

# Nebraska State Bar Foundation



## Dan Jewell Trial Institute



July 12-13, 2019

University of Nebraska  
College of Law

**Tuition:** \$225

**CLE Credit:** 10.5 hours, approved by the Nebraska Supreme Court MCLE Commission.

**Deadline:** Please complete your application by May 6. You will find the fillable application on the Bar Foundation website at [nebarfnd.org](http://nebarfnd.org). Click on the Jewell Trial Institute tab. A total of 12 applicants will be accepted.

**Materials:** Course materials will be sent electronically on June 12 and are to be read in advance of the Institute. Each attorney participant is required to bring a laptop and course materials to the Institute.

**Questions:** Contact Doris Huffman at 402-475-1042 or email [danjewelltrialinstitute@nebarfnd.org](mailto:danjewelltrialinstitute@nebarfnd.org).



### Message from Susan K. Sapp Lincoln

Chair, Dan Jewell Education Committee

Welcome to the Dan Jewell Trial Institute! This is the fourth Institute that has been offered to attorneys seeking to gain trial experience. On behalf of the Dan Jewell Education Committee, I want to acknowledge our benefactor, the late Dan Jewell of Norfolk, and to show our gratitude for his generous gift to the Nebraska State Bar Foundation. His foresight makes this Institute possible and serves as a lasting memorial to a preeminent lawyer and to his commitment to the high standards required by the American judicial system. I am confident you will find the Institute of lasting value to you and your future clients.

**Susan K. Sapp** is a 30-year Nebraska lawyer and senior litigation partner at Cline Williams Wright Johnson & Oldfather. She is a Fellow in the American College of Trial Lawyers and a member of the American Board of Trial Advocates, the American Academy of Adoption Attorneys and the Litigation Counsel of America. She also is a member of the NSBA House of Delegates and Chair-elect of the House. Ms. Sapp has a general civil trial practice with a focus on labor and employment issues, education law, medical and legal malpractice defense and insurance defense. She represents universities, school districts, hospitals, doctors, employers and insurance companies.

### DANIEL D. JEWELL

The Dan Jewell Trial Institute is funded through a generous gift from the late Dan Jewell, a respected attorney and trial lawyer from Norfolk. Dan joined the Navy in 1942 and took part in the Invasion of Normandy on D-Day. Upon returning from his Navy service, Dan graduated with his J.D. from the University of Nebraska in 1949.

Dan was a member of the International Society of Barristers and a Fellow of the American College of Trial Lawyers. Dan served on the Nebraska State Bar Foundation Board for over 20 years.

Dan was an avid outdoorsman and adventurer who loved to share his passion with his friends and family. He was never afraid to express his opinion, accompanied by his quick wit and unique sense of humor. Dan left a lasting impression on all who knew him.



The Dan Jewell Trial Institute is designed to help less experienced Nebraska lawyers enhance their legal skills necessary to try a lawsuit. Attorney participants have an opportunity to:

- Examine and impanel a six-person jury
- Deliver opening statements
- Call, examine and cross examine witnesses
- Produce deposition evidence
- Offer exhibits
- Review instructions and argue the case

Issues presented in the selected case, which involves a contested will, are (1) whether the decedent has testamentary capacity, and (2) whether the will offered was procured by undue influence. A Nebraska judge will preside over the trial.

Each attorney participant is assigned a mentor who will critique the participant's performance. Each trial will have two attorney participants representing the proponent and two attorney participants representing the opponent of the will, in this case.

## DAN JEWELL EDUCATION COMMITTEE

Susan K. Sapp, Lincoln, Chair  
Dennis W. Collins, Norfolk, Vice Chair  
Patricia J. Bramhall, Papillion  
Stephen M. Bruckner, Omaha

Vincent L. Dowding, Grand Island  
Stephen S. Gealy, Lincoln  
Charles F. Gotch, Omaha  
William M. Lamson, Jr., Omaha

Thomas M. Locher, Omaha  
Robert D. Mullin, Jr., Omaha  
Hon. Stephanie F. Stacy, Lincoln

