

Top Takeaways from Lightfoot's Third

CLIENT ROUNDTABLE



Every other year, we bring together general counsel (GCs) from the companies we are honored to represent for the Lightfoot Client Roundtable. It's a day centered on candid dialogue, shared insight and meaningful connection.

We recently held our third Lightfoot Client Roundtable, gathering together a group of in-house counsel clients from leading companies for a day of knowledge exchange and connection. As always, it was a productive time for both our clients and our lawyers as we explored key litigation trends and issues. From how and when to use embedded appellate counsel to litigation funding and the use of artificial intelligence (AI), we covered a wide range of topics through presentations and discussions.

Below is a summary of the key takeaways from this year's program.

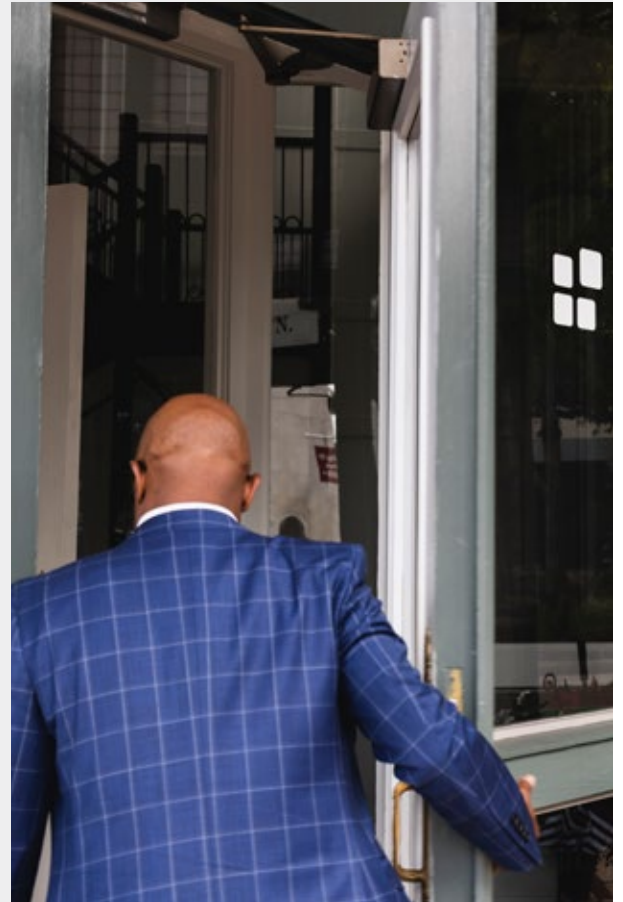


Embedded Appellate Counsel – Your Trial Advantage

Drawing on their extensive trial and [appellate](#) experience, partners [Jeff Doss](#) and [Amie Vague](#) explained the strategic value of embedding appellate counsel into trial teams from the earliest stage of litigation through post-trial motions.

They emphasized that an embedded appellate counsel is not present to second-guess the trial team, but rather acts as a force multiplier, safeguarding the record and allowing trial counsel to focus on presenting their case.

Jeff and Amie highlighted practical workflows, preservation traps, jurisdictional quirks and real-world examples demonstrating how early, intentional appellate involvement can both prevent reversible error and protect favorable outcomes.



An overarching message of the presentation was the importance of disciplined intentionality:

- Embed appellate counsel early relative to the case's exposure.
- Define roles clearly so trial counsel can focus on persuasion while appellate counsel oversees the record.
- Use the presence of appellate counsel to strengthen settlement posture and ensure national strategic coherence.
- Learn and respect local preservation rules.

Leveraged well, embedded appellate counsel are not merely a hedge against adverse verdicts but a powerful trial tool for making favorable verdicts more likely and more durable.

True Believers, Blind Spots & Bias: Hidden Pitfalls in Strong Cases

Associate [Meghan Cole](#) recounted a high-stakes medical malpractice case to demonstrate how overconfidence and cognitive bias can undermine strong cases without disciplined scrutiny, diverse perspectives and rigorous trial preparation.

