



Tara Trask

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Tara Trask is the President of Trask Consulting, a boutique litigation strategy, jury research, and trial consulting firm with offices in San Francisco, Houston, and New York.

CAREER

Trask Consulting

President

May 2001-Present

Ms. Trask's practice focuses on civil litigation and emphasizes complex commercial litigation including intellectual property (patent and trademark infringement; trade secret misappropriation), antitrust, securities, breach of contract, and fraud. She has supported both plaintiffs and defendants in cases involving oil and gas, products liability, and insurance. Ms. Trask boasts extensive experience assisting institutions and individuals in matters involving regulatory enforcement and white-collar defense.

Over her 30-year career, Ms. Trask has taken part in hundreds of jury trials across 25 states and U.S. territories. Some of her more notable engagements include assisting:

- Plaintiff in *Dominion Voting Systems, et al. v. Fox News Network, LLC, et al.* The case was set to be tried in the spring of 2023, but Fox News paid \$787 million to resolve the case prior to trial.
- Plaintiff in *PanOptis v. Apple* before Judge Gilstrap in EDTX. The case was originally tried in August of 2020: the first in-person patent trial of the pandemic. The jury awarded PanOptis \$506 million. Judge Gilstrap ordered a new trial on damages, and in July of 2021, a second jury awarded PanOptis \$300 million.
- Plaintiff USAA in several matters against competing banks before Judge Gilstrap in EDTX. In the first two trials conducted against Wells Fargo, the jury awarded \$200 million and \$102.8 million.
- Defendants in *Title Source, Inc. v. HouseCanary, Inc. fka Canary Analytics, Inc.* in San Antonio, Texas. The 12-person jury found unanimously for our client on all issues, HouseCanary, awarding \$706.2 million.
- Plaintiff in *Waymo, LLC v. Uber Technologies, Inc.* before Judge Alsup in San Francisco. The dispute over the alleged theft and use by Uber of Waymo's trade secrets transfixed the tech world for months. The case settled five days into trial.
- Plaintiffs in *Jibe Audio, LLC et al. v. Jimmy Iovine et al.* in Los Angeles Superior Court. The jury awarded Steven Lamar \$25.25 million in his dispute with Dr. Dre and Jimmy Iovine over royalties owed for his role in creating the now iconic Beats headphones.
- Plaintiffs in *KAIST IP US, LLC v. Samsung Electronics Co., LTD, et al.* in Federal Court in Marshall, Texas. The jury found that defendants Samsung, Qualcomm and Global Foundries infringed a patent owned by KAIST IP US and awarded \$400 million in damages against Samsung.
- Plaintiffs in *Green Mountain Glass, LLC and Culchrome, LLC v. Saint-Gobain Containers, Inc., d.b.a Verallia North America* in the District of Delaware. The jury found willful infringement of a U.S. Patent and awarded damages of \$50.3 million.
- Defendants SAC Capital and Stephen A. Cohen in *Kaplan v. SAC Capital Advisors* in the Southern District of New York. The suit, resulting from the largest insider trading investigation in U.S. history, was resolved prior to trial.
- Plaintiffs in *Cioffi, et al. v. Google, Inc.* in the Eastern District of Texas. The jury found that Google's Chrome Browser Sandbox technology infringed three U.S. Patents owned by inventors Al Cioffi and Al Rozman (deceased). The jury awarded damages of \$20 million.

