

CURRICULUM VITAE

Gary M. Weiss
RETIRED JUDGES & ASSOCIATES
MEDIATION & ARBITRATION SERVICES

EDUCATION

University of Buffalo: B.A. (History), 1965

Brandeis School of Law: J.D., 1968

Journal of Family Law (law review) 1967-1969

TEACHING POSITIONS

National College of Advocacy (at Harvard and USC) 1975 sponsored by the American Trial Lawyers Association

Instructor in Trial Practice, Brandeis School of Law, 1979 - 1981, 1994 - 1997, 2001

Instructor and Trial Team Coach, University of Florida School of Law ATLA trial team, 1997 - 1999

Faculty, National Institute for Trial Advocacy, University of Kentucky School of Law, 1980 - 1981
Founder, Gary M. Weiss Professional Skills Fund (to fund and coach University of Louisville law students in ATLA national mock trial competition)

Regional chairman, ATLA regional student trial advocacy competition, 1995 - 1997

Faculty, Cardozo School of Law trial advocacy program (sponsored by Barry Scheck), January 1997

PUBLICATIONS

BOOKS

Manual for Kentucky Product Liability Litigation, Baldwin's Kentucky Practice Series, 1985 (with Kevin George)

Kentucky Trial Practice, West Publishing Co., 1995

Kentucky Trial Practice, 2nd Edition, West Publishing Co., 1999 (with Carol Dan Browning)

BOOK CHAPTERS

"Settlement Techniques", Kentucky Academy of Trial Attorneys Cause of Action Manual, 1981 (updated and revised 1997)

"Settlement During Trial", Kentucky Civil Practice Trial Manual, 1990

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ARTICLES AND TAPES

"Evidence in a Product Case" published as a counseling cassette tape, ATLA, 1976

"The Rising Tide of Legal Malpractice", American Journal of Trial Advocacy, 1981

"Settlement Techniques - The Need Theory", National College of Trial Advocacy, 1981

"Expert Witnesses: How I Find Mine and Why You can't Have Them", Louisville Lawyer, 1981

"The Human Lie Detector for Proving Pain", Trial Diplomacy Journal, 1981

"Expert Medical Witnesses", *Trial Magazine* with Martin P. Raff, M.D., J.D., May 1989

"How I Decide Whether to Sue an OB-GYN.", *OBG Management*, 1995

HONORS

Named in "The Best Lawyers in America" (all editions since 1987) Listed for medical malpractice, personal injury and legal malpractice

Martindale - Hubbell rating "AV" 1980 - present

Named in "Martindale - Hubbell Bar Register of Preeminent Lawyers in the United States, Canada and Other Countries", 1990-present

Founder, National Board of Trial Advocacy, 1978

Elected to membership, Melvin M. Belli Society, 1980

Elected to membership, Justice Lewis D. Brandeis American Inn of Court, 1995 (Life Master)

Elected to membership, American Board of Trial Advocacy, 1995 (diplomat)

PRESENTATIONS

Speeches to legal, medical and other groups:

Sources of Information in the Damage Suit, American Trial Lawyers Association
seminar, Louisville, Kentucky, June, 1973

"Discovery Techniques in Product Liability Cases", West Virginia Trial Lawyers annual seminar, May 1975

"Evidence in a Product Case", National College of Advocacy, University of Southern California, July 1975

CURRICULUM VITAE

Gary M. Weiss RETIRED JUDGES & ASSOCIATES MEDIATION & ARBITRATION SERVICES

"Evidence in a Products Case", National College of Advocacy, Harvard Law School, August 1975

"Sources of Information in Product Liability and Medical Malpractice Cases", University of Louisville, continuing legal education seminar, April 1976

"Evidence in a Product Case", American Trial Lawyers Association Sixth Circuit Seminar, Gatlinburg, Tennessee, April 1977

"Reasonable Standards for Accepting and Prosecuting Medical Negligence Cases", Kentucky State Bar convention, May 1977

