

Writing Competition Prompt and Possible Trial

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Week 6 came and went as fast as any other. Feels like just yesterday I was writing my week 5 blog post.

This week, we received our prompt for the Summer Associate Writing Competition. The case arises out of a breach of warranty claim on a car. Plaintiff hired an expert who testified in his deposition that the vehicle's engine was defective. Our assignment is to file a motion to exclude testimony at trial from Plaintiff's expert about this defect. To prepare our motion, we received a memorandum of the facts and issue, the expert's deposition, and an affidavit from the Defendant's corporate representative. We have a maximum limit of twenty pages. Once we submit our motions, a panel of attorneys will grade them individually and announce an official winner. I am looking forward to drafting this motion and wish the best of luck to my fellow summers!

Outside of our writing competition, we still have real-life work to be done. This week, partner Steve Smith asked me to help on a complex breach of contract issue. Initially, I was tasked with drafting a motion to compel discovery on subpoena duces tecum. However, following a conversation with opposing counsel that Steve allowed me to sit in on, I am now focusing my research on the scope of electronic discovery as well as our client's potential liability for damages under contract. This is in addition to research on an evidentiary matter for a construction case possibly going to trial next week. On this case, partner Bob Fitzsimmons is going to argue a motion for summary judgment next week, and if we do not prevail then the action goes to trial immediately after. I am elated at the opportunity, and while I hope we can win on summary judgment, it will be interesting to observe the trial should a judgment not be granted.

This summer has exceeded expectations so far in terms of experience. I have gotten a taste of basically every practice area the firm engages in and we're only a little over halfway done. I plan on taking advantage and absorbing everything I can while I'm here. Looking forward to this next week and to the rest of what's in store.