LEADERSHIP

Chair, American Society of
Trial Consultant Advisors
NYU Civil Jury Project
2016-2020

American Society of Trial
Consultants:

President 2011-2012

President-Elect 2010-2011

Treasurer 2007-2010

Board of Directors

2007-2010

Annual Conference

Planning Committee

2007

2004

Raphael House, San Francisco

Board of Directors

2006-2009

Global Green, San Francisco

Committee Event Co-Chair

2006

Raphael House, San Francisco

Gala Committee Co-Chair

2004-2005

MEMBERSHIP

American Bar Association

National Communication
 Association

American Society of Trial
 Consultants

- Defendant Texas Brine in *Gustave J. Labarre, Jr., et al. v. Occidental Chemical Company, LLC., et al.*, a class action brought by landowners in the wake of the Bayou Come sinkhole incident in Assumption Parish, LA. The case was resolved prior to trial.
- Plaintiffs in *Meyer/Brunson, et al. v. Health Plan of Nevada, Inc.* The negligence case was brought against the insurer in the wake of a hepatitis C outbreak in Las Vegas that was traced to colonoscopy clinics owned by Dr. Dipak Desai (now serving a prison term). The resulting \$525 million verdict remains the largest verdict in Nevada history.
- Defendant Transocean in the *Multidistrict Litigation, Oil Spill by the Oil Rig "Deepwater Horizon"* in the Eastern District of Louisiana. The negligence case against Transocean arising from the Macondo Well incident on April 20, 2010 was resolved prior to trial.
- Plaintiff in *Centocor v. Abbott* in the Eastern District of Texas. The \$1.67 billion result remains the largest patent infringement verdict returned by a jury in U.S. history.
- Defendant Oprah Winfrey in *Texas Beef Group v. Winfrey* in the Northern District of Texas. The jury returned a defense verdict in the libel case.
- Plaintiff in the *ExxonMobil, Corp. v. Lloyd's, London* excess coverage case involving the Valdez oil spill. The resulting \$250 million verdict was one of the largest in Texas that year.
- Defendants, Reliant Energy and four Reliant Energy traders in *The United States v. Reliant Energy Services, Inc., et al.*, indictments arising out of the California Energy Crisis of 2000. The case was resolved prior to trial.

Ms. Trask is a nationally recognized author and lecturer on juror psychology and various trial sciences. She is a member of the American Bar Association, The Bar Association of San Francisco, and the APA Psychology-Law Society. She serves as a Trial Consultant Advisor and liaison to the Civil Jury Project at NYU Law School.

She has been a member of the American Society of Trial Consultants since 1994 and served on its board of directors from 2005-2012 as Treasurer, President-Elect and President. Ms. Trask currently serves as the Chair of the ASTC/CJP joint working group.

Courtroom Sciences, Inc.

Senior Litigation Analyst 1998-2000

Ms. Trask procured clients and staffed a large portfolio of cases, simultaneously handling multiple complex, primary-tier, deadline-oriented cases. In the office, she developed and implemented various in-house organizational policies and professional staff meetings, and approved billing.

Her case management responsibilities included: business development, client management and directive action of case goals and trial strategy; application and management of pertinent pre-trial research; and management of supporting staff including junior professional staff, administrative, graphic and video personnel. Notable cases include:

- *Paul Engler et. al. v. Oprah Winfrey* (libel)
- *Tarrant County v. Denton County* (boundary dispute)
- *Zeneca Limited v. Pharmachemie, B.V.* (Tamoxifen patent case)
- *Lehman Brothers Commercial Corp. v. Minmetals International* (breach of contract-securities)

Litigation Analyst

1995-1998

Ms. Trask served as a case project manager; her management responsibilities included: second-chair responsibilities for multiple complex cases; primary responsibility for multiple second-tier cases; and the facilitation of many mirror juries. Notable cases include:

- *Foxmeyer, et. al. v. Coopers & Lybrand* (PharMor civil fraud trial)
- *ExxonMobil, Corp. v. Lloyd's, London* (Valdez excess coverage trial)
- *Turner v. Dolcefino* (libel case)
- *Food Lion, Inc. v. Capital Cities/ABC, Inc.* (trespassing)

Research Assistant

1994-1995

PROFESSIONAL PRESENTATIONS

"Which Juror Should I Challenge? Practical Tips for Selecting a Jury in Federal Court." Federal Bar Council for the Second Circuit, Fall Retreat, Sarasota Springs, NY. October, 2021

