

## NEWS & INSIGHTS

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### JAMES GIBSON AND AMBER THOMPSON PUBLISH NUCLEAR VERDICT PREVENTION TIPS IN LAW.COM'S DAILY REPORT

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In today's politically polarized and socially fragmented culture, jurors are susceptible to emotional decision-making in the courtroom — and more likely to prioritize their own interests and beliefs over others. This phenomenon can manifest in the form of nuclear verdicts, a term used to describe exceptionally large jury verdicts, often totaling hundreds of millions of dollars or more.

Appeals have become a critical fail-safe to prevent corporate defendants from going bankrupt due to massive jury awards. As nuclear verdicts become more common, defense attorneys are developing strategies to reduce their likelihood, even as early as voir dire.

Lightfoot partner **James W. Gibson** and associate **Amber N. Thompson** recently published an article in **Law.com's Daily Report** discussing their tips for defense attorneys to prepare for and mitigate the risk of nuclear verdicts.

The article, "How Defense Attorneys Can Prepare for the Possibility of a Nuclear Verdict," explains what attorneys should consider when working with a jury, such as asking the right questions during voir dire, using neutral language and maintaining proper ethos with the jury. Gibson and Thompson also discuss why attorneys should consider an embedded appellate counsel during litigation.

"A cornerstone of a free democracy and the ultimate rationale for a jury of peers is morphing the digital age into a kind of divergence of reality that may undermine the dispassionate administration of justice in many jury trials," Gibson and Thompson write. "Further, and more challenging for attorneys representing corporate defendants, many of these splintered groups have archetypal enemies built into divergent narratives, many of whom may resemble the entities with which we are tasked with zealous advocacy."

A dedicated trial lawyer, Gibson has a diverse practice and significant courtroom experience. He develops complex cases, takes them to the courthouse, and works in a cost-efficient and results-oriented manner. Gibson has tried or arbitrated one or more cases every year since 2014 – which sets him apart from his contemporaries in the era of the "vanishing trial." His practice focuses on product liability, medical malpractice and consumer fraud defense. Gibson has also handled business disputes, toxic torts cases, legal malpractice cases, construction defect claims and class actions.

Thompson defends leading companies against product liability, environmental and toxic tort litigation nationwide, with a focus on the South and Midwest. Her clients include international automotive manufacturers, a leading wheelchair maker, a Fortune 100 natural oil and gas company and a multinational conglomerate. Thompson's recent matters include serving on the Lightfoot team prosecuting an Alabama Judicial Inquiry Commission trial for a Jefferson County judge accused of ethics violations.