

SUPER TRIAL PRODUCTIONS

LUCINDA ORR – ENYO LAW LLP

Definition: What is a SUPER TRIAL?!

(talking about Commercial / Chancery Actions)

- ▶ Complexity of case – multiple cause of actions / multiple Defendants
- ▶ Likely to have foreign clients / foreign disclosure / foreign law elements
- ▶ Length of trial laid down
- ▶ Amount of money at stake...



WHY PRODUCTIONS?

- ▶ Like a West End Show!
- ▶ Logistics involved
- ▶ Innovative cutting edge solutions



STARTING AT THE BEGINNING...

- ▶ Client comes in – either as Claimant or Defendant
- ▶ Investigate claims → Business Intelligence team
- ▶ Document preservation
- ▶ Drafting Statement of Case
- ▶ Service abroad?



INTERLOCUTORY HEARINGS

- ▶ CMCs:
 - ▶ Jurisdictional Challenges
 - ▶ WFOs / Security for Costs
 - ▶ Payment into Court Funds Office
 - ▶ Sanctions / Money Laundering
 - ▶ Confidentiality Clubs / Private hearings
- ▶ PTR



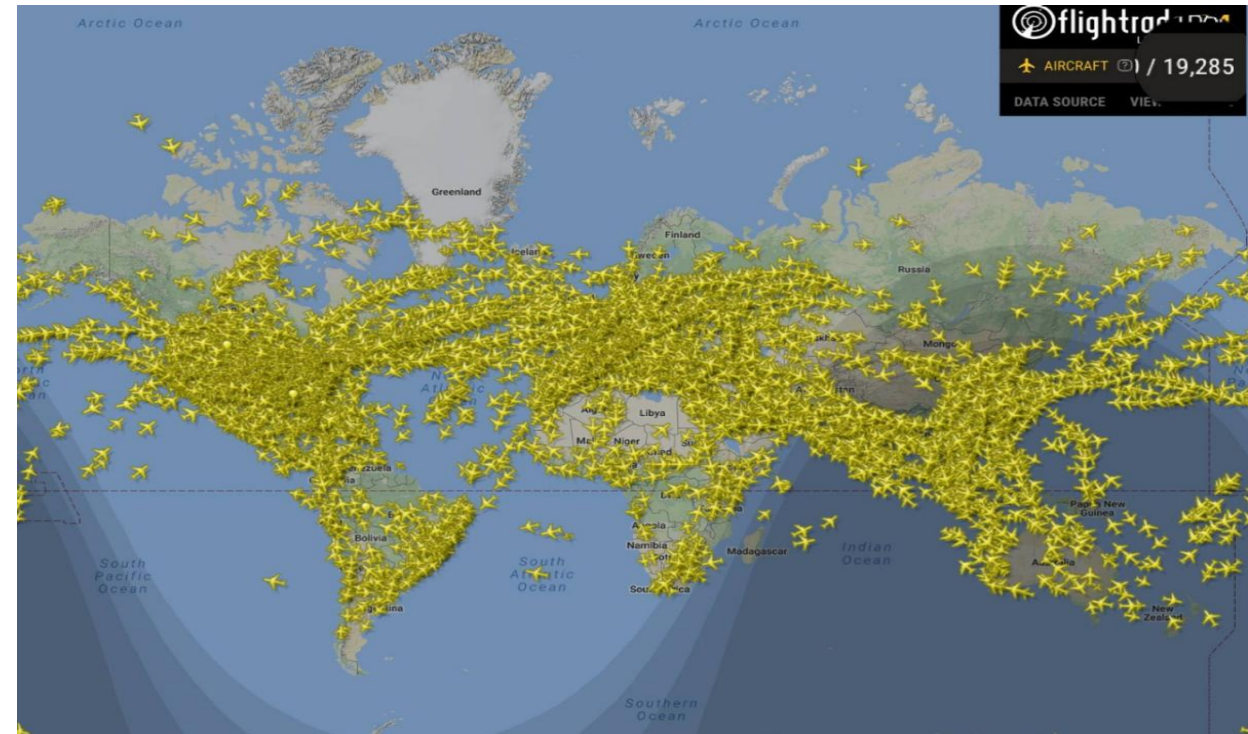
DREADED DISCLOSURE

- ▶ New Rules from 1 January 2019
- ▶ BrainSpace – Artificial Intelligence
- ▶ TAR (technological Assisted Review) (*Pyrrho Investments v MWB Property*) [2016] EWHC 256 (Ch)
- ▶ Electronic Translation
- ▶ Contract Reviewers
- ▶ Translation certificates (*Sumitomo Corporation v Credit Lyonnais Rouse Ltd*) [2001] EWCA Civ 1152



