



Persuasive Strategies for High-Stakes Litigation Success

In the fast-paced world of high-stakes litigation, success often comes down to preparation and a persuasive presentation. For more than three decades, IMS Senior Strategy Advisor Jason Barnes has been at the forefront of developing winning trial strategies for Am Law 200 firms and Fortune 500 companies nationwide. From complex intellectual property disputes to commercial litigation, Jason's expertise spans early case strategy, expert witness preparation, and visual advocacy.

In a recent LinkedIn Live conversation, Chris Dominic, Senior Jury Consulting Advisor at IMS, spoke with Jason Barnes about his decades of trial consulting experience. Together, they discussed how to distill complex technical evidence into compelling narratives, engage diverse audiences in the courtroom, and produce memorable moments that leave a lasting impact on jurors.

The Eastern District of Texas and the IP Revolution

Jason's journey into trial consulting began in 1998 with the founding of Barnes & Roberts. A year later, his firm was hired by Jones Day for a landmark patent dispute, *Texas Instruments v. Hyundai*, in Marshall, Texas. "It became the seminal case that started the intellectual property revolution in the Eastern District of Texas," Jason recalled.

That case launched a prolific career in IP litigation and solidified Jason's reputation in a region that would become a hub for patent trials. While intellectual property remains a cornerstone of his work, Jason's expertise spans products liability, commercial disputes, and white-collar defense, with significant experience in the Eastern District of Texas, the International Trade Commission, and courts across the country.

Strategic Thinking from the Start

One of Jason's core philosophies is the importance of shaping case strategy early. He explained, "Regardless of the case type, I ask: Can we tell a story that satisfies the head, the heart, and the gut?"

This triad, representing logic, empathy, and common sense, reflects how jurors absorb information and make decisions. Winning on the facts and law addresses the "head." Appealing to fairness and empathy speaks to the "heart." And ensuring the narrative aligns with common sense satisfies the "gut." For Jason, a truly persuasive case must resonate on all three levels for decision-makers.

Preparing Experts for Maximum Impact

Jason's passion for working with expert witnesses was evident throughout the conversation with Chris. "Experts are brilliant, but they're used to teaching PhD candidates," he said. "We help them reach jurors, lawyers, and judges, three very different audiences."

Visual aids are a highly effective method for conveying messages to diverse audiences. From coaching witnesses on the impact of simple whiteboards and charts to creating supplemental demonstratives that bring complex concepts to life, Jason's approach is hands-on and tailored to each expert's strengths.



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One standout example involved a tiny device, just an eighth of an inch square. Jason's team used 3D printing to enlarge the model, allowing jurors to hold it, examine it, and connect with the evidence in a tactile way while the witness explained its purpose and significance. "It became a social moment in the courtroom," he said, "and one that jurors wouldn't forget."

Integrating Visual Advocacy with Strategy

Jason is widely recognized for his mastery of visual communication, but he emphasizes that not every moment in the courtroom should have a graphic. "Sometimes, you want the jury's eyes on the attorney—no distractions," he said. Whether it involves an opening statement or a key witness examination, understanding where to direct attention is critical. "It's about stagecraft," Chris added, "and making sure the focus is exactly where it needs to be."

When visuals are used during trial, they must be purposeful and timed to keep jurors focused, such as following along on a timeline, studying a piece of evidence, or seeing an expert walk through a key concept.

The Advantage of an Integrated Trial Team

Jason and Chris closed their conversation by highlighting the power of true integration in litigation strategy. Jason credits IMS Legal Strategies' collaborative model as a key factor in client success. The model brings together pre-litigation strategy, jury consulting, expert witness services, and visual advocacy so that every element reinforces the larger case narrative.

"It's like eye-hand coordination—you need vision and dexterity working together," Jason explained. "By integrating our teams with the attorneys from the start, we can shape strategy, prepare witnesses, and test visuals long before trial. That early collaboration gives clients the most persuasive product possible."

Elevating Case Outcomes

Jason and Chris's insights reinforce that success in high-stakes litigation is never accidental but built on deliberate strategy, meticulous preparation, and seamless collaboration. From shaping case narratives that resonate with jurors to guiding experts in utilizing demonstratives that educate and engage, our team's multidisciplinary approach demonstrates the power of integrating strategic consulting, expert witness support, and visual advocacy from the very start.

Partner with IMS to transform complex facts into compelling courtroom presentations that win hearts, minds, and verdicts. Visit the links below to learn more and request a consultation.

IMS Legal Strategies serves trusted law firms and corporations worldwide to elevate strategies and protect reputations. IMS provides comprehensive solutions for complex legal and business matters, including specialized advisory and analytical support, global expert witness services, data-driven litigation consulting, powerful visual advocacy, and flawless presentation technology. As a strategic partner for the full case lifecycle, we work collaboratively with clients to uncover and analyze core arguments, develop a strong story around key themes, and deliver compelling presentations that reinforce the narrative.

IMS offers a fully integrated international team with decades of practical experience in more than 65,000 cases and 6,500 trials. We are driven to help clients overcome challenges and achieve the best possible results. Together, we win. **Visit imslegal.com for more.**