

Michael Cowen:

This is Michael Cowan, and welcome to Trial Lawyer Nation.

Voiceover:

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Welcome to the award-winning podcast, Trial Lawyer Nation, your source to win bigger verdicts, get more cases, and manage your law firm. And now here's your host, noteworthy author, sought-after speaker, and renowned trial lawyer, Michael Cowan.

Michael Cowen:

Welcome to today's Trial Lawyer Nation. I am joined by one of our brilliant associates, Odalys Lopez. Odalys, how are you doing today?

Odalys Lopez:

I'm doing great, Michael. Thank you for having me.

Michael Cowen:

Well, thank you for coming on. I thought it'd be really valuable to share the insights of an up-and-coming lawyer. It's been a little while for me since I've been a new lawyer and it's easy to forget, so I'm really looking forward to talking to you.

But before we