

Trial & Arbitration Support: Technology & Evidence Presentation

The professionals in FTI Consulting's Trial and Arbitration Support practice provide a seamless presentation, allowing you and your team to focus on your advocacy and argument. Our graphics professionals help make your presentations more memorable and persuasive, while our technology professionals prepare all of your evidence, making it easy to access, review and present.

We provide complete support for U.S. and international trials and arbitrations, including a wide range of related proceedings and services.

- Persuasive graphics supporting opening, closing and experts
- Technology production, including evidence preparation, video editing and ebriefs
- Evidence presentation during the proceeding, including technology and document management
- Hosting and support for remote participants or fully remote proceedings

Our trial technology professionals have years of experience working on a wide range of disputes, from the simplest to the most demanding and complex. No matter what type of dispute you face, we can help. We offer a significant number of senior professionals with more than 15 years and several with more than 25 years of experience.

Expertise Supporting the Largest & Most Complex Disputes

- Support for a large-scale single trial or hearing, such as a high-stakes arbitral hearing or antitrust dispute
- Multiple hearings and trials over many years, such as a product liability or class action suit
- Highly technical trials, such as intellectual property

Despite our sophisticated capabilities, we never lose sight of your budget. We provide carefully written estimates with each proposal and closely monitor each project to ensure we work within that budget — giving you control over costs.



Deposition Video Editing

Whether playing deposition video for impeachment or in lieu of live testimony, the process of managing deposition designations can be time consuming. With decades of deposition video editing experience, our team can provide run times, color-coded designation reports and video excerpts as you prepare for video playback during the proceeding. With our meticulous attention to detail, we will correct audio and video issues as well as edit your video to remove pauses and colloquy, providing more efficient playback. We can also add scrolling text and linked documents both live and for submission.

Equipment

Our professionals never forget the importance of getting the equipment right. In most cases, a member of our team has been to your courthouse or arbitration facility, providing valuable information on the layout and audio visual equipment in the room. We work with equipment vendors and facility managers to supplement existing equipment, wherever needed, almost anywhere in the world. This much overlooked aspect of trial preparation helps ensure that every hearing or trial is provided with an effective presentation that runs smoothly.

Evidence Presentation

With experience in courtrooms and arbitration centers in the U.S., Europe, Asia and the Middle East, our “hot seat” consultants will manage the electronic presentation of evidence for your proceeding. We use the latest multimedia equipment and software to create a professional presentation of exhibits, reports, documents, graphic presentations and videos. Those presentations help sway opinions, aid in information retention, simplify complex concepts and increase the efficiency of each proceeding. Our technology staff are more than audio/visual technicians — we become a valuable member of your team, advising in the optimal way to tell your story through the creative use of visuals.

Technology Production

Our inhouse technology experts provide any technical solution needed to assist the legal team, leading up to or following the trial or hearing. This includes exhibit labeling, exhibit stickering, ebrieffs, custom video editing, and the creation of trial presentation databases. Our in-house teams are experts at working remotely and 24/7 to ensure that your deadlines are met, allowing your staff valuable time to focus on their own trial preparation.



CASE STUDY

ED SHEERAN COPYRIGHT INFRINGEMENT CASE

At the end of his direct testimony, Ed Sheeran, one of today's most talented singer-songwriters, said he would be "done" as a songwriter if he did not prevail in defense of his hit song "Thinking Out Loud," which he co-authored with Amy Wadge. Thankfully, the jury agreed that the grammy-winning 2014 song was written independently. That verdict took on added importance after a rising tide of similar lawsuits since the verdict against Robin Thicke and Pharrell Williams for copyright infringement of "Got to Give It Up" in 2015.

FTI Consulting was asked to provide trial technology and demonstrative graphics in this high-profile litigation, supporting defense counsel Pryor Cashman, led by Don Zakarin and Ilene Farkas along with Andrew Goldsmith and Brian Maida.

Our team, led by Scott Duval, ensured the presentation to a New York jury went exactly as needed throughout the six-day trial. Music copyright disputes rarely make it to trial, and when they do, the presentation of media becomes front and center. Elements such as sound recordings, sheet music, expert testimony, and even live performance must come together seamlessly, requiring extensive planning and preparation with the trial team.

