



Hailey Drescher, PhD

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Hailey Drescher, PhD, is a Senior Consultant with Trask Consulting, a litigation strategy, jury research, and trial consulting firm. Dr. Drescher consults on high-stakes civil and criminal cases in state and federal courts. Her unique blend of interpersonal communication expertise, social influence training, and a theater performance background make her a transformative asset to case preparation and trial.

Dr. Drescher earned her PhD in Communication Studies, with an emphasis in Legal Communication, from the University of Kansas. Her research, publication, and presentation topics include jury decision-making, preparing witnesses for deposition, damage awards in patent cases, enhancing the efficacy of expert testimony, juror misconduct, and Supreme Court rhetoric. She has taught and lectured for courses on legal communication, communication in conflict resolution, and persuasion. She earned a master's degree in Communication Studies from the University of North Texas and an undergraduate degree in Theatre Performance from the University of Evansville in Indiana.

MEMBERSHIP

American Bar Association
American Society of Trial
Consultants

CAREER

Trask Consulting

Senior Consultant

2012–Present

Dr. Drescher aids counsel to prepare witnesses for deposition and trial, craft case themes, identify sympathetic and non-sympathetic jurors during voir dire, and strategically communicate complex information to jurors. She is adept in quantitative, qualitative, and experimental design methodologies ensuring rigorous testing and analysis of community attitude surveys and pre-trial research.

Some of her more notable engagements include assisting:

- Plaintiff in *Indect USA Corp v. Park Assist, LLC* in the Southern District of California. The jury found that Indect did not infringe Park Assist's patent covering camera-based parking guidance systems which monitor and detect parking space occupancy; the jury also found that Park Assist unfairly competed under the Lanham Act.
- Defendant in *TravelPass Group v. Marriott International* in the Eastern District of Texas, Texarkana Division. After five days of trial, TravelPass Group withdrew its antitrust and conspiracy claims against Marriott. TravelPass also acknowledged that Marriott did not participate in any unlawful activity or engage in any conspiracy. TravelPass also made a public apology to Marriott and the Marriott family for any harm to Marriott's reputation due to TravelPass's allegations.
- Plaintiff in *ResMan, LLC v. Karya Property Management, LLC and Expedien, Inc.* in the Eastern District of Texas, Sherman Division. The jury found that Karya breached its contract with ResMan; Expedien tortiously interfered with the contract between ResMan and Karya; and that both defendants improperly acquired, disclosed, and used ResMan's trade secrets. ResMan was awarded \$152.29 million in compensatory and punitive damages.

- Plaintiff in *KAIST IP US v. Samsung Electronics Co., et al.* in the Eastern District of Texas, Marshall Division. The jury found the Defendants, Samsung, Qualcomm, and Global Foundries, infringed KAIST's patent and awarded \$400 million in damages.
- Plaintiff in *Lima Refining v. Harsco Corporation, et al.* in Harris County, Texas. The jury found the Defendant 100% responsible for the damages suffered by Lima Refining during a facility fire and awarded \$317 million in damages.
- Plaintiff in *Gadeco, LLC v. Jack Grynberg Inc.* in Arapahoe County, Colorado. The jury found on behalf of the Grynberg family members operating Gadeco in their long and hard-fought battle to gain control and, ultimately, protect the several family companies worth hundreds of millions of dollars.
- Plaintiff in *Somma Food Group, LLC v. House of Raeford Farms Inc.* in Dallas County, Texas. The jury found the Defendant liable in a product liability case and awarded \$10 million in damages.
- Plaintiff in *Tech Pharmacy Services, LLC v. Alixa Rx, LLC, et al.* in the Eastern District of Texas, Sherman Division. The jury found the Defendants breached their contract with Tech Pharmacy and awarded \$15 million in damages.
- Plaintiff in *Cioffi, et al. v. Google, Inc.* in the Eastern District of Texas, Marshall Division. The jury found that Google's Chrome Browser Sandbox technology infringes three U.S. Patents owned by inventors Al Cioffi and Al Rozman (deceased) and awarded \$20 million in damages.

PROFESSIONAL PRESENTATIONS

Chief Judge Pepper, P., Judge Drummond, M., Drescher, H., Judge Jones, G., Chief Judge Pallmeyer, R., (2023, April). *A Symposium On The American Jury: Realizing the Promise of America's Anchoring Right* – presented by the 7th Circuit Bar Association [CLE panel presentation].

Drescher, H. (2022, September). *The Impact of Covid-19 on Juror Perspectives* [Webinar]. PowerHouse Civil Trial Institute.

