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Hailey Drescher, Ph.D.

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Hailey Drescher, Ph.D., is the Director of Litigation Strategy at Trask Consulting, a firm specializing in litigation strategy, jury research, and trial consulting. 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 makes her an asset to case preparation and trial.

Dr. Drescher earned her Ph.D. in Communication Studies with an emphasis in Legal Communication from the University of Kansas. Her research, publications, and presentations cover jury decision-making, witness preparation for deposition, damage awards in patent cases, enhancing the efficacy of expert testimony, juror misconduct, and Supreme Court rhetoric. She taught and lectured on legal communication, communication in conflict resolution, and persuasion. She earned a master's in communication studies from the University of North Texas and an undergraduate degree in theater performance from the University of Evansville in Indiana.

CAREER

Trask Consulting

(2012-Present)

Director of Litigation Strategy

Dr. Drescher assists counsel in preparing witnesses for deposition and trial, crafting case themes, identifying sympathetic and unsympathetic jurors during voir dire, and strategically communicating complex information to jurors. She is adept at quantitative, qualitative, and experimental design methodologies, ensuring rigorous testing and analysis of community attitude surveys and pretrial research.

Some of her more notable engagements include assisting:

- Plaintiff in *Yale University and Biohaven Therapeutics Ltd*. v. *Avilar Therapeutics, Inc. and RA Capital Management, LLC* in the District of Delaware. The jury found in favor of Yale and Biohaven and awarded $4 million.
- Defendant in *Westport Fuel Systems Canada LLC v. Robert Bosch LLC* in the Eastern District of Texas, Marshall Division. The jury found no infringement.
- Plaintiff in class action *Csupo et al. v. Google* in Santa Clara County, California. The jury found that Google misused customers' cellular data and awarded $314.6 million in damages.
- Plaintiff in *Zachary Young v. CNN* in Bay County, Florida. The jury found CNN liable for defamation and awarded $5 million in compensatory damages. The parties settled prior to the completion of the punitive damage phase.
- Plaintiff in *Paltalk Holdings, Inc. v. Cisco* in the Western District of Texas, Waco Division. The jury found Cisco infringed Paltalk's patent and awarded $65.7 million in damages.
- Defendant in *IGT v. Zynga* in the Western District of Texas, Austin Division. The jury found no infringement and the asserted claims invalid.
- Defendant in *Park Assist LLC v. Indect USA Corp. in* the Southern District of California. The jury found that Indect did not infringe Park Assist's patent and that Park Assist engaged in unfair competition under the Lanham Act.

MEMBERSHIP

American Bar Association

LEADERSHIP

Lawrence Humane Society
Board Member
Facilities Committee
2025-Present
Finance Committee
2024-2025

Children's Advocacy Center of Douglas County
Board Member
2026-Present

- 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 publicly apologized 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 *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 in 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 members of the Grynberg family in their long and hard-fought battle to gain control of and ultimately protect several family companies worth hundreds of millions of dollars.

PROFESSIONAL PRESENTATIONS

Drescher, H., Fair, A., McManis, J., Truelove, J., & Wietholter, J. (2025, October). Big hat, no cattle: The myth of nonverbal transparency. Presented at The Eastern District of Texas Bench Bar Conference in Fort Worth, TX.

Drescher, H. (2025, July). Asking the Right Questions: Strategies for jury selection. CLE presented at the Kansas Women Attorneys Association Conference in Lindsborg, KS.

Drescher, H. (2025, April). Voir Dire Straits: The secret sauce. CLE presented by Douglas County Inn of Court in Lawrence, KS.

Drescher, H. & Murray, P. (2025, February). The Secret Sauce: Jury selection strategy in trade secret cases. CLE presented by the Michel IP Inn of Court in Los Angeles, CA.

Drescher, H. & Stellpflug, J. (2024, August). The Do's and Don'ts: Jury selection. CLE presented by the Minnesota Defense Lawyers Association (MDLA) in Duluth, MN.

Murray, S., Drescher, H., & Cuculich, J. (2024, January). Part 2: Mastering collaborative success with mock trial and venue partners: Trial consultants speak. Webinar presented through the American Society of Trial Consultants, Online.

Chief Judge Pepper, P., Judge Drummond, M., Drescher, H., Judge Jones, G., & Chief Judge Pallmeyer, R. (2023, May). A symposium on the American jury: Realizing the promise of America's anchoring right. CLE presented by the 7th Circuit Bar Association in Chicago, IL.

Drescher, H. (2022, September). The impact of COVID-19 on juror perspectives. Webinar presented through PowerHouse Civil Trial Institute, Online.

PROFESSIONAL PRESENTATIONS (CONT.)

Saunders, D. & Drescher, H. (2022, February). Identifying and preparing 30(b)(6) witnesses for your data privacy litigation. CLE Webinar presented through McDermott Will & Emery, Online.

Drescher, H. & Glover, B. (2020, March). Witness preparation and juror selection: Methods and considerations. CLE presented to the Douglas County Defense Bar in Lawrence, KS.

Drescher, H. (2017, December). Redheads are bad for my case: Practical thoughts on jury selection. CLE presented to the Douglas County Defense Bar in Lawrence, KS.

Drescher, H., Morris, C., & Kuehn, P. (2017, June). What are we doing to save the jury system? Panel presented to the annual meeting of the American Society of Trial Consultants in Chicago, IL.

Drescher, H. (2016, November). Combatting a failure to report: Juror misconduct and the mum effect. Paper presented at the annual meeting of the National Communication Association in 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 presented at the annual meeting of the Southern States Communication Association in 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 presented at the annual meeting of the National Communication Association in Las Vegas, NV.

Drescher, H. (2015, April). The parade of goats: The media’s use of scapegoating in the Ethan Couch story. Paper presented at the annual meeting of the Central States Communication Association in Madison, WI.

Drescher, H. (2014, April). Connecting the circuit: Analyzing jurors’ cognitive gaps in patent infringement trials. Paper presented at the annual meeting of the Southern States Communication Association in New Orleans, LA.

PUBLICATIONS

Drescher, H. & Thomas, M. (2022, April). How to effectively prepare a witness for remote testimony. *Law360* available at https://www.law360.com/articles/1486655

Silberkleit, G., Drescher, H. & Trask, T. (2020, September). The value of trial team diversity: Commentary and empirical study on diversity in intellectual property trial teams. Paper presented at the AIPLA Annual Conference.

Drescher, H. (2018, August). The illuminating power of the shadow jury. *The Civil Jury Project* at NYU Law School, 3(7).

PUBLICATIONS (CONT.)

Trask, T. & Drescher, H. (2018, Spring). 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.* Available at SSRN: https://ssrn.com/abstract=2335613 or https://doi.org/10.2139/ssrn.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.* Available at SSRN: https://ssrn.com/abstract=2079136 or https://doi.org/10.2139/ssrn.2079136

EDUCATION

University of Kansas

- Ph.D., Communication Studies, emphasis in Legal Communication, May 2017
- Dissertation: Combatting a failure to report: Juror misconduct and the mum effect

University of North Texas

- M.S., Communication Studies, May 2013
- Thesis: Connecting the circuit: Analyzing jurors' cognitive gaps and damage awards in patent infringement trials

University of Evansville

- B.S., Theater Performance, May 2004