

D
CEO

THE LONELY CRUSADES OF HARLAN CROW [P. 40]
HOW TO SURVIVE AN ECONOMIC DOWNTURN [P. 13]



Left to right:
MARTIN ROSE
FRANK BRANSON
MARK WEBNER

The Hit Men

18 Tough Lessons from Dallas'
Masters of the Corporate Lawsuit

[PAGE 28]



**THE CHIP
CHAMPIONS**

How Texas Instruments
Is Changing the World

[PAGE 21]

**EBBY
HALLIDAY**

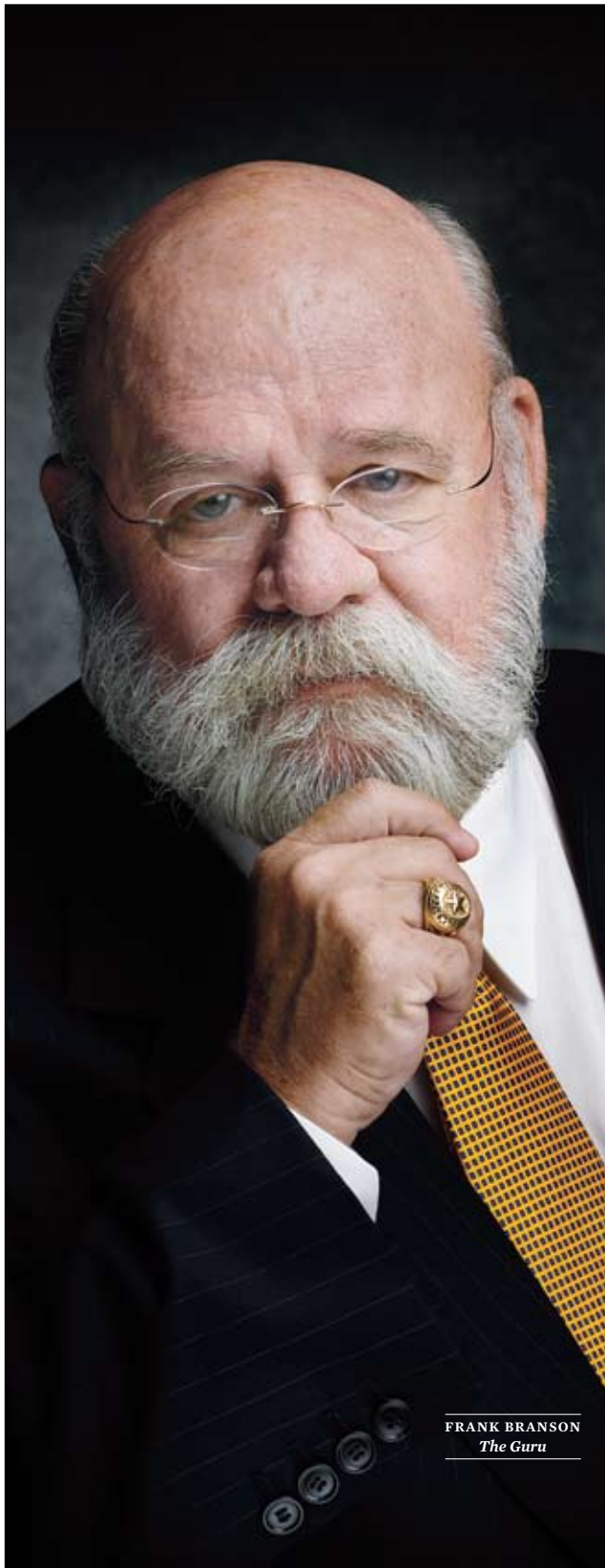
A Day in the Life of
The Real Estate Legend

[PAGE 14]

**DESPERATE
DOLLARS**

The Dallas Battle for
Nonprofit Money

[PAGE 34]



FRANK BRANSON
The Guru

Know Your Web Site

FRANK BRANSON [LAW OFFICES OF FRANK L. BRANSON PC]

FRANK BRANSON, OF DALLAS' LAW Offices of Frank L. Branson PC, a nine-lawyer boutique, has made a lengthy career out of verbally eviscerating executives on the witness stand who fail to heed advice like Mark Werbner's (see p. 32). For Branson, a CEO is "the voice of the company" through whom the corporate attitude shines to the jury. The guru of Texas personal-injury trial lawyers, Branson reminds executives that, "as the jury perceives them, they will perceive the company."

One good illustration of this concept came in the Ford/Firestone tread separation litigation several years ago. Branson spent a week preparing for what would be a seven-hour deposition of Jacques Nasser, the former president of Ford Motor Co. Branson confronted Nasser with his own quotes from Ford's web site about trust and the company's partnership with the American consumer, and ultimately got Nasser to admit that Ford was a fiduciary to its customers. One of the biggest mistakes CEOs can make, Branson says, "is to not look at their own web site."

According to Branson, too many "I don't know" responses can be even more damaging to a company than one truthful but damaging admission, since "CEOs are presumed to have a lot of information." In a wrongful death case against a trucking company, Branson once played the jury 17 minutes of "I don't know" answers in a videotaped deposition by the company's safety director. Using razor-sharp cross-examination skills honed by years of trial work, Branson excels at getting what he wants out of a witness.

Take, for example, the time he

forced a manager of a railroad to admit gross negligence. "I put him in a posture where, if he answered truthfully, it was gross negligence and, if he didn't, he was between the devil and the deep blue sea," Branson says. The notches on Branson's gun include multimillion-dollar verdicts and settlements against companies like American Airlines and Mitsubishi, as well as hospitals like HCA and major pharmaceutical companies.

Of course, Branson doesn't get by on cross-examination skills alone. Having learned as a young lawyer that "juries remember the visual aspects to a trial better than the verbal," the attorney employs a staff that would rival a Hollywood special-effects outfit. Branson not only has a full-time medical illustrator for personal-injury cases, he also employs sophisticated video and editing professionals using state-of-the-art technology.

As I toured his Highland Park Place office, one staffer was working on a computer-generated animation for a product-liability case against a nail-gun manufacturer, feeding in data that would aid in reconstructing the incident, right down to a *CSI*-like recreation of the nail penetrating the plaintiff's brain. Such technology is crucial, Branson says, not only because jurors have become accustomed to seeing such effects in movies and on TV, but because "our real function is to educate the jury and create images that they will remember." To get inside the mind of jurors, Branson also makes extensive use of focus groups, shadow juries, professional reenactments, and mock trials (he even has a "courtroom" built out on one floor of his building).