

The devil In the details



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<http://www.trizic.com/the-devil-is-in-th>

One of the ways to get a good result in litigation is knowing when to focus on which details and when not to. A recent Forbes report reminds us how critical it can be to know the basis of the facts in a key document. The article described a lawsuit that hinged on a financial analysis offered by the plaintiff as a document created in 2004. After some internet research, defense counsel found that the guts of the document came from a publication written 8 years after the analysis was supposedly completed. On this basis, and as a sanction for the false information, the case was dismissed.

<http://www.forbes.com/sites/danielfisher/2015/02/02/texas-firms-1-4-billion-suit-against-gazprom-collapses-on-faked-evidence/>

Should we lawyers be tracking down the source and basis for every document? Certainly not. But we should be looking closely at the key documents --inevitably there are only a few of them -- on which your case turns. Trust your instinct: if something doesn't feel right about a document, it may pay to dig deeper. The devil can be in the details, and the lawyer who develops your case with an upfront strategy for framing your story will be able to tell you, as well as the judge and the jury, which details matter and which do not.