"Jury Selection Demonstration and Discussion: Civil Cases." Federal Bar Council for the Second Circuit, Webinar. May, 2021

"Jury Trials in the Pandemic: How We Move Forward." Webinar to Judge Paul R. Michel IP Inn of Court. September 2020

"Cutting Edge Advocacy and Trial Preparation: Learn from the Experts." Conference workshop open to attorneys. American Society of Trial Consultants Annual Conference, St. Louis, MO. June 2019

"Trial Consulting for Patent Cases." Guest lecturer, Patent Litigation, University of Texas Law School, Austin, TX. April, 2019

"Tips and Strategies for Presenting Damages to Juries." IP Conference on Issues That Make a Difference. University of Arizona, Tucson, AZ. March 2018

"Perspectives on Diversity: Views on Trial Teams from the Bench, the Boardroom, and the Jury Box." AIPLA Annual Meeting. Washington, DC. October 2017

"The Disappearing Civil Trial." American Society of Trial Consultants Conference. Redondo Beach, CA. May 2016

"Effective Use of Focus Groups and Mock Trials." Corporate Enforcement Forum. Carefree, AZ. May 2016

"Tips and Strategies for Making Damages Presentations to Juries." IPO Damages Summit, Paolo Alto, CA. May 2016

"Jurors Today." Judicial Fellows at the University of Kentucky. Covington, KY. April 2014

PROFESSIONAL PRESENTATIONS (CONT.)

“Women in the Courtroom.” McKool Smith Women’s Retreat. Dallas, TX. April 2014

“Juries Today.” Federal Court Advisory Committee for the Southern District of Georgia. Amelia Island, FL. March 2014

“Golden Living Outside Counsel Panel Meeting.” Defense Research Institute’s 2013 Annual Meeting of Golden Living. Scottsdale, AZ. September 2013

“What Happens in Vegas Shouldn’t Stay in Vegas: Lessons from a National Trial Lawyer of the Year” (co-presenter: Robert Eglet). American Society of Trial Consultants Conference. Las Vegas, NV. May 2013

“From Discovery to Post Trial: What You Need to Know About Social Media.” National Association of Criminal Defense Lawyers Conference. San Francisco, CA. July 2012

“Masters of the Courtroom: Elite Trial Lawyers Share Their Methods.” HB Litigation Conferences. New York, NY. July 2012

“Social Media—What You Need to Know.” Minnesota State Bar Association. Minneapolis, MN. April 2012

“Jury Trials in the New Social Media Universe.” LegalTech Conference. New York, NY. January 2012

“What’s the Best Look for the Courtroom?” Interview on NBC’s *Today Show*—Weekend Edition. April 2, 2011

“Voices from the Jury Box.” DRI Medical Malpractice Conference. San Francisco, CA. March 2011

“From the Jury Box: Current Trends in Patent Jury Trials.” Finnegan, Henderson, Farabow, Garrett & Dunner, LLP. Washington, D.C. June 2010

“Effective Use of Focus Group Results to Break the Negotiation and Mediation Stalemate.” Merrill Corporation Webinar Seminar. November 2009

“Jury Selection: How Today’s Challenges Shape our Approach.” American Bar Association Women in Products Liability Tenth Annual Regional CLE Workshop. Chicago, IL. October 2009

“The American Jury: Experience, Research and How to Prepare.” London Underwriters Presentation. London, UK. June 2009

“Communicating with Jurors.” American Bar Association Annual Meeting. Atlanta, GA. August 2009

“Juror Attitudes Related to the Economic Crisis.” American Bar Association Section of Litigation Annual Conference. Atlanta, GA. April 2009

“Current Jury Trends.” 2008 Bowman and Brooke, LLC. Firm Retreat. Dearborn, MI. October 2008

PROFESSIONAL PRESENTATIONS (CONT.)

