

A photograph showing a wooden gavel resting on an open book. In the background, a pair of scales of justice is visible, slightly out of focus. The lighting is bright, creating a professional and legal atmosphere.

31st Annual Institute of Trial Practice

*Co-produced with the Wisconsin Chapter of
the American Board of Trial Advocates (ABOTA)*

Program dates start November 4. Register today!

10 CLE



31st Annual Institute of Trial Practice

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A courtroom look at qualified immunity

Get a front row seat as expert litigators argue a qualified immunity case before presiding judge Hon. Angela W. Sutkiewicz, Wisconsin ABOTA's 2020 Trial Judge of the Year.

How you'll benefit:

- Understand how to prosecute and defend a civil rights action involving law enforcement officers
- Know types of damages that can be pursued in a civil rights action
- Be prepared to direct and cross-examine medical experts and law enforcement officers
- Identify whether qualified immunity applies in circumstances similar to this case's facts

Who should attend:

- Civil & criminal litigators
- Personal injury litigators
- Tort lawyers
- Insurance law practitioners
- Government/municipal lawyers

Register today!

Faculty

Program Directors

Mark E. Larson

Gutglass Erickson Larson & Schneider, S.C.,
Milwaukee

Steven L. Nelson

von Briesen & Roper, S.C, Milwaukee

Moderator

Michael P. Crooks

von Briesen & Roper, S.C, Madison

Presiding Judge

Hon. Angela W. Sutkiewicz

Sheboygan County Circuit Court
Sheboygan

Panelists

Patrick O. Dunphy

Cannon & Dunphy, S.C., Milwaukee

Paul R. Erickson

Gutglass Erickson Larson & Schneider, S.C.,
Milwaukee

Christopher P. Riordan

von Briesen & Roper, S.C.
Milwaukee

William R. Wick

Nash Spindler Grimstad & McCracken LLP,
Manitowoc

For the Plaintiff

Shawn R. Crain

End, Hierseman & Crain LLC, Milwaukee

Christine D. Esser

Habush Habush & Rottier, S.C.,
Sheboygan

Michael R. Fox

Fox & Fox, S.C., Monona

Kevin Lonergan

Herrling Clark Law Firm Ltd., Appleton

Brian M. Maloney

Hanaway Ross, S.C., Green Bay

Don C. Prachthausen

Murphy & Prachthausen, S.C., Milwaukee

Mark L. Thomsen

Gingras, Thomsen & Wachs, Milwaukee

For the Defense

Patrick W. Brennan

Crivello Carlson, S.C., Milwaukee

Robert J. Lauer

Kasdorf, Lewis & Swietlik, S.C.,
Milwaukee

Rick J. Mundt

Winner Law Firm LLC, Madison

Jeffrey T. Nichols

Crivello Carlson, S.C., Milwaukee

Barbara A. O'Brien

Borgelt, Powell, Peterson & Frauen, S.C.,
Milwaukee

Amy F. Scholl

Coyne, Schultz, Becker & Bauer, S.C.,
Madison

Jay R. Starrett

Scopelitis, Garvin, Light, Hanson &
Feary, P.C., Milwaukee

Schedule

- 8:00 AM** **Introductory Remarks by President of ABOTA**
Steven T. Caya
- 8:05 AM** **Seat Jury/Remarks from Judge**
Hon. Angela W. Sutkiewicz
- 8:10 AM** **Opening Statements**
Plaintiff: Christine D. Esser
Defense: Jay R. Starrett
- 8:50 AM** **Examination of Plaintiff**
Direct Exam: Shawn R. Crain
Cross Exam: Amy F. Scholl
- 9:40 AM** **Panel Discussion**
- 9:55 AM** **Break**
- 10:10 AM** **Examination – Plaintiff’s Spouse**
Direct Exam: Michael R. Fox
Cross Exam: Barbara A. O’Brien
- 10:40 AM** **Examination Plaintiff’s Expert – Hand Surgeon**
Direct Exam: Brian M. Maloney
Cross Exam: Rick J. Mundt
- 11:20 AM** **Adverse Examination of Defendant**
Cross Exam: Mark L. Thomsen
Direct Exam: Patrick W. Brennan
- 11:45 PM** **Panel Discussion**
- 12:00 PM** **Lunch Break**
- 1:00 PM** **Examination of Defendant**
Direct Exam: Patrick W. Brennan
Cross Exam: Mark L. Thomsen
- 1:35 PM** **Examination of Defense Witness**
Direct Exam: Robert J. Lauer
Cross Exam: Kevin Lonergan
- 2:05 PM** **Examination of Defense Witness**
Direct Exam: Robert J. Lauer
Cross Exam: Kevin Lonergan
- 2:35 PM** **Panel Discussion**
- 2:50 PM** **Break**
- 3:05 PM** **Instruct Jury**

