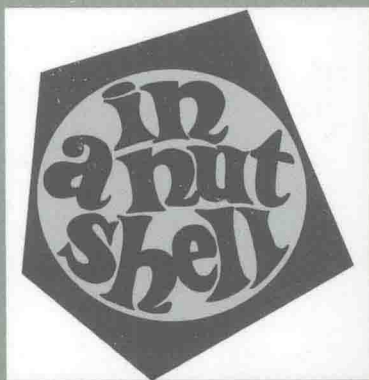


Pretrial Litigation



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R. LAWRENCE DESSEM

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PRETRIAL LITIGATION

IN A NUTSHELL

Fourth Edition

By

R. LAWRENCE DESSEM

Dean and Professor of Law
The University of Missouri



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PREFACE AND ACKNOWLEDGEMENTS

The West Nutshell Series is to serve as “a succinct exposition of the law to which a student or lawyer can turn for reliable guidance,” and this fourth edition of *Pretrial Litigation in a Nutshell* is written with this purpose in mind.

As with the earlier editions of this book, the text discusses both the law governing the civil pretrial process and the skills that counsel must employ during pretrial proceedings. The law discussed is that applicable to federal civil proceedings, primarily the Federal Rules of Civil Procedure. Major amendments to the Federal Rules of Civil Procedure became effective on December 1, 2006, while the Civil Rules Style Project resulted in extensive amendments to the language and style of the Rules that became effective on December 1, 2007. State counterparts to the Federal Rules of Civil Procedure have been adopted in a majority of jurisdictions, and the pretrial skills considered in the text are essential to lawyers in both state and federal practice.

This text can be used as an assigned text in a law school or continuing legal education course in pretrial litigation. The text also should prove a useful supplement in civil procedure courses or clinical courses involving civil pretrial practice. In addition, attorneys embarking on a litigation practice or who

PREFACE AND ACKNOWLEDGEMENTS

do not regularly handle civil lawsuits may find the text useful with respect to pretrial practice.

I thank those who have supported me in writing this text and in all else: my wife Beth Taylor Dessem and children Matthew, Lindsay, and Emily. My executive staff assistant Judy Tayloe and the staff of the University of Missouri School of Law also have provided significant help along the way. Ms. Whitney Pile made valuable research and editing contributions to this edition of this Nutshell. Those from whom I learned about pretrial litigation, and about being a lawyer, include Judge William K. Thomas and my friends and former colleagues in both the General Counsel's Office of the National Education Office and the Federal Programs Branch of the Civil Division of the United States Department of Justice. Finally, I appreciate the ability to use material from D. Binder & S. Price, *Legal Interviewing and Counseling: A Client-Centered Approach* (1977), which is reprinted with the permission of the West Group.

R. LAWRENCE DESSEM

Columbia, Missouri
December 6, 2007

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