

LSU Law

Monthly Highlights – August 2018

LSU Law Monthly Highlights now on the web: [LINK](#)

Please check the online calendar for meetings and events scheduled at the Law Center: [LINK](#)

The Law Center's academic calendar can be found here: [LINK](#)

Course Schedules and Classroom Assignments can be found here: [LINK](#)

The official University Holiday Schedule is provided in PM-5: [LINK](#)

LSU Law News -- [LINK](#)

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### **IMPORTANT DATES:**

- 3L Trial Advocacy Program: August 6-8 - Stop by during the breaks and visit with judges and attorneys from around the state. Many LSU Law alums too! Full schedule is attached.
- 1L Orientation: August 9-10
- International Programs Orientation: July 30 – August 8
- Classes Begin: Monday, August 13
- Labor Day, September 3 – Office Closed
- The LSU Law PUB will be open this fall from 9 a.m. to noon and 1 to 3 p.m. beginning August 9, 2018 through August 20, 2018. The PUB is closed on weekends and holidays. The PUB is located in Room 302.

### **Clinic Highlights**

During the Spring '18 Semester students participating in the Immigration Law Clinic won asylum for eleven immigrants who fled gang and domestic persecution in Honduras, government persecution in Turkey and potential government and terrorist persecution in Bangladesh (Alex Morgan '18, Lauren Ferand '18, Lara Herstrom '19, Jacob Joffrion '19, Anne Lanier '19, Payton Lott '18, Justin Spears '19, Carmen Guidry '19, MJ Hernandez '19, Lana Georgiou '19, Jourdan Curet '19, Meredith Hamblen '19, and Jackie Duhon '19). In addition, student clinicians filed nineteen applications for lawful permanent residency for both refugees and asylees, and won lawful permanent residency for an individual who was on the cusp of losing the protection of the

Temporary Protected Status granted to Salvadorans and has been in the country since 1999 when she was only fifteen years old (an added wrinkle, all of her paperwork was destroyed in the 2016 flood, so Chris Chesney '19 had to do some extra fancy footwork to submit a persuasive application). Anne Lanier '19 drafted (and found success in) a complicated Motion to Reopen, Rescind an In Absentia Removal Order and Terminate proceedings on behalf of an unaccompanied immigrant child, who an immigration judge in Texas ordered deported after DHS released her from detention in Texas to live in Louisiana and the two arms of the government failed to communicate.

Over the summer, USCIS approved two Immigrant Relative Petitions filed by Justin Spears '19 for one of the Turkish individuals for whom the Clinic won asylum in the spring, but because of the tumultuous situation on the ground in Turkey at the moment, it is not clear when, if ever, the wife and child of our client will be able to legally leave their country. Finally, after seven months in limbo, the New Orleans Asylum Office granted asylum to two more Turkish citizens. This approval brings the Immigration Law Clinic's asylum record up to 23 for 23.

### **Faculty Highlights**

Professor Greg Smith spoke on “Legal Ethics: Some of This and Some of That”, at a June 28 meeting of Houston Bar Association's Section on Oil, Gas, and Mineral Law.

Professor Malinowski was interviewed by Stuart Leavenworth, a national correspondent in the DC Bureau of McClatchy Newspapers, which includes the Miami Herald and 28 newspapers nationwide, regarding broad public consumption of DNA testing services and resulting medical information. He is quoted in *DNA testing is like the 'Wild West'; should it be more tightly regulated?*, published originally June 1, 2018, and *This nation faces a DNA dilemma: Whether to notify people carrying cancer genes*, published originally June 14, 2018, which centers on Iceland and its seminal, national biobank, deCODE Genetics Inc.

Professor Baier was on the Jim Engster show Friday, July 6, talking about Justice Kennedy, his judicial philosophy, and possible successor. Tune in here: <http://wrkf.org/programs/talk-louisiana>. He is also on circuit, the SEALS annual meeting, August 10, Fort Lauderdale, Fla., presenting his work in progress, *Written in Water: An Experiment in Legal Biography*, featuring Colonel Frederick Bernays Wiener. It will be published by Twelve Tables Press in the Fall of 2019.

Professor Christine Corcos's paper “I am the Master”: Some Popular Culture Images of AI in Humanity's Courtroom made the SSRN Top Ten download list for PRN: Applied Ethics (Top Ten) (July 17, 2018), AARN: Law of Technology, Innovation, & Media (Top Ten) (July 9, 2018), AARN: Human Borders—Animals, Science & Technology, & Material Culture (Topic): Top Ten (July 8, 2018), AARN: Science & Technology Studies (Sub-Topic) Top Ten (July 8, 2018), PRN: Technology & Ethics (Sub-Topic) Top Ten (July 6, 2018).