- 3:20 PM** **Closing Arguments**
Plaintiff: Don C. Prachthausser
Defense: Jeffrey T. Nichols
- 4:10 PM** **Panel Discussion**
- 4:25 PM** **Jury Deliberation**
- 5:45 PM** **Verdict/Panel Discussion/Questions to Jury**
- 6:00 PM** **Program Concludes**

Following program start time, schedule will vary slightly from above listed times.

Case Synopsis

A city police officer allegedly used an affidavit containing false information to obtain a no-knock search warrant on a Manteco resident’s (the Plaintiff’s) home. Awakened by the unannounced forcible entry, the Plaintiff brandished a gun during execution of the search warrant and was subsequently shot multiple times by police officers.

The parties are disputing whether the police officer violated the Plaintiff’s civil rights by knowingly and recklessly disregarding the truth in the affidavit used to obtain the search warrant and whether the Plaintiff’s injuries were reasonable and foreseeable by the police officer at the time he made the false and misleading statements. The jury will be asked to determine liability.

Key Issues

- Whether a police officer violated the Plaintiff’s civil rights by knowingly and recklessly disregarding the truth in an affidavit used to obtain a search warrant
- Whether the Plaintiff’s injuries were reasonable and foreseeable by the police officer at the time he made the false and misleading statements

Dates

Live Webcast

Thursday, November 4, 2021

Webcast Replays

Friday, November 12, 2021
Tuesday, November 16, 2021
Monday, November 22, 2021
Tuesday, November 30, 2021
Thursday, December 9, 2021
Tuesday, December 14, 2021
Saturday, December 18, 2021
Wednesday, December 22, 2021

Additional webcast replay dates are available for this program. Visit wisbar.org/seminars for more information and to register.

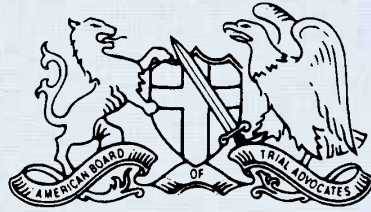
Credits

This program will be submitted to the Wisconsin Board of Bar Examiners for **10 CLE credits**. It does not qualify for EPR credits.

About ABOTA

The Wisconsin ABOTA Chapter is sanctioned by the American Board of Trial Advocates, and is committed to improving the quality of legal representation, promoting the art of advocacy, and efficiently administering justice. To qualify as a member, attorneys must be nominated by another member, achieve at least six years of active experience as a trial lawyer, and have tried at least 10 jury trials to conclusion over the course of their careers. **To learn more, contact Wisconsin Chapter President Steven T. Caya.**

Volunteer members of the Wisconsin ABOTA Chapter present this seminar. Their commitment of time, talent, and energy in service to the Bar is deeply appreciated.



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Pretrial Techniques 2021

Be better prepared to file the motion that will best help your client. Witness relevant motions in action by seeing mock motions and rulings. Get a judge's opinion and insight. Hear experienced defense and plaintiff litigators explain their strategies. **4 CLE**

Webcast Replays: Oct. 8, 2021 | Oct. 14, 2021 | Oct. 20, 2021 | Oct. 23, 2021 | Oct. 26, 2021
Nov. 1, 2021 | Nov. 9, 2021 | Dec. 16, 2021 | Dec. 20, 2021 | Dec. 29, 2021

Wisconsin Governmental Claims & Immunities Handbook

The *Handbook* is your guide to the world of governmental tort litigation. It includes chapters on all types of immunity, notice procedures, and the Federal Tort Claims Act.

Print Book: #AK0186; 204+ pp.; 4th ed.; 2020-21; **Member:** \$142 | **Nonmember:** \$179
Books UnBound Subscription: #AE0042_SUB; **Member:** \$189 | **Nonmember:** \$236.25

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MAIL: State Bar PINNACLE Registrations
P.O. Box 7158
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State Bar CLE/PINNACLE Passbook Registrations: Passbook Certificates must be received by the State Bar at least one business day prior to the event.

Registration Cancellations: Please visit wisbar.org/cancellation_policy for information on PINNACLE registration cancellation policies.

Course materials for those attending the seminar: Course materials are provided in PDF format and are downloadable from *myStateBar* on wisbar.org up to two days prior to and 90 days after your seminar.

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