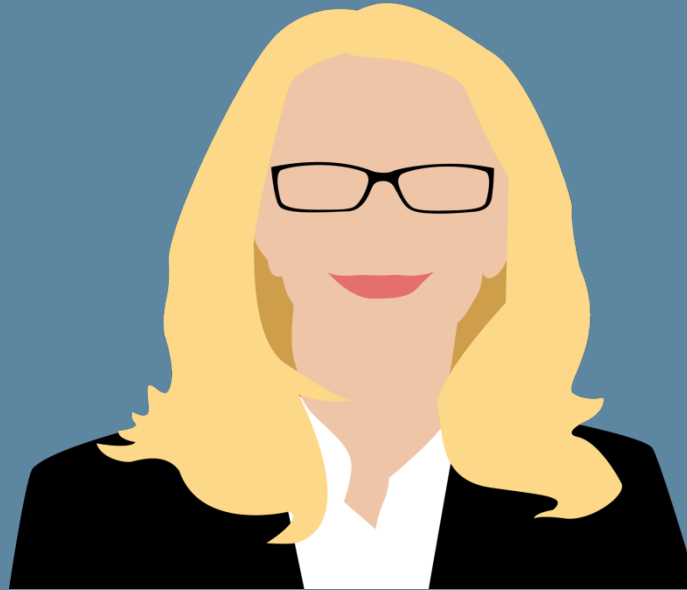
Reducing Fees/ Alternatives to Litigation

- a. Insurance Coverage (EPLI? D&O?)
- b. Mediation (court appointed or private)
- c. Arbitration (binding or non-binding)
- d. Settlement

Questions?



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