

# CASE PRESENTATION 101

THE WEEKLY BLOG FOR THE ARBITRATION ADVOCATE

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NEXT WEEK:  
WHAT DID  
THEY SAY ?



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.

## MAKE IT THE ARBITRATOR'S IDEA ANOTHER VIEW OF LINKING

Seemingly forever advocates in intercompany arbitration have been told about 'linking'. Simply, you say the quarter panel on the car was damaged; where's the photo and appraisal that proves it. But 'linking' has another connotation to those striving to present their best cases before Arbitrators. It has to do with setting two thoughts or two pieces of Evidence right next to each other and letting the Arbitrator do the rest. We already know Arbiters use inference and deductive reasoning to draw conclusions. But wait .... subrogation arbitration cases are rarely presented in person and are done through

Contentions; so how exactly do you put two things side-by-side for the Arbitrator to consider. You do this by having the Arbitrator focus on your highlighting of two pieces of Evidence in your narrative. This can be done in your Opening; it can be done (i.e.) in the body of your Contentions where you are discussing transcribed statements from Witnesses or you can use it as an effective Closing technique to 'bring the case home'. You want to present your case argument so the Arbitrator senses he or she is fully engaged to put the pieces together. You have a Witness who offered they did

not know the adverse party's insured before the accident and so their Statement is unblemished. At the same time; your driver says 'that' Witness is employed at the same factory in the small town where they all work. No need for you to reiterate what the witness had to say about the accident. You highlight in your Contentions what your driver offered about the Witness and there you have it .... 'side-by-side' linking to stir the Arbitrators mind that the credibility of this Witness is compromised and any Statement potentially biased. So the next time you think 'linking'; think about making the Award the Arbitrator's idea -

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](mailto:kpike@claimsresource.com) and has daily tips on arbitration via Twitter: [@Arb2Win](https://twitter.com/Arb2Win)