“Harnessing the Winds of Change to Bring Balance and Meaning to the Workplace.”
American Bar Association Annual Meeting. New York, NY. August 2008

“Keeping it Real: Making White Collar Defendants, Blue Collar Friendly.” American Bar Association Litigation Section Teleconference. June 2008

“CSI Kentucky.” Kentucky Bar Association Annual Convention. Lexington, KY. June 2008

“From Rubble to Result: Discovering the Legal Story.” American Society of Trial Consultants Annual Conference. Chicago, IL. June 2008

“Anticipating and Understanding Juror Perceptions.” and “Jury Deliberation and Analysis.”
DRI Food Liability Seminar. Chicago, IL. May 2008

“Perry Mason, Arnie Becker or Denny Crane: To What Generational Beat Do You March and Does it Make a Difference in Your Legal Practice?” American Bar Association Section of Litigation Committee on Corporate Counsel CLE Seminar. Scottsdale, AZ. February 2008

Faculty—27th Annual National Trial Advocacy College at the University of Virginia School of Law. Charlottesville, VA. January 2008

“Work Life Balance—You Can Have It All.” American Bar Association Women in Products Liability CLE Workshop. New Orleans, LA. October 2007

“Communication with Jurors.” Plenary Session, American Bar Association National Legal Malpractice Conference. Scottsdale, AZ. September 2007

“Litigation Skills: How Jurors Think—Crafting a Jury Friendly Case from Start to Finish.” Continuing Legal Education Seminar. Plenary Session, American Bar Association Annual Meeting. San Francisco, CA. August 2007

“A Different Drummer: Generations in the Workplace.” American Bar Association Spring Leadership Meeting. Vancouver, BC. June 2007

“The Full Service Team.” American Society of Trial Consultants Annual Conference. Long Beach, CA. June 2007

“CSI Effect.” Plenary Session, American Bar Association Litigation Section Annual Meeting. San Antonio, TX. April 2007

“Financial Experts—The Jury’s Perspective.” Litigation Section’s Economic Damages Section of the California Society of CPAs. Burlingame, CA. October 2006

“The CSI Effect: Popular Culture’s Effect on Civil Juries.” Alston & Bird, LLP. Atlanta, GA. July 2006

“Gurus, Academics and Businessmen: How to Choose a Trial Consulting Practice Model.” The American Society of Trial Consultants Annual Conference. Austin, TX. June 2006

PROFESSIONAL PRESENTATIONS (CONT.)

"Generations in the Jury Pool." Federal Practices Committee of the Iowa Bar Association. Des Moines, IA. December 2005

"Juror Profiling—Pre-Determining the Best and Worst Jurors." The Ultimate Jury Selection Seminar. Los Angeles, CA. October 2004

"The Newest Generation of Jurors—Net Gen, Gen X and Beyond." The Ultimate Jury Selection Seminar. Los Angeles, CA. October 2004

"Effective Expert Witness Testimony." California CPAs Litigation Section, Sacramento Chapter. San Francisco, CA. August 2004

"Shadow Juries: Advanced Nuts and Bolts—Limitations, Benefits and Ethical Considerations." American Society of Trial Consultants National Conference. Memphis, TN. June 2004

"Through the Eyes of the Jury: Preparing and Presenting Your Case with the Jury in Mind—Five Lessons for Corporate Defendants." National Association of Railroad Trial Counsel. St. Petersburg, FL. February 2004

"Juries." Brilliance by the Bay, San Francisco Regional Mensa Meeting. San Francisco, CA. November 2003

"Bridging the Generation Gap—How to Use Generational Insight to Improve Courtroom Effectiveness." Fulbright & Jaworski. Dallas, TX. November 2003

"Barristers Balancing Babies and Briefs." San Francisco Barristers Club. San Francisco, CA. October 2003

"The Changing Demographic Landscape—How to Use Generational Insight to Improve Courtroom Effectiveness, Jury Appeal and Workplace Relations." Chaffe, McCall, Toler & Sarpy Firm Retreat. Biloxi, MS. September 2003

