



BELL NUNNALLY PARTNER BRENT TURMAN AUTHORS DBA HEADNOTES ARTICLE ON PRESENTING AN EXPERT WITNESS AT TRIAL

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Bell Nunnally Partner Brent A. Turman authored the Dallas Bar Association (DBA) *Headnotes* article “Chess and Checkers: Tips for Presenting an Expert Witness at Trial,” offering tips on how to maximize the impact of an expert witness, particularly as it influences jury perception of opposing counsel. He presents a strategy that he likens to playing chess when the other side is playing checkers.

Excerpts:

- *[W]hy not create an opportunity for opposing counsel to impulsively rush forward and attack your expert witness? This is how you set the bear trap that your opponent will quickly regret stepping into.*
- *In my experience, overzealous opposing attorneys simply cannot resist the temptation of ‘scoring points’ on what they perceive to be layups on cross-examination. That urge blinds opposing counsel from the fact that your expert witness is about to eat their lunch because they are ready, able, and willing to rebut the counterattack.*
- *[D]isrupting the other side’s cross-examination can create a large momentum swing in your client’s favor. Finally, and perhaps most important, this exchange has the ability to deflate the opposing party and counsel’s credibility.*

Turman closes by noting:

If your opposition’s credibility is damaged (by the exchange with the expert witness and a focus on “scoring points” at the expense of advancing a client’s interest and convincing a jury), then that is just icing on the cake. Maybe opposing counsel should have taken a beat before pouncing. Then, they might have realized that you were playing chess the entire time.

To read the full article (page 33), please click [here](#).

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