Professor Carter accepted an invitation to write a commentary for the forthcoming book “Feminist Judgments: Rewritten Trusts & Estates Opinions” (Cambridge University Press). She will be teaching Gift & Estate Tax for the University of Alabama’s LL.M. program in Taxation. It is her fourth year teaching the course. Professor Carter also authored the introduction to Volume 78 of the Louisiana Law Review dedicated to her mentor (and former LSU Professor) A.N. Yiannopoulos. It is available here: <https://digitalcommons.law.lsu.edu/lalrev/vol78/iss4/7/>

Professor Keith Hall recently became a member of the Special Institutes Committee of the Rocky Mountain Mineral Law Foundation (RMMLF). In addition, he and three LSU Law School students attended RMMLF’s Annual Institute in Victoria, British Columbia from July 19-21, 2018, with financial support from RMMLF.

### **Office of Alumni Relations & External Communications**

#### **2018 Class Reunions – Classes of 1978, 1983, 1988, 1993, 1998, and 2008**

- **Friday, October 19, 2018**  
1:00 – 3:30 p.m. **FREE** CLE on Ethics and Professionalism, Room 110  
7:00 – 9:30 p.m. Reunion Reception Buffet Dinner; Capitol Park Museum
- **Saturday, October 20, 2018**  
**FREE All-Alumni Tailgate & 3L Hats ‘n Canes Toast**  
Front Steps, Old Law Building Facing Highland Road  
Time: TBA pending game time  
Food sponsored by NeunerPate

***The next LSU Law Monthly Highlights will be distributed on September 4.  
Please submit any items for inclusion by August 26.***

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**Louisiana State University  
Paul M. Hebert Law School**

**Trial Advocacy and Pretrial Skills Training Program  
August 6-8, 2018**

**MASTER SCHEDULE**

**Monday, August 6, 2018**

|                        |                                                                                                    |             |
|------------------------|----------------------------------------------------------------------------------------------------|-------------|
| 8:00 a.m. – 8:30 a.m.  | MANDATORY Team Leader and Faculty Meeting (all faculty)<br>Catherine Maraist and Dean Sutherland   | Courtroom   |
| 8:30 a.m. – 8:50 a.m.  | Student Welcome/Introduction<br>Ed Walters and Mike Patterson                                      | Auditorium  |
|                        | Introduction to Program & NITA Method;<br>Introduction of Team Leaders                             |             |
| 8:50 a.m. – 9:00 a.m.  | Transition to Taping Rooms                                                                         |             |
| 9:00 a.m. – 9:15 a.m.  | Brief introduction re: Deposition of a Fact Witness<br><b>Faculty Member Chosen by Team Leader</b> | Taping Room |
| 9:15 a.m. – 10:30 a.m. | Deposition of a Fact Witness (No Taping)                                                           | Classrooms  |

**See Documents for Depositions at the end of the Problem Packet**

Plaintiffs 1-6 and Defendants 1-6 to Breakout Room  
Plaintiffs 7-10 and Defendants 7-10 in Taping Room

3 Faculty Members Chosen by Team Leader to Breakout Room  
3 Faculty Members Chosen by Team Leader to Taping Room

Split into 3 groups of 4 in one room and 2 groups of 4 in the other room, so that 5 simultaneous depositions will occur during this session.

Each group of 4 will have 2 plaintiffs' lawyers and 2 defense lawyers. Faculty plays the witness and runs the exercise. Faculty will also critique. When the first deposition is concluded, the faculty witness will assume next role.

Each student should prepare an 8-minute examination on different aspects of the witness's deposition.

#### Breakout Room Deposition 1 – Gladys Kravitz

Plaintiffs 1-6 will depose Gladys Kravitz, Defendants 1-6 will defend the deposition. Faculty will play the part of the witness. Gladys Kravitz is a witness who was at the bar that night. **Faculty Member Chosen by Team Leader** to play Gladys Kravitz.

#### Taping Room Deposition 1 – Ernie Pantusso

Plaintiffs 7-10 will depose Ernie Pantusso, Defendants 7-10 will defend the deposition. Faculty will play the part of the witness. Ernie Pantusso is the bartender at the bar that night. **Faculty Member Chosen by Team Leader** to play Pantusso.

#### Breakout Room Deposition 2 – James Marshall

Defendants 1-6 will depose James Marshall, Plaintiffs 1-6 will defend the deposition. Faculty will play the part of the witness. James Marshall is the owner/operator of the Texaco station on the corner. **Faculty Member Chosen by Team Leader** to play James Marshall.

## Taping Room Deposition 2 – Mason Perry

Defendants 7-10 will depose Mason Perry, Plaintiffs 7-10 will defend the deposition. Faculty will play the part of the witness. Mason Perry is the owner/operator of the 6-12 Convenience Store. **Faculty Member Chosen by Team Leader** to play Mason Perry.

