



Dispute Resolution and Disposition Through Film

Morgan Rogers & Alli Davidson

Presented to the ACC Charlotte Chapter
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Webinar Housekeeping

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Interested in a little competition?

- Open your cellphone or your second monitor
- Go to: pollev.com/allidavidson402
- Insert your name
- Rules of the Competition
 - 40 seconds to answer each question
 - Timeliness does impact score



Introduction

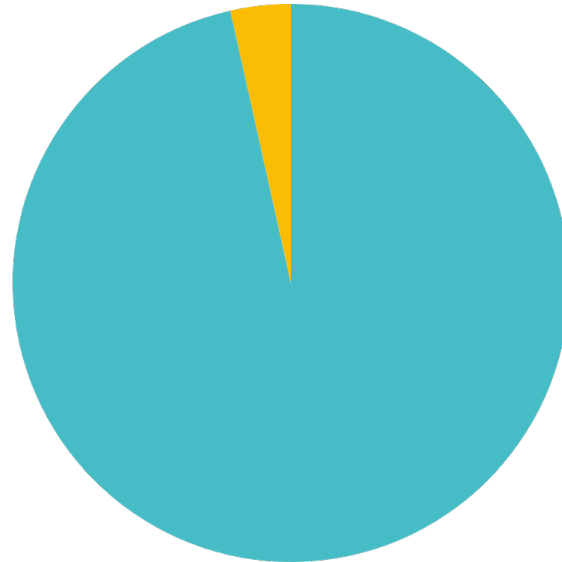


Pre-Suit Resolution



Early Suit Resolution

95% to 98% of all civil cases end in settlement or dismissal



-Role of Settlement in Litigation, Fundamentals of Litigation Practice § 4:2 (2021).

Early Suit Resolution



Early Dispositive Motions



Early Dispositive Motions

Successful disposition on an early Motion to Dismiss?

“The court should not dismiss the complaint unless it appears *beyond a doubt* that the plaintiff could not prove *any set of facts* to support his claims which would entitle him to relief.”

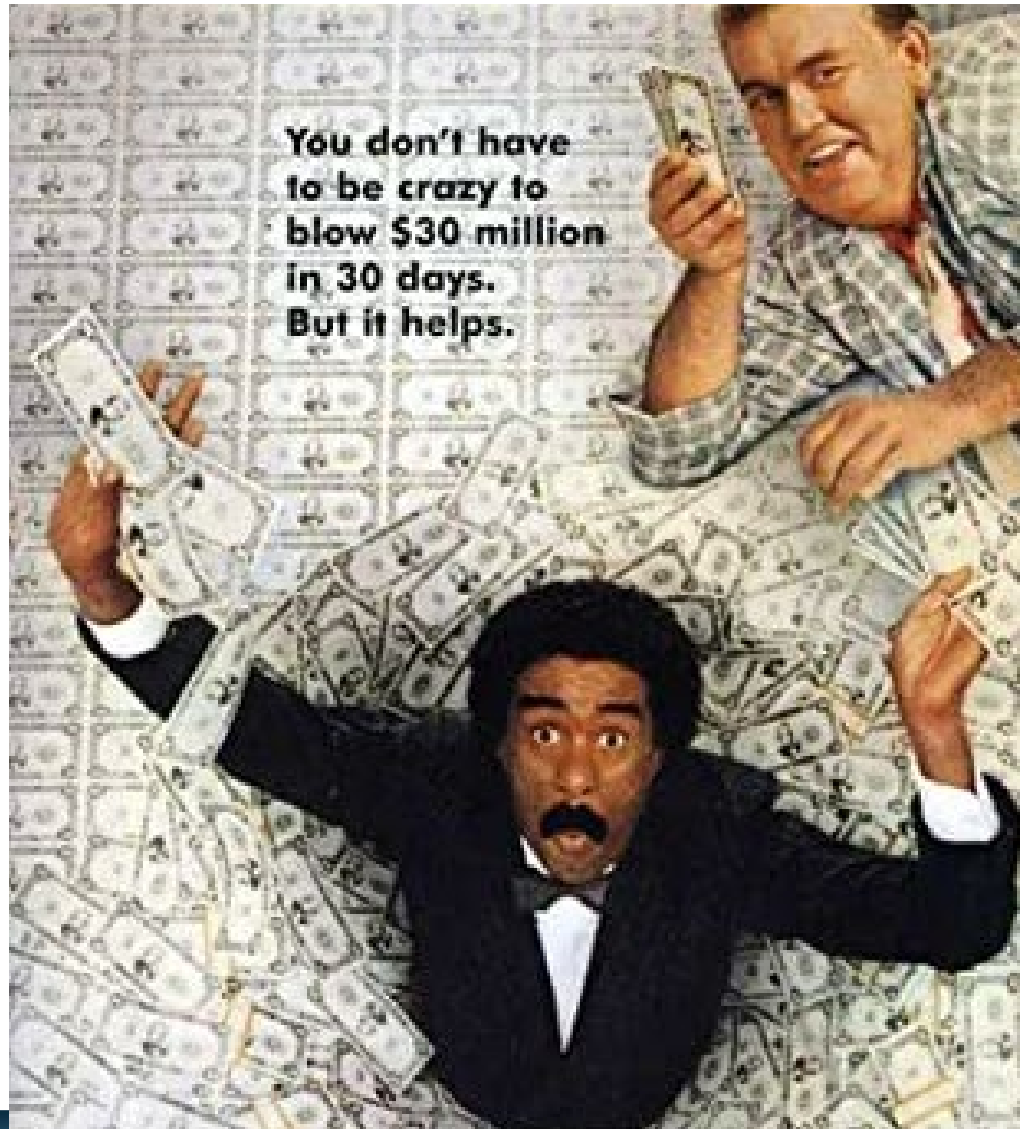
Block v. County of Person, 141 N.C. App. 273, 277, (2000) (emphasis added).

Early Dispositive Motions

So maybe...



Discovery



Discovery

The “80-20 Rule”

-Jeffrey Senger, U.S. Department of Justice

Non-Testifying Experts



Experts

- Experts must be qualified “by knowledge, skill, experience, training or education”
- Opinions must be based on “sufficient facts or data” and “reliable principles and methods”

-Federal Rule of Evidence 702

Experts



Experts



Mediation



Mediation

When cases go to mediation,
80% to 85% of them settle



-Mediation, Construction Disputes Prac. Guide with
Forms § 14.04 (2022).

Selection of Mediator



Virtual Options



Summary Judgment

Do you feel in charge?



Trial



Summary



Thank you!



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