## DAN JEWELL TRIAL INSTITUTE JUDGES



### Hon. John M. Gerrard, Lincoln

Chief Judge John M. Gerrard, United States District Court for the District of Nebraska, received his law degree in 1981 from Pacific McGeorge School of Law in Sacramento, California. A Nebraska native, he returned to Norfolk where his law practice focused on civil and criminal litigation. He is an elected American Board of Trial Advocates member, and he was board certified as a civil trial specialist by the National Board of Trial Advocacy. From 1995 to 2012, he served as a Nebraska Supreme Court Justice. President Obama nominated Judge Gerrard to serve as a U.S. District Judge, and the U.S. Senate confirmed him January 23, 2012. He became Chief Judge of the U.S. District Court on November 1, 2018. He also is an Adjunct Law Professor at the NU College of Law.



### Hon. Stephanie F. Stacy, Lincoln

Justice Stephanie Stacy was appointed to the Nebraska Supreme Court in 2015 and served as a District Judge in Lancaster County from 2011-2015. She was in private practice from 1993-2011, focusing primarily on civil litigation. She received her J.D. with distinction in 1991 from the University of Nebraska College of Law and served as a judicial law clerk for two years before going into private practice. She is a member of the Lincoln Bar Association, the NSBA, a Nebraska State Bar Foundation Lifetime Fellow, and a Master of the Bench in the Robert Van Pelt American Inns of Court. Judge Stacy has served as an Adjunct Professor teaching trial advocacy and pretrial litigation at NU College of Law and a guest lecturer at Creighton University School of Law.



### Hon. Teresa K. Luther, Grand Island

Hon. Teresa K. Luther is a retired District Judge who also served as a judge of the Central Nebraska Drug Court and of the Judicial District 9 Reentry Court. She received her law degree from the University of Nebraska College of Law in 1976. Before being appointed to the bench, she was in private practice in Lincoln, Hastings and Kearney. She is a past member of the Nebraska District Judges Association, and she served on the Child Support Guidelines Committee and the Judicial Education & Curriculum Development committees. Judge Luther served on numerous Supreme Court committees and the Nebraska District Judges Association. She mentored new judges through Nebraska's Judicial Branch Education program. Judge Luther also taught at Southeast Community College and the NU College of Law.



## PROGRAM Day 1

8 a.m.	Welcome Trial; Assignments
8:30 a.m.	Voir Dire; Jury Selection
10:15–10:30 a.m.	Recess
10:30 a.m.	Opening Statements
Noon –1 p.m.	Lunch
1:15 p.m.	Trial
2:45 p.m.	Recess
3-5 p.m.	Trial

## Day 2

8:30 a.m.	Trial and Arguments
10:15 a.m.	Recess
10:30 a.m.	Arguments and Critiques
Noon	Recognition Luncheon
1 p.m.	Adjourn

## DAN JEWELL TRIAL INSTITUTE MENTORS

### Renee A. Eveland, Lincoln



Renee A. Eveland is a partner with Cline Williams Wright Johnson & Oldfather. She received her J.D., with distinction, from the University of Nebraska College of Law. Her area of practice is civil litigation in the areas of professional negligence, premises liability, personal injury and workers' compensation. She is a member of the NSBA and the Client Assistance Fund Board. She is an inaugural member of the Nebraska Supreme Court's Civil Justice Reform Committee and is a member of the Nominating Commission for the Nebraska Supreme Court. She is a member and Past President of the Nebraska Defense Counsel Association and a Past President of Nebraska CASA.

### Stephen S. Gealy, Lincoln



Stephen S. Gealy is a partner at Baylor Evnen LLP. He is a defense lawyer and mediator whose trial practice has ranged from soft tissue injury and minor property damage claims to catastrophic injury and wrongful death suits, many of which have involved the commercial transportation industry. He received his J.D. from the University of Nebraska College of Law in 1982. Mr. Gealy is a Fellow of the American College of Trial Lawyers, a Fellow of the International Society of Barristers and a member of the National Academy of Distinguished Neutrals and the American Board of Trial Advocates. Mr. Gealy is an Adjunct Professor at the NU College of Law.

