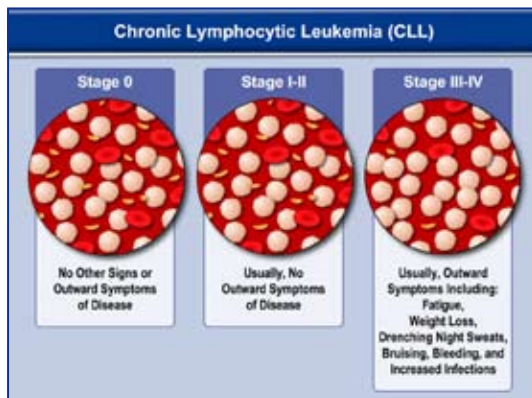


Focus on Biotechnology

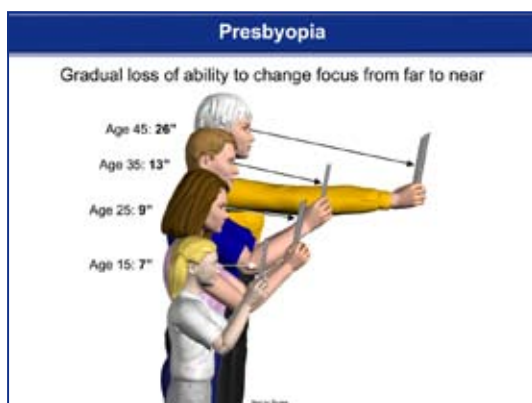
2011 brought our companies a large number of biotechnology matters in practice areas such as patent infringement, employment, and securities. Some highlights:

Patent Infringement

For **Biogen Idec** and **Genentech**, we produced a fully narrated interactive technology tutorial on DVD that was submitted to the court in advance of a claims construction, or *Markman* hearing. At issue is a drug therapy that targets specific B lymphocyte antigens used to treat chronic lymphocytic leukemia. (*DLA Piper US*, counsel)



For plaintiff **Carl Zeiss Vision's** retrial of remaining issues in dispute, we produced a comprehensive technology tutorial for the benefit of the jury. Several dozen demonstratives explained how progressive eyeglass lenses are designed and manufactured. The jury found willful infringement of all independent claims at issue. (*Buchanan Ingersoll and Wiley Rein*, co-counsel)



Continued

“Mastering Technology Tutorials for Litigation” a new white paper from Legal Arts

Are you involved in writing and producing technology tutorials for claim construction or trial? Have you ever wished there was a how-to manual that revealed secrets of proper planning, budgeting, and managing creative support services? **Legal Arts** has just published a three part white paper that covers all of these topics.

Part One covers the purposes, efficacy, structure, and basic planning of tutorials; technical and creative content; scheduling; and media selection.



Mastering Technology Tutorials for Litigation



Part Two concentrates exclusively on estimating, budgeting, and cost projection.



Part Three provides a comprehensive review of production from script and storyboard to publication, creative talent, and IP rights and usage.

To order a FREE PDF copy, call Jim Gripp at 619.239.1101 or email at jgripp@legalarts.com

Focus on Biotechnology

Continued

Commercial Litigation

For **Pfizer**, we prepared demonstrative exhibits used in its Motion for Summary Judgment related to a billion-dollar dispute with a scientist and university related to the development of a blockbuster prescription NSAID. (*DLA Piper US*, counsel)

Employment

For **Zimmer Dental**, we prepared demonstratives exhibits used at trial to defend its termination of an executive. After only a 40-minute deliberation, the jury delivered a complete defense verdict. (*Baker & McKenzie*, counsel)

Selected Biotechnology and Biomedical Clients

- Abbott Laboratories
- Aerielle Technologies
- Agilent Technologies
- Agouron Phramaceuticals
- Alaris Medical Systems, Inc.
- Ambit Biosciences
- Apotex Inc.
- ArthroCare Corporation
- Biogen Idec
- Biogenix
- Cardinal Health
- CareFusion 330, Inc.
- Carl Zeiss Vision
- CryoCor
- Gen-Probe Inc.
- Genentech
- Histogen, Inc.
- Inamed
- Isis Pharmaceuticals
- Lidak Pharmaceuticals
- Medtronic, Inc.
- Incyte Pharmaceuticals
- Interpharm Development
- Medtronic Vascular, Inc.
- Metabolife
- MuscleTech Development
- NuVasive
- Pharmatech
- Pfizer Inc.
- Proneuron Biotechnologies
- Purdue Pharma
- Quest Diagnostics/
Nichols Institute
- Ranbaxy Laboratories
- ResMed
- Salk Institute
- Stryker Howmedica
Osteonics
- Teva Pharmaceuticals
- Trex Medical Corp.
- Zimmer Dental

