

CASE PRESENTATION 101

THE WEEKLY BLOG FOR THE ARBITRATION ADVOCATE

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NEXT WEEK:
WHERE ARE YOU
IN THE CASE ?



This blog is dedicated in the belief that those participating in arbitration empower themselves for success through education. As a 30-year trainer in the arbitration field; the information presented is designed to expand knowledge and skills.

THE EPILOGUE: DID WE WIN ? HOW AM I GOING TO DEFEAT YOUR ARB.

So ... we've come to the end but did we Win ?

A series in the Blog that started back in September of last year draws to a close. 'How Am I Going To Defeat Your Arb.' over the last 35 issues was never about 'my' case but about 'yours'. You see ... often parties filing in intercompany arbitration have a forthright tendency to think about their case, their Evidence and how they are 'right'. Fact is that is a good and reasonable posture to take; you want to think about the Correctness of your Position before the Arbitrator and how you are going to prove it. But the flaw we sought to capitalize on was

how often parties do not think about what is 'weak' in their case and particularly regarding their Evidence. Those that file a significant amount of arbitration cases have tremendous insight into the Evidence component. But in the throes to file case after case sometimes aspects of reflection get lost. To take a minute and position your view; if I was going to attack my own case ... where are the weak links ? And to feel like there aren't any; well that short changes all you know and your optimum opportunity. This can be as straightforward as accounting for what Evidence you don't have (literally) to reconciling

for the Arbitrator problematic aspects within your Evidence itself. Hurdles that you surmise exist but have a tendency to blush over figuring perhaps neither the Arbitrator or adverse party will see. If there is anything you have picked up from 'series'; it is those you go up against can and will recognize and expose fragile argument while applying litmus (strength / weakness) tests to your Evidence. Complement that with the structure of your Contentions and they have a recipe to prevail. So in the end did we truly Defeat Your Arb. you know what they say ***Tie goes to the Runner -***

Case Presentation 101 is produced by Claims Resource Services; one of the nations top arbitration and subrogation services firms. The writer Kevin Pike can be reached at kpike@claimsresource.com and has daily tips on arbitration via Twitter: [@Arb2Win](https://twitter.com/Arb2Win)