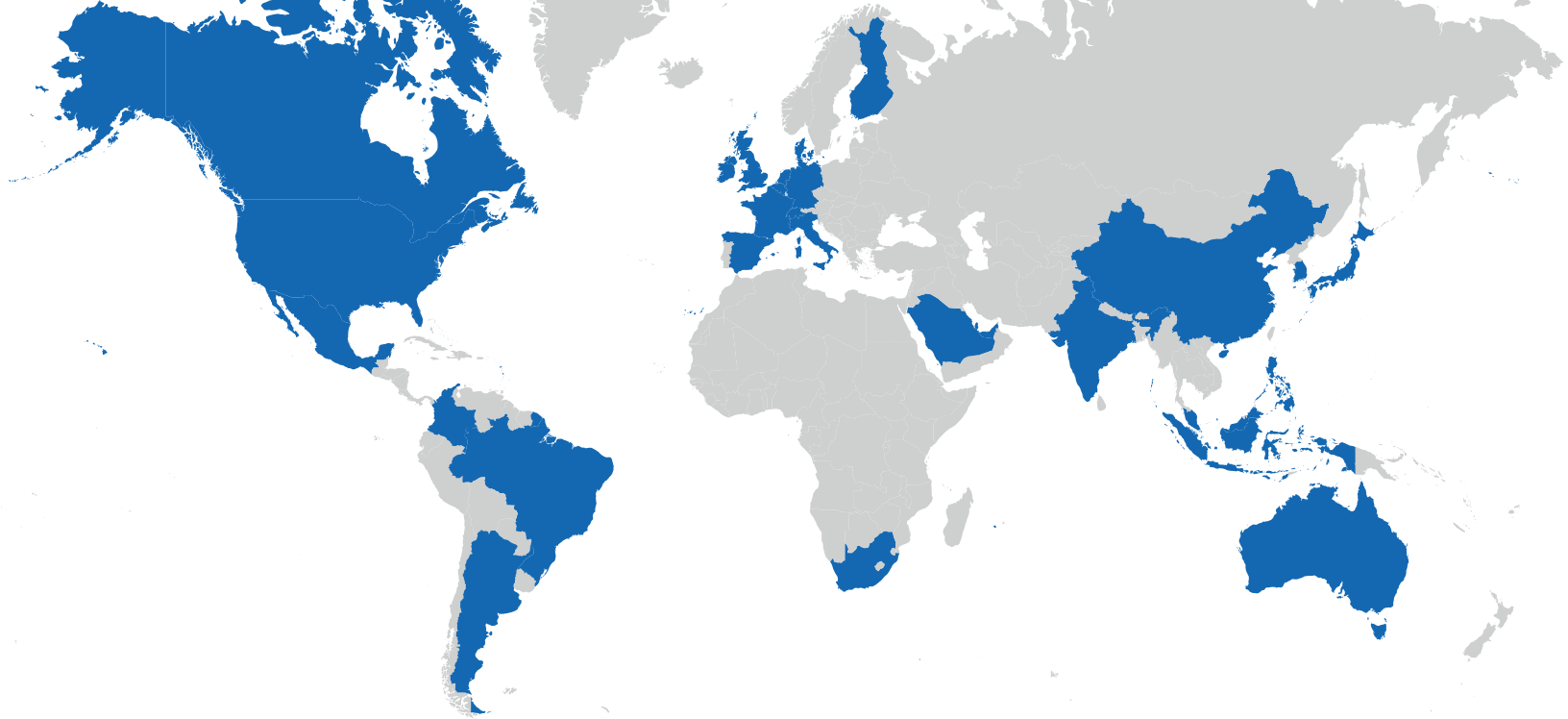
Our team also strove to deliver creative solutions, such as an interactive graphic for use during Mr. Sheeran's direct testimony, highlighting 10 years of his musical accomplishments. We also assisted the musicologist who highlighted the differences in the works through demonstratives, performed at a keyboard alongside the witness stand, and had access to countless examples of prior art.

After the six-day trial, the jury returned the favorable verdict, confirming that Ed Sheeran's and Amy Wadge's song "Thinking Out Loud" had been independently created and did not copy from Plaintiff's work.

"Scott and his team at FTI [Consulting] were indispensable partners with us in preparing and presenting our evidence. Music copyright infringement cases require that jurors be presented with evidence they can see as well as hear and FTI's aural and visual demonstratives were critically important."

Ilene Farkas

Partner, Pryor Cashman
Defense Team Lead



About FTI Consulting

FTI Consulting is an independent global business advisory firm dedicated to helping organizations **manage change, mitigate risk and resolve disputes:** financial, legal, operational, political & regulatory, reputational and transactional.

Each practice is a leader in its specific field, staffed with experts recognized for their **depth of knowledge** and a track record of **making an impact**. Collectively, FTI Consulting offers a comprehensive suite of services designed to assist clients across the business cycle – from proactive risk management to providing rapid responses to unexpected events and dynamic environments.

31

Countries

1982

Year Founded

7,800+

Employees

NYSE:FCN

Publicly traded

Top 50

Advisor to the world's top 50 bank holding companies

99/100

Advisor to 99 of the world's top 100 law firms

\$6.2B

Equity Market Cap*

82/100

82 of Fortune Global 100 corporations are clients

*Number of total shares outstanding as of July 20, 2023, by the closing price per share on July 27, 2023.

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FTI Consulting is an independent global business advisory firm dedicated to helping organizations manage change, mitigate risk and resolve disputes: financial, legal, operational, political & regulatory, reputational and transactional. FTI Consulting professionals, located in all major business centers throughout the world, work closely with clients to anticipate, illuminate and overcome complex business challenges and opportunities.

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