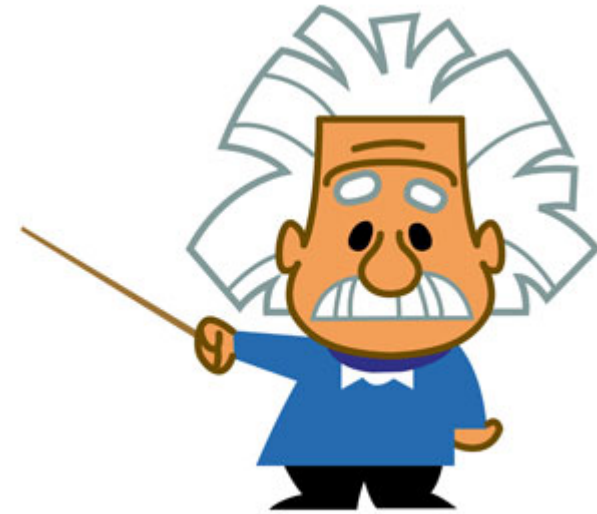
WITNESS STATEMENTS

- ▶ Who? (Oligarchs / CEOs – access...)
- ▶ Travel (to or from)
- ▶ Visas
- ▶ Language difficulties
- ▶ Length
- ▶ Exhibits



EXPERT REPORTS

- ▶ Experts:
 - ▶ Foreign law
 - ▶ Technical
 - ▶ Forensic
- ▶ Meetings logistics!



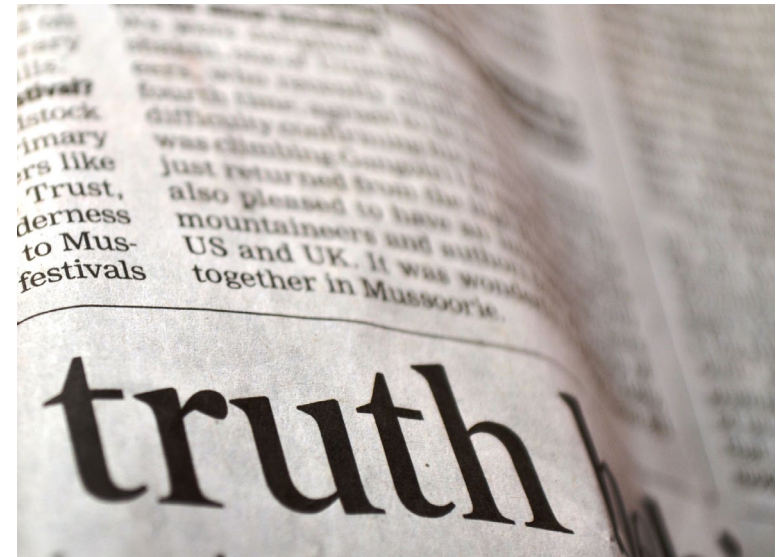
TRIAL PREPARATION

- ▶ Electronic Trial Bundles - hyperlinking
- ▶ Graphics and demonstratives
- ▶ War Rooms?
- ▶ Interpreters – hiring and contracts
- ▶ Booth
- ▶ Video links



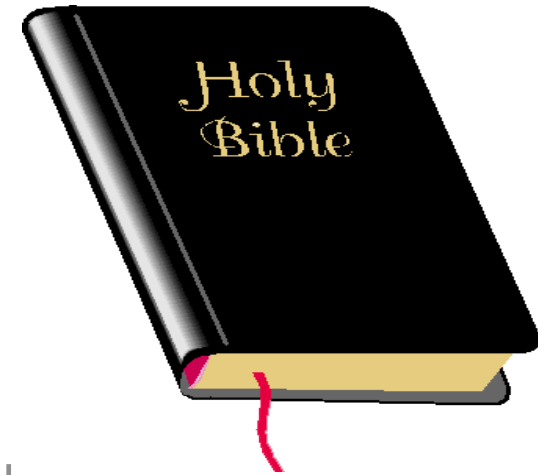
TRIAL – OUT OF COURT

- ▶ Break out Room PLUS Witness Room
- ▶ Daily lunch delivery
- ▶ Set up (fridges; printers; hot water urns)
- ▶ Public Relations consultant
- ▶ Press Coverage



TRIAL - IN THE COURT ROOM

- ▶ Seating / Over flow rooms – live video
- ▶ Books to swear on
- ▶ Legal Assistants to pass folders
- ▶ Computer screens (Real time connections/ Magnum)
<https://uk05.opus2.com/secure/login.php?r=documents.php%3Fws%3D110794027>
- ▶ Video displays
- ▶ Earpieces for translations



SETTLEMENT / POST TRIAL

- ▶ Cost Schedules – Costs draftsmen
- ▶ Payment out of Court Funds Office
- ▶ Archiving



JUDGMENT

- ▶ Embargoed Judgment
- ▶ Handing down
- ▶ Appeal?!



PUBLICITY ABOUT YOUR (HOPEFULLY) GLORIOUS VICTORY!

- ▶ LinkedIn
- ▶ News articles
- ▶ Legal 500 / Chambers & Partners write ups
- ▶ You Tube video...



Thank
You

Any
questions?