10:30 a.m. – 10:45 a.m. Break/Transition to Foundations

10:45 a.m. – 11:00 a.m. Introduction to Foundations Taping Room  
**Faculty Member Chosen by Team Leader**

11:00 a.m. – 12:15 p.m. Foundation exercises Classrooms

Problems 5, 6, 7 and 8

Plaintiffs 1-6 and Defendants 1-6 taped 11:00 a.m. – 11:40 a.m.

Plaintiffs 7-10 and Defendants 7-10 taped 11:40 a.m. – 12:15 p.m.

**2 Faculty Members Chosen by Team Leader** to Breakout Room

**2 Faculty Members Chosen by Team Leader** to Taping Room

**1 Faculty Member Chosen by Team Leader** to Video Review

12:15 p.m. – 1:15 p.m. Working Lunch (provided) Lounge

1:15 p.m. – 1:25 p.m. Brief explanation re: Objections Taping Room  
**Faculty Member Chosen by Team Leader**

1:25 p.m. – 2:15 p.m. Making and Meeting Objections Classrooms  
**See Making and Meeting Objections – Student Version**  
(Not taped)  
**Faculty ask questions and serve as witnesses**

Plaintiffs 1-5 and Defendants 1-5 remain in Taping Room

Plaintiffs 6-10 and Defendants 6-10 go to Breakout Room

3 Faculty Members Chosen by Team Leader to Breakout Room

3 Faculty Members Chosen by Team Leader to Taping Room

All plaintiffs line up on one side of the room. All defendants line up on the other side of the room. All students should be prepared to make and respond to objections in all problems.

2:15 p.m. – 2:30 p.m.      Brief introduction to Direct and Cross of Fact Witness      Taping Room  
Faculty Member Chosen by Team Leader

2:30 p.m. – 3:30 p.m.      Direct and Cross of Fact Witness      Classrooms

Problems 1, 2, 3 and 4

Plaintiffs 1-6 and Defendants 1-6 taped 2:30 p.m. – 3:30 p.m.

Each student should prepare a 4-minute direct examination, including answers, on different aspects of the witness's testimony, and a 2-minute cross examination on any part of the witness's testimony.

If desired, any student can conduct a direct examination or cross-examination of Pat Carter (assume the examination occurs before Carter died in the Sunset Bar & Grill fire).

Faculty will discuss Redirect and allow EXTREMELY short Redirect where appropriate and as time allows.

2 Faculty Members Chosen by Team Leader to Breakout Room

2 Faculty Members Chosen by Team Leader to Taping Room

1 Faculty Member Chosen by Team Leader to Video Review

Problem 1      Plaintiffs 1-6 do a Direct Examination of Taylor Addison  
Defendants 1-6 do a Cross Examination of Taylor Addison  
(assume a complete Direct Examination has been done). Faculty Member Chosen by Team Leader plays the witness.

Problem 4 Defendants 1-6 do a Direct Examination of Riley Cameron  
Plaintiffs 1-6 do a Cross-Examination of Riley Cameron (assume  
a complete Direct Examination has been done). **Faculty Member  
Chosen by Team Leader** plays the witness.

Problem 2 Defendants 7-10 do a Direct Examination of Jordan Payton  
Plaintiffs 7-10 do a Cross-Examination of Jordan Payton  
(assume a complete Direct Examination has been done). **Faculty  
Member Chosen by Team Leader** plays the witness.

Problem 3 Plaintiffs 7-10 do a Direct Examination of Officer Baldwin  
Defendants 7-10 do a Cross Examination of Officer Baldwin  
(assume a complete Direct Examination has been done). **Faculty  
Member Chosen by Team Leader** plays the witness.

3:30 p.m. – 3:45 p.m. Transfer Classrooms/Break

3:45 p.m. – 4:45 p.m. Direct and Cross of Fact Witness Classrooms

Problems 1, 2, 3 and 4

Plaintiffs 7-10 and Defendants 7-10 taped 3:45 p.m. – 4:45 p.m.

**2 Faculty Members Chosen by Team Leader** to Breakout Room

**2 Faculty Members Chosen by Team Leader** to Taping Room

**1 Faculty Member Chosen by Team Leader** to Video Review

Problem 1 Plaintiffs 7-10 do a Direct Examination of Taylor Addison  
Defendants 7-10 do a Cross Examination of Taylor Addison  
(assume a complete Direct Examination has been done). **Faculty  
Member Chosen by Team Leader** plays the witness.