"Investigation and Handling of Medical Negligence Cases without Great Expense", West Virginia Trial Lawyers convention, June 1977

"Cross-Examination of Defendants in a Professional Negligence Case", University of Louisville seminar on professional liability, August 1977

"A New Psychological Approach to Settlement - the Need Theory", Joint meeting of the Tennessee-Mississippi trial lawyers, Memphis, Tennessee, November 1977

"A New Approach to Settlement - the Need Theory", West Virginia Trial Lawyers annual seminar, Charleston, West Virginia, June 1978

"Innovative settlement techniques" American Trial Lawyers Association Sixth Circuit Seminar, September 1978

"Innovative Settlement Techniques", American Trial Lawyers Association National Convention, July 1979

"Evidentiary Considerations in Medical Negligence and Product Liability Cases", Kentucky Judicial College annual seminar, October 1978

"Closing Argument - the Law", Kentucky Judicial College, October 1978

"Product Liability - Practical Problems for the Manufacturer", Louisville Paint & Coating Association meeting, January 1979

"Critical Legal Mistakes - the Use of Expert Witnesses", University of Louisville seminar on trial practice, August 1979

"Legal Malpractice in the '80s", West Virginia Trial Lawyers Annual Convention, June 1980

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"The Distinction Between Instructions and Legally Sufficient Warnings in Product Liability Cases", Kentucky State Bar Annual Convention, June 1980

"Legal Malpractice in the '80s - Cause and Prevention", Indiana Trial Lawyers Annual Convention, November 1980

"Use of the Psychologist to Prove Real Pain", American Trial Lawyers Association Circuit Seminar, Boston, Massachusetts, November 1980

"Ethical Problems for the Personal Injury Lawyer", University of Louisville seminar on professional ethics, January 1981

"Pretrial Discovery - Tactics and Procedures, the Plaintiff's Position", University of Louisville seminar on discovery, October 1981

"Effective Deposition Techniques", Kentucky Academy of Trial Attorneys mid-winter trial practice seminar, March 1982

"Product Liability Law: Philosophy Vs. Reality", American Society for Metals, conference on failure analysis and product liability, April 1982

"Preparation of the plaintiffs case", Kentucky Bar Association Seminar, product liability, November 1982

"Obtaining and using design experts", Louisiana State Bar Association Convention, January 1983

"Techniques for simplifying complex tort claims", Louisville Bar Association Convention, February 1983

"Settlement and discovery in medical malpractice cases", Kentucky Bar Association Seminar for Young Lawyers, August 1983

"Special problems of evaluation and settlement of product liability and medical malpractice claims", University of Louisville seminar, September 1983

"Practical tips for preparation of the expert witness in product liability cases", Louisiana Trial Lawyers Annual Convention, October 1983

"Practicing the product liability case for the plaintiff-investigation, acceptance of the case, pleadings, discovery, trial and experts", Louisville Bar Association Seminar on Product Liability Law, November 1983

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"Plaintiffs settlement techniques", University of Louisville seminar on medical malpractice litigation, March 1984

"Overview of malpractice problems facing the hospital administrator", Norton-Children's Hospital Corp. seminar on problems of hospital administration, March 1984

"Cross-examining the expert witness", University Louisville seminar on trial techniques and strategy, November 1984

"Preparation of the neuropsychologist to prove pain", joint meeting of the Kentucky Bar Association and the Kentucky Psychological Association, March 1985

"Obstetric and gynecology negligence from a plaintiff's viewpoint", house staff annual meeting, Norton-Children's Hospital, January 1986

"Product liability", American Society for Metals, February, 1986

"Innovative uses of videotape" trial practice, University of Louisville seminar, program chairman and presenter, June 1986

Plaintiff attorney, Mock Trial, Kentucky Medical Association seminar on emergency medical care, June 1986