Drescher, H. (2022, June). *Jury Trials: Preparation, Selection, Execution* [In-person and online presentation]. Allen & Overy New York.

Saunders, D. & Drescher, H. (2022, February). *Identifying and Preparing 30(b)(6) Witnesses for Your Data Privacy Litigation* [CLE webinar]. McDermott Will & Emery.

Silberkleit, G., Drescher, H., & Trask, T. (2020, October). *The Value of Trial Team Diversity: Commentary and Empirical Study on Diversity in Intellectual Property Trial Teams* [Conference presentation, virtual]. AIPLA annual conference.

Drescher, H. & Glover, B. (2020, March). *Witness Preparation and Juror Selection: Methods and Considerations* [CLE]. Douglas County Defense Bar, Lawrence, KS.

Drescher, H. (2017, December). *Redheads are Bad for My Case: Practical Thoughts on Jury Selection* [CLE]. Douglas County Defense Bar, Lawrence, KS.

Drescher, H., Morris, C., & Keuhn, P. (2017, June). *What are We Doing to Save the Jury System?* [Panel presentation]. American Society of Trial Consultants annual meeting, Chicago, IL.

Drescher, H. (2016, November). *Combatting a Failure to Report: Juror Misconduct and the Mum Effect* [Paper presentation]. National Speech Communication Association annual meeting, Philadelphia, PA.

Drescher, H. & Schon, J. (2016, April). *Combatting Expectations for Victim Demeanor: The Ability of Expert Testimony to Overcome EVT in Rape Cases* [Paper presentation]. Southern Speech Communication Association annual meeting, Austin, TX.

Drescher, H. (2015, November). "Them Lawyers, They're Going to Make a Killing": *Analyzing Jurors' Justifications of Damage Awards in Patent Infringement Trials* [Paper presentation]. National Speech Communication Association annual meeting, Las Vegas, NV.

Drescher, H. (2015, April). *The Parade of Goats: The Media's Use of Scapegoating in the Ethan Couch Story* [Paper presentation]. Central States Communication Association annual meeting, Madison, WI.

Drescher, H. (2014, November). *The Jury is Out. Great Ideas for Teaching (GIFT)* [Conference presentation]. National Speech Communication Association annual meeting, Chicago, IL.

Drescher, H. (2014, April). *Connecting the Circuit: Analyzing Jurors' Cognitive Gaps in Patent Infringement Trials* [Paper presentation]. Southern Speech Communication Association annual meeting, New Orleans, LA.

Drescher, H. (2011, October). *High Stakes Persuasion: Teaching Persuasion Through the Perspective of the Felony Trial Attorney* [Paper presentation]. Texas Speech Communication Association annual meeting, Irving, TX.

PUBLICATIONS

Drescher, H., & Thomas, M. (2022). How to Effectively Prepare a Witness for Remote Testimony. *Law360*. <https://www.law360.com/articles/1486655>

Drescher, H. (2018). The Illuminating Power of the Shadow Jury. *The Civil Jury Project NYU Law School*, 3(7).

Trask, T., & Drescher, H. (2018). Strategies for Success at Trial: How to Change Your Jury Selection Preparation Timeline and Why It Matters. *The Advocate, Case Planning*, 82, 45-47.

Drescher, H. (2015). Hunting Dinosaurs? A Conversation with Steve Susman and Tara Trask on the Vanishing Jury Trial. *The Jury Expert*, 27(3).

Malphurs, R. A., Bochantin, J., Drescher, H., Framer, M. W. (2013). Too Much Frivolity, Not Enough Femininity: A Study of Gender and Humor at the U. S. Supreme Court. *Social Science Research Network*. <http://ssrn.com/abstract=2335613>

Malphurs, R. A., & Drescher, H. (2012). "A Parade of Horribles"—Broccoli, Burial Markets, and Justice Scalia's Wife: The Role of Analogies in Human Decision-Making from Justices to Jurors. *The Jury Expert*, 24(3), 48-56.

Malphurs, R. A., & Drescher, H. (2012). "That's Enough Frivolity": A Not So Funny Countdown of the Supreme Court's Affordable Care Act Oral Arguments. *Social Science Research Network*. <http://ssrn.com/abstract=2079136>

EDUCATION

University of Kansas

- PhD, Communication Studies, emphasis in Legal Communication. May 2017
- Dissertation: Combatting a Failure to Report: Juror Misconduct and the Mum Effect

University of North Texas

- MS, Communication Studies. May 2013
- Thesis: Connecting the Circuit: Analyzing Jurors' Cognitive Gaps and Damage Awards in Patent Infringement Trials

University of Evansville

- BS, Theatre Performance, May 2004