Problem 4 Defendants 7-10 do a Direct Examination of Riley Cameron  
Plaintiffs 7-10 do a Cross-Examination of Riley Cameron  
(assume a complete Direct Examination has been done). **Faculty  
Member Chosen by Team Leader** plays the witness.



Problem 2 Defendants 1-6 do a Direct Examination of Jordan Payton  
Plaintiffs 1-6 do a Cross-Examination of Jordan Payton (assume  
a complete Direct Examination has been done). **Faculty Member  
Chosen by Team Leader** plays the witness.

Problem 3 Plaintiffs 1-6 do a Direct Examination of Officer Baldwin  
Defendants 1-6 do a Cross Examination of Officer Baldwin  
(assume a complete Direct Examination has been done). **Faculty  
Member Chosen by Team Leader** plays the witness.

## **Tuesday, August 7, 2018**

8:30 a.m. – 10:00 a.m. Negotiations Classrooms  
(Not taped)

Break out into 5 groups of 4: 2 Plaintiffs and 2 Defendants  
in each group, plus one faculty member with each group.

10:00 a.m. – 10:15 a.m. Break/Transition to Motions

10:15 a.m. – 10:30 a.m. Introduction to Motions

**3 Faculty Members Chosen by Team Leader** to Breakout Room  
**2 Faculty Members Chosen by Team Leader** to Taping Room  
**1 Faculty Member Chosen by Team Leader** to Video Review

10:30 a.m. – 11:45 a.m. Motions (Not taped) Classrooms

Problems 15, 16, 17, 18 and 19

Plaintiffs 7-10 and Defendants 7-10 in Taping Room  
Plaintiffs 1-6 and Defendants 1-6 in Breakout Room

Split into 2-person groups in each of the rooms so that 5  
simultaneous motions occur during this session. Faculty will be  
the judge.

Each student to prepare a 4-minute argument in support of or in opposition to each motion. When you both have completed your first motion/opposition and received feedback from the faculty member/judge, go to the back of the room and argue/oppose the second motion before the other faculty member/judge.

11:45 a.m. – 12:45 p.m. Working Lunch (provided) Lounge

12:45 p.m. – 1:00 p.m. Introduction to Impeachment & Redirect  
Taping Room  
**Faculty Member Chosen by Team Leader**

1:00 p.m. – 1:45 p.m. Impeachment & Redirect Exercises Classrooms

Problems 9, 10, 11, 12, 13 and 14

Plaintiffs 1-6 and Defendants 1-6 taped 12:45 p.m. – 1:30 p.m.  
Plaintiffs 7-10 and Defendants 7-10 taped 1:45 p.m. – 2:15 p.m.

**2 Faculty Members Chosen by Team Leader** to Breakout Room  
**2 Faculty Members Chosen by Team Leader** to Taping Room  
**1 Faculty Member Chosen by Team Leader** to Video Review

1:45 p.m. – 2:30 p.m. Break/Transition to Openings

2:45 p.m. – 3:00 p.m. Introduction to Openings Taping Room  
**Faculty Member Chosen by Team Leader**

3:00 p.m. – 4:30 p.m. Students perform Openings Classrooms

All Students will be taped in Taping Room

Each student should prepare a 5-minute opening.

After each student presents his opening, one faculty member will do a 30-second substantive critique in the classroom. Another faculty member will accompany the student to video review and

review the video review with the student to discuss presentation issues. When the video review is completed the student and the faculty member should return to the taping room.

|           |                                         |              |
|-----------|-----------------------------------------|--------------|
| 5:00 p.m. | Faculty Reception<br>(Trial Ad Faculty) | Faculty Club |
|-----------|-----------------------------------------|--------------|

### **Wednesday, August 8, 2018**

|                       |                                                                          |             |
|-----------------------|--------------------------------------------------------------------------|-------------|
| 9:00 a.m. – 9:15 a.m. | Introductions to Closings<br><b>Faculty Member Chosen by Team Leader</b> | Taping Room |
|-----------------------|--------------------------------------------------------------------------|-------------|

|                        |                           |            |
|------------------------|---------------------------|------------|
| 9:15 a.m. – 11:30 a.m. | Students Perform Closings | Classrooms |
|------------------------|---------------------------|------------|

All Students will be taped in Taping Room

Each student should prepare a 5-minute closing argument.  
Plaintiffs should prepare a 1-minute closing rebuttal argument.

After each student presents his opening, one faculty member will do a 30-second substantive critique in the classroom. Another faculty member will accompany the student to video review and review the video with the student to discuss presentation issues. When the video review is completed the student and the faculty member should return to the taping room.

|                         |                                                                |
|-------------------------|----------------------------------------------------------------|
| 11:30 a.m. – 12:00 p.m. | Complete program evaluation and return to your Section leader. |
|-------------------------|----------------------------------------------------------------|