"Bridging the Generation Gap—How to Use Generational Insight to Improve Courtroom Effectiveness." Nixon Peabody, CLE. San Francisco, CA. August 2003

"Jurors' Perceptions—What You Need to Know to Put Your Best Foot Forward at Trial." San Francisco Barristers Club. San Francisco, CA. July 2003

"Women in the Courtroom." Defense Research Institute, Drug and Medical Devices Conference. New Orleans, LA. June 2003

"Effective Expert Witness Testimony." California CPAs Litigation Section, San Francisco Chapter. San Francisco, CA. July 2002

"Technology in the Courtroom." American Bar Association White Collar Crime Institute. San Francisco, CA. February 1999

"Voir Dire/Jury Selection." Continuing Legal Education Seminar Strasburger & Price, L.L.P. Houston, TX. November 1997

PROFESSIONAL PRESENTATIONS (CONT.)

"Trial Sciences." Video Presentation. American Bar Association Conference and Dallas Bench Bar Association. Del Lago Resort. Conroe, TX. October 1997

"Jury Selection." Continuing Legal Education Seminar. Phelps Dunbar, L.L.P. Houston, TX. October 1997

"Implied Libel." NAA, NAB, LDRC Libel Conference. McLean, VA. September 1995

PUBLICATIONS

Trask, Tara and David Barnard. "Citizen Juror: Justice Sotomayor and Steve Susman Discuss Why Jury Duty Matters." *The Jury Expert*. May 2016.

"How to Pack Like a Pro." *The Jury Expert*. January 2011.

"Out of the Shadows, Into the Jury Box." *The Jury Expert*. September 2010.

"Women in the Courtroom Today." American Bar Association Litigation Section's second edition of *The Woman Advocate*, edited by Abbe F. Fletman and Evelyn R. Storch. 2010.

Trask, Tara and Ryan Malphurs. "Don't Poke Scalia! Lessons for Trial Lawyers from the Nation's Highest Court." *The Jury Expert*. November 2009.

Trask, Tara and Alison K. Bennett. "Making White-Collar Defendants Blue Collar Friendly: Lessons from Recent Trials." In-House Litigator, *The American*

Trask, Tara and Linda Petersen. "Jurors' Perceptions in the Economic Decline." *The Jury Expert*. July 2009.

"Litigation Can Turn on Jurors' Snap Judgments." *The National Law Journal*, January 29, 2007.

"Getting to Know 'Gen X' and 'Net Gen' as Jurors." *The National Law Journal*. January 31, 2005.

"Communicating to 'Generation X' and 'Net Gen' Jurors (Part 2 of 2)." *The Jury Expert*. December 2004.

"Getting the Most 'Bang for Your Buck' from Trial Consultants." *The Jury Expert*. September 2004.

"Due Diligence—Mock Trials and Pretrial Research Can Save Time Down the Road." *The Recorder*. May 19, 2004.

"Communicating to 'Generation X' and 'Net Gen' Jurors (Part 1 of 2)." *The Jury Expert*. March 2004.

"The Changing Face of Juries." *The Recorder*. October 29, 2003.

ACHIEVEMENTS AND ACCOLADES

“Top 3”, Best Jury Consultant, *National Law Journal’s* Best of 2021.

Best End-to-End Litigation Consulting Firm, New England’s Best of 2019.

Best Trial Consultant, New England’s Best of 2019.

Best Hot Seat Trial Technician, *The Recorder’s* 2018 Best of July 2018.

Best Intellectual Property Litigation Consulting Services, *Corporate Counsel Magazine’s* 2018 Best of April 2018.

Best End-to-End Litigation Consulting Services, *Corporate Counsel Magazine’s* 2018 Best of April 2018.

Best Jury/Trial Consulting Service, *The Recorder’s* 2014 Best of. August 2014.