Military Trial Updates

Legal Arts principal Jim Gripp was appointed by the convening authority as an expert in crime scene reconstruction and 3D-computer animation for the defense in two cases:



U.S. Army SGT Joseph Bozicevich, attached to the Third Infantry Division, was tried for capital murder of two fellow NCOs at Patrol Base Jurf in Jurf as Sahkr, Iraq. Sgt. Bozicevich

was represented by civilian counsel Charles W. Gittins of Middletown, VA, in addition to military counsel at Fort Stewart, GA. In May 2011, he was convicted of pre-meditated murder, but not by a unanimous jury vote, which eliminated the death penalty option for sentencing (scheduled for mid-August 2011).



At Camp Pendleton, CA, the trial of **U.S. Marine Corps SSG Frank Wuterich** of Kilo Company, 3rd Battalion, 1st Marines is scheduled for late 2011. He is represented by Neal

A. Puckett and Haytham Faraj of *Puckett & Faraj, PC* of Alexandria, VA, in addition to military counsel.

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Florida Tobacco Cases

In response to a very heavy trial schedule ensuing from the **Engle class decertification**, several tobacco companies are trying dozens of progeny cases in Florida this year. **Legal Arts** has been selected as a highly favored vendor for graphics and trial technology services by counsel representing **Philip Morris** and the **Lorillard Tobacco Company**.

• • •

“ If it is noon, *Legal Arts* is there. If it is 5 PM *Legal Arts* is there. If it is 4 AM and you want to change everything, *Legal Arts* is there. If it can be done, *Legal Arts* can do it. *Legal Arts* is there when you need them; what else is there? ”

• *Eric H. Weissblatt, Esq., Wiley Rein LLP*

Technology Updates

Legal Arts has acquired three new **photogrammetry** tools to assist our clients in obtaining accurate dimensioning from photographs. Apart from our standard hourly rates, there is no extra charge for these services.



PhotoModeler is a professional-grade photographic analysis application that gives us the ability to scale dimensions from scene documentation photos. This tool has helped us to accurately scale physical evidence from crime scene photographs taken in Iraq.

Pictometry is one of two photography analysis applications we licensed to help us to dimension objects and perform area calculations directly from orthographic and oblique **Bing** and proprietary **Pictometry** aerial photos.



Google Earth Pro is similar in concept to **Pictometry**, allowing us to perform dimension and area calcs from higher than normal **Google Earth** photos. We've used both of these applications to calculate the sizes of areas properties subject to litigation burned in the 2007 Witch Creek and Guejito wildfires.

Did you know that commercial use and enlargement printing of **Google Earth** images requires a **Pro** license? Keep that in mind next time you order blowups.

“ [Y]ou provided fabulous support – thank you! ”

The technical and design work you do is excellent. But, I value even more your insight on the issues, which is always penetrating and much appreciated. Good job!

• *Stephen F. Yunker, Esq., Yunker & Schneider*

Graphics for Mediation

Legal Arts is currently conducting extensive research for our next white paper about the efficacy of using demonstrative exhibits in mediation. If you'd like to contribute your thoughts and experiences about this topic, please contact **Bill Tubis** at **619.231.1551**, or drop him a line at **WGT@visual-evidence.com**.

“ I want you to know how our brief and your charts were used. The materials we submitted to the mediator were of 'trial' quality. The mediator spent the first hour talking with the plaintiff. He told us that he used our materials to present her with an opening statement. I think it goes without saying that the reason we ended up with such a great result in this case was due to the quality of our presentation, which was the culmination of huge effort by all and I would note that your exhibits were absolutely KEY to that effort. ”

• *Norman A. Ryan, Esq.*
Ryan Mercaldo & Worthington LLP



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