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# TRAILBLAZERS

## LITIGATION

### EARL W. (BILLY) GUNN

WEINBERG WHEELER HUDGINS GUNN & DIAL



**PIONEER SPIRIT** Billy Gunn started as a general practitioner. He was considering becoming an investment banker, when an employer asked him to represent an employee accused of murder. He won the case on self-defense grounds. "I had so much fun doing that, I decided to devote all my time to trial practice."

**TRAILS BLAZED** Gunn says his cases are often indefensible. "My clients are mostly trying to control the damages." In situations like this, his credibility becomes extremely important. He rarely calls witnesses, except for the occasional expert. "The plaintiffs usually present the facts; they are what they are. We don't make facts; we just deal with them." One trial scheduled to go for 10 weeks lasted only five, and Gunn didn't present experts. "The demand was \$64 million, the client was willing to settle for \$24 million, and the jury came back requiring \$8.3 million. I think it's because the jury believed everything I had to say." In one case in Mexico involving catastrophic issues, the plaintiff's side tried to make claims around industry standards for safety. When a plaintiff witness testified on warnings, Gunn was able to cross-examine on the standards issues, obviating the need for his own witness. "My client offered \$9 million to settle, and the judgment ended up being \$1.5 million."

**FUTURE EXPLORATIONS** The practice of law has become more high-tech and less personal. "I was watching an email exchange where they were arguing about a threatened motion to compel and other things. I suggested just calling the guy, and 15 minutes later it was all worked out." He also believes that the future is bright for young lawyers who want to be trial lawyers. "The system generally works very well. I can't imagine doing anything other than what I do."



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