



A Litigator's Trusted Trial Resource

With increasing frequency, Arizona litigators whose matters are headed for a trial that taxes their time or capacity have called on Schneider & Onofry to associate as trial counsel – from the early stages of the dispute to literally on the eve of trial.

While trial preparation ideally takes time, concentration and planning, time is sometimes a luxury that circumstances do not permit. Schneider & Onofry's trial attorneys have the experience and practice structure to respond effectively, on short notice, to the demands of a complex or extended trial.

Recognized Trial Skill

Trial work is what we do and do well. In an era when less than 1% of filed complaints ever reach trial, experienced trial counsel is hard to find. Schneider & Onofry attorneys have collectively tried more than 300 cases to conclusion before Arizona juries. We have arbitrated hundreds of other cases.



Our trial practice is led by **Jon Schneider***, **Chuck Onofry***, **Joe Swan*** and **Tim O'Connor***.

Core Beliefs

Trying a case is different than litigating a case. Because of that, seeking out trial counsel may be the right choice for you and your firm for number of reasons: a trial may disrupt your practice, stretch your resources, or simply exceed your experience. Or, you may simply need added assistance, motion work, or consultation on evidentiary issues or trial strategy in general.

Humility and Respect. Being an effective trial attorney requires a healthy respect for the jury system, which stems from the humility of acknowledging that no two people view the same facts identically and realizing that, once trial starts, being "right" carries no guarantee of success, anything can

happen, and "it's not over 'til it's over." S&O does not endorse a win-at-all-costs attitude or believe that effectiveness at trial requires one to be rude, arrogant or disrespectful of the opposition or witnesses. Rather, the parties are best served when trial lawyers temper their aggressiveness and will to win with humility and respect for the opposition.

Big Picture. Trial advocacy requires the confidence to evaluate the "big picture," based on objective evidence, and the ability to push forward without being overly influenced by singular events or the inherent uncertainty of trial.

Unflappability. Trials are inherently unpredictable and almost never go "according to script." There are almost always unexpected turns, such as when an issue or witness takes on unforeseen importance, or the trial judge makes an evidentiary ruling that, before trial, seemed improbable. In short, you want trial counsel who can push through the inevitable highs and lows of each trial day. S&O's trial lawyers have developed that skill.

What You Are Getting

A Reliable, Highly Trained Trial Team. S&O has the practice structure to effectively try a case. We offer an internally cohesive team of attorneys, paralegals and support staff experienced in handling virtually any sort of trial, even on short notice. Our trial teams are led by a skilled trial lawyer whom you will like and trust, who is respected by the opposition, and who will not shrink at the thought of going to trial.

Objective Analysis. Your trust, and the trust of your client, are extremely important. Trust starts before trial and is cultivated through an objective evaluation that helps your client make the best possible decision based on known evidence. During trial, you will receive daily reports that summarize and assess the day's events and their impact on trial strategy.

Familiarity with Judges and the Opposition. S&O's active litigation practice fosters familiarity with Arizona trial judges – a valuable asset in light of judges' rotation on and off the Civil calendar. Because trial judges can be rigid and unforgiving, meeting deadlines and following their procedure is important. Even something as seemingly simple as the Final Pretrial Statement can be outcome determinative because an issue was not properly preserved or a crucial witness was not identified. And with increasing frequency, sanctions for non-disclosure of evidence and legal theories are used by opposing counsel to keep out crucial evidence. Each judge approaches non-disclosure issues differently.

Motion Practice. Motions can be vitally important. With S&O, you receive the benefit of skilled research and writing, producing concise, strategic dispositive motions and motions *in limine* which can limit issues or evidence at trial. At the same time, S&O trial lawyers are acutely sensitive to the unpredictability of such motions, given trial judges' inherent predisposition to "let the jury figure it out."

Technology at Trial. S&O employs the latest technology to help its presentation at trial. LexisNexis' leading-edge SANCTION litigation software allows the seamless use of documents, deposition testimony, photographs, videos and even live testimony in helping the jury understand the key issues and evidence, especially in opening statement and closing argument.

Recent Trial Experience

S&O's recent civil trial experience illustrates the firm's capacity to try a wide variety of cases:

- Negligent intersection design and maintenance
- Copyright infringement claims against an architect

- Business divorce involving parties' intent on share value
- Insurance bad faith involving denial of life insurance benefits
- Damages to a homeowner stemming from the HOA's common area maintenance
- Automobile accident involving a limousine company
- Defense of wrongful death and catastrophic injury claims involving multiple trucking companies
- Defense of claim for negligent spreading of infectious disease
- Construction defect claims against a subcontractor
- Multi-million-dollar subrogation claim against a manufacturer of an allegedly defective coffee maker
- Trespass and abuse of process
- Defamation claims between an employer and a former employee
- Civil claims stemming from alleged child molestation
- Conversion, breach of fiduciary duty and other intentional torts alleged against the employee of an architectural firm
- "Theft of services" allegations against a homeowner
- Violation of restrictive covenants between a pest control company and an employee

Contact Us

If you believe that you and your clients would benefit from our assistance, please contact:

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