Meghan noted the antidote to pitfalls is disciplined skepticism, aggressive preparation, diverse viewpoints and empathetic storytelling. These practices transform strong facts into credible, persuasive advocacy and safeguard against the hidden pitfalls that can lurk in even the strongest cases.

Practical lessons from the presentation included:

Guard against overconfidence:

Strong cases can lull teams into complacency. Schedule intentional red-team reviews by colleagues not invested in the existing theory.

Test witnesses under fire:

Do not rely on deposition performance to gauge how a witness will do on the stand. Use hard mock crosses to surface defensiveness, gaps and tone issues. Coach on empathy and jury-facing communication, not just substance.

Balance science with story:

Technical literature and statistics are essential but insufficient. Frame the science within a narrative that acknowledges harm, addresses responsibility and maintains credibility and compassion.

Consider jury perception early:

Involve non-lawyer team members to simulate potential juror reactions. This feedback often surfaces crucial disconnects between trial narrative and juror responses.

Reassess strategic concessions:

Thoughtfully evaluate whether to concede the standard of care to protect credibility or litigate it to avoid conceding fault. Model jury responses to each path.

Keep asking hard questions:

Challenge assumptions continuously. Ask what a skeptical juror, judge or opposing expert would attack and prepare honest, digestible answers.

I'm Just a Bill: Decoding Tort Reform & What It Means for Defense Counsel

This presentation from partner [Amaobi Enyinnia](#) explored a rapidly shifting tort reform landscape, with Georgia serving as a bellwether, and highlighted meaningful developments across several other states. Core reform themes included limits on anchoring in jury arguments, discovery of third-party litigation funding, rules of evidence, apportionment and comparative fault, and specialized business courts.

Amaobi emphasized aligning litigation strategy with evolving state statutes and appellate trends, as well as engaging in sustained, coalition-based policy advocacy. He also highlighted jury research findings and trial lessons on anchoring, transparency and juror sentiment that materially affect defense case theory and risk.

For defense counsel, Amaobi noted it's key to know when reforms take effect and their retroactivity. He also advised mastering local terminology to deploy objections, using the apex doctrine proactively and considering bifurcation and specialized courts.

The Reimagination Machine:

Deep Client Service & AI's Power

In a presentation focused on AI, partners [Jack Sharman](#) and [Rachelle Sanchez](#) explained that using AI should go beyond speeding up discrete legal tasks and instead help firms reimagine end-to-end litigation workflows. They emphasized that AI can be a force multiplier when leveraged strategically, and that the most value stems from combining it with human judgment and strategy.

Jack and Rachelle also explored how, when used responsibly, AI can drive deeper client service by accelerating understanding, elevating strategy and enhancing communication. Firms must, however, maintain rigorous controls and verification systems.



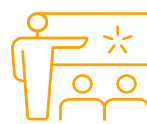
Security and privilege controls.

Use closed systems, implement careful access controls and clearly label privileges; avoid using open tools for sensitive data.



Transparency builds trust.

Offer clients explicit choices about AI use, explain the limitations and clearly reflect usage on invoices.



Invest in people.

Maintain foundational lawyer skills while cultivating AI literacy and domain expertise.



Stay ahead of evidentiary change.

Prepare for AI/CGI disclosure requirements, authenticity challenges and juror skepticism; proactively consider protective orders and trial strategies addressing AI-generated content.

Trial Tested: How Associates Help Drive Results in Jury Trials

Associate [Mary Parrish McCracken](#) discussed how Lightfoot's lean, hands-on trial teams empower associates to contribute meaningfully from day one, producing better results for clients while developing the next generation of trial lawyers.

She presented a case study from a trial to illustrate how juries relate to associate-led narratives, witness development and expert strategy.

The lessons from Mary's case study included the following:

Let associates lead where they have ownership.

When the person closest to the facts examines key witnesses, the presentation is sharper and more credible—something judges and juries notice.

Credibility beats complexity.

Jurors respond to fair, neutral anchors, such as an officer's observation of "no defects," especially when the defense embraces the truth theme consistently.

Own the facts early and physically.

Hands-on inspections and direct witness engagement create fact mastery that withstands expert crossfire and supports agile course corrections at trial.

Make the technical tangible.