"Medical negligence", Fayette County Bar Association, December 1986

Closing argument, mock trial, presented by Kentucky Academy of Trial Attorneys mid-winner convention, February 1987

"The judges speak on trial practice", program chairman and moderator, Louisville, Kentucky, June 1987

Closing argument, mock trial, Kentucky Academy of Trial Attorneys mid-winter convention, February 1988

"Innovative uses of videotape", Southern Trial Lawyers Association, New Orleans, Louisiana, March 1988

Professional malpractice, panel participant West Virginia Trial Lawyers Association, June 1988

"New theories of hospital liability", annual national convention of Nurse-Attorneys, November 1988

"Negotiating with insurance companies-how the game has changed", Kentucky Academy of Trial Attorneys Mid-Winter Seminar, February 1989

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"Discovery-keep its simple", Kentucky Academy of Trial Attorneys Seminar, June 1989

"A plaintiff lawyer talks to the doctors", annual convention of the Kentucky Medical Insurance Corp., March 1990

"Reducing the risk of being sued", presented to the Annual Convention of the American Medical Students Association, April 1990

"Evaluating cases - the unique psychological forces in medical malpractice", Louisville Bar Association medical negligence seminar, seminar chairman, April 1991

"Arbitration, mediation, negotiation and settlement technique", moderator, Kentucky Academy of Trial Attorneys, May 1991

Personal Injury Litigation, National Business Institute, Speaker & Seminar Chairman, October 1992

Medical-Legal Issues, Kentucky Hospital Association, April 1993

Discovery Techniques, Louisville Bar Association, April 1993

"Handling Complex Tort Actions", Kentucky Academy of Trial Attorneys, April 1993

"Closing argument", Louisville Bar Association seminar on trial practice, December 1994
"Innovative use of videotape", National Business Institute seminar, April 1995

"Negotiation", Speaker and Chairman, Kentucky Academy of Trial Attorneys, June 1995

"Doctors and Lawyers Talk Malpractice - the Sequel", moderator and presenter, October 1995

"Innovative use of depositions", National Business Institute, Louisville, Kentucky, March 1996

"Tips from the Pros: Reducing Malpractice Claims", Kentucky Hospital Association Trust, Louisville, Kentucky, April 1996

"Ethical Issues in Personal Injury Practice", Louisville Bar Association, May 1996

"Trial of a Psychological Injury Case", Plaintiff's lawyer, presented to the Kentucky Bar Association annual convention, June 1997

"Mastering Mediations and Arbitrations", Annual Convention, Kentucky Trial Lawyers Association, September 1997

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"Mediations - Advice for Plaintiff's Counsel", Mid-Winner Convention, KATA, April 1999

"Negotiations-Mediations", Moderator, KATA, June 2000

"Common Mistakes Made by Plaintiffs Lawyers during Mediations" KATA, June 2000

"Mistakes Made by Defense Lawyers in Malpractice Cases", presented to attorneys for Pro-National Insurance Company, June 2000

"Top Ten Mistakes - Ethics", presented to Louisville Bar Association, September, 2006

"Successful Medical Malpractice Suits", January, 2007

Kentucky Defense Counsel Spring Seminar, April, 2007

"The Expert's Role: How to Make or Break Your Case and Tips and Tricks for Successful Settlement Negotiation", October, 2007

APPOINTMENTS, PROFESSIONAL ASSOCIATION MEMBERSHIPS

Governors Commission on Products Liability (Kentucky), August, 1997

Trustee, Louisville Law Alumni Association, 1982-1984

Founding Member, Citizens for Better Judges

Founding Member, Board of Governors, Southern Trial Lawyers Association

Kentucky Bar Association, House of Delegates, 1984-1986

Kentucky Trial Lawyers Association, President, 1977

Member of Board of Governors, 1974-present

Louisville Bar Association, Executive Committee, 1978

American Trial Lawyers Association: Board of Governors, 1977-1979