### Kile W. Johnson, Lincoln



Kile W. Johnson is the senior partner at Johnson Flodman Guenzel & Widger. He received his law degree in 1969 from the University of Nebraska College of Law and has been extensively involved in the practice of claims and litigation for over 40 years. Mr. Johnson is a Fellow in the American College of Trial Lawyers. He has tried over 200 cases, including over 100 jury trials in the state and federal courts in Nebraska and has handled appeals before the Nebraska Supreme Court and the Eighth Circuit Court of Appeals. Mr. Johnson taught Trial Advocacy at the NU College of Law for many years.

### William M. Lamson, Jr., Omaha



William M. Lamson, Jr. is a founding partner of Lamson Dugan and Murray. He serves on the Management Committee and as Chairman of the Firm's Litigation Department. He received his law degree from the University of Nebraska College of Law in 1969. Mr. Lamson is a Fellow of the American College of Trial Lawyers and the International Society of Barristers. He is the recipient of the 2011 Nebraska Defense Counsel Association's "Defense Lawyer of the Year." His practice spans a broad spectrum of litigation representing individuals and corporations in commercial matters, environmental, occupational and safety litigation and professional negligence claims.

### Thomas M. Locher, Omaha



Thomas M. Locher is a member of Locher, Pavelka, Dostal, Braddy & Hammes, LLC. He earned his J.D. from Creighton University in 1978 and has since been in the civil litigation and appellate practice in Iowa, Nebraska and Federal Courts representing plaintiffs and defendants. He is a Fellow in the American College of Trial Lawyers, an Associate in the American Board of Trial Advocates and a Great Plains Super Lawyer in civil litigation defense, personal injury plaintiff and insurance coverage. He is on the Board of Directors of the Nebraska State Bar Foundation and a member of the Nebraska Client Assistance Fund Board.

### Robert D. Mullin, Jr., Omaha



Robert D. Mullin, Jr. is a shareholder at McGrath North Mullin & Kratz, PC LLO. He received his J.D., with distinction, from Creighton University School of Law in 1974. Mr. Mullin is a Fellow of the American College of Trial Lawyers and served as its State Chair 2009-10. His practice areas include Commercial Litigation; Insurance Litigation – Coverage and Defense; Personal Injury and Product Liability Litigation; Workers' Compensation Litigation; and Insurance. Mr. Mullin has been selected as a Nebraska Top 10 Super Lawyer 2012-18 and previously has been selected as Omaha "Lawyer of the Year" in three different categories.



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### THANK YOU

A special thanks  
to the University  
of Nebraska  
College of Law  
for providing  
meeting space.

“A good trial lawyer learns how to try a case by doing it and learning from those who have done it. The Dan Jewell Trial Institute gives young attorneys a chance to put on a case, but what I most appreciated was the advice given by the mentor attorneys. The guidance of the experienced mentor attorneys at the Trial Institute gives you a chance to hear the unwritten tips and war stories from some of Nebraska’s best.”

— **Jared Krejci**  
Smith, Johnson, Baack,  
Placzek, Allen, Connick &  
Hansen, *Grand Island*

“The Dan Jewell Trial Institute provided a great venue for experienced attorneys and seasoned judges to teach me many things I’ll keep as arrows in my quiver for years to come.”

— **Danny C. Leavitt**  
Terrence J. Salerno &  
Associates, *Omaha*

“The Dan Jewell Trial Institute gives young lawyers the opportunity to fully prepare and try a case, an invaluable experience in learning and honing trial practice skills. The Bar Foundation did a great job organizing the event. The judges and mentors offered many lessons from their extensive trial-practice experience, which I expect to use for the rest of my career. It was a fun and enjoyable two days.”

— **Amy M. Locher**  
Locher Pavelka Dostal Braddy & Hammes,  
*Omaha*

“The Dan Jewell Trial Institute is the best opportunity available for young Nebraska attorneys to practice and develop jury trial skills. Honestly, it’s not for everyone.”

— **Jonathan D. Urbom**  
Dowding, Dowding, Dowding & Urbom, *Lincoln*

“I have no doubt that I will benefit from my experience at the Dan Jewell Trial Institute for my entire career. The detailed instruction and feedback from two eminent trial attorneys—plus a federal court judge—absolutely transformed my trial practice. I highly recommend this Institute.”

— **Cameron E. Guenzel**  
Johnson Flodman Guenzel & Widger, *Lincoln*

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