Simple, high-impact demonstratives (e.g., a 3D brake model) help jurors grasp complex mechanics and maintenance records.

Human connection matters.

Professional rapport with court personnel and opposing counsel facilitates smoother proceedings and can indirectly enhance the jury's perception of the defense team's integrity.

From the Desert to the Boardroom: Lessons Learned from Internal Investigations

Partner [Brandon Essig](#) drew on his experience as a Marine judge advocate embedded with an infantry battalion in Fallujah to illustrate how military investigation discipline translates directly to corporate settings.

An investigator should have three essential traits, Brandon noted: intellectual curiosity, sound judgment and emotional intelligence. He said those traits are critical to the success of an organization's investigative process and can lead to positive outcomes beyond resolving a case.

Brandon discussed the importance of a repeatable investigation structure that focuses on accountability and improvement. He emphasized that investigations should make the organization more fair and resilient, and the credibility gained from a proper investigation process builds trust with stakeholders.

From Chambers to Counsel: Translating Judicial Insight into Client Advocacy

Associate [Cassidy Sturdivant](#) spoke about how her federal judicial clerkship provided insight into how judges think, and how that perspective strengthens advocacy. She noted that operating in this manner can sharpen advocacy, improve credibility and better manage client expectations.



Cassidy also offered actionable guidance for lawyers and in-house counsel when writing:



Write for decision, not persuasion alone.

Present the law and record with precision, surface the weaknesses yourself and preempt the opposition's best points.



Make the "ask" unavoidable.

Structure the brief so that the path to ruling for your client is clear, legally sound and enforceable.



Treat credibility as strategy.

Accuracy and fairness in every representation—big or small—accumulate into decisive trust when the record is close or the law is unsettled.



Align with chambers workflows.

Tailor requests for oral argument to true gaps in the record or law; otherwise, assume the decision will be papered.



Manage timing expectations with institutional markers.

Anticipate bursts of orders near six-month reporting dates and plan client communications and case strategy accordingly.

Cassidy also said that minor, often overlooked details frequently determine outcomes. While bench briefs shape judicial preparation, Cassidy said oral arguments still matter most to resolving a real legal uncertainty.

Exposing Hidden Litigation Funding & Turning It into Your Advantage

In this session, partners [Terry McCarthy](#) and [Sandy Hooper](#) described how third-party litigation funding can distort case valuation, especially in personal injury matters involving brain injuries.

They outlined how to detect hidden funding arrangements, obtain discovery that reveals the financial ecosystem among plaintiffs' counsel and exclude inadequately supported medical bills.

Terry and Sandy noted that it's critical during discovery to seek funding applications, loan/repayment terms, provider agreements, internal funder communications and any liens or assignments to detect hidden funding. Obtaining master charge sheets and documentation of what providers actually received is also critical.

Other key points to their presentation included exposing pre-existing relationships and then pleading challenges to reasonableness while asserting damage caps.



My Criminal Mind

Drawing on his more than 10 years of experience prosecuting criminal cases, associate Grant Bryan demonstrated how a prosecutor's skill set translates into strong outcomes in civil litigation. He focused on the importance of an evidence-first approach from the outset of a case, along with thorough investigations and an educational advocacy style.

Grant's five core themes included:



Evidence-first from day one



Argue in the alternative to enable consensus



Investigation as a habit, not a phase



Courtroom comfort and composure under pressure



Teach, don't merely tell a story

Grant connected these skills to Lightfoot's broader firm strategy of proactive client engagement, recruitment of diverse legal backgrounds to strengthen case teams and an institutional commitment to innovation in evidence development, investigation and advocacy.

Cultivating insight, strengthening relationships

Once again, Lightfoot's Client Roundtable provided a meaningful opportunity for participants to exchange ideas and connect in a thoughtful and candid setting. We deeply appreciated how fully our clients engaged—trading experiences, viewpoints and practical guidance, listening with intention and working collaboratively throughout the day. In-house counsel rarely get space to talk openly about their toughest challenges with others who truly understand the pressures they face.

Bringing this group together again was a privilege, and we're excited to continue investing in this program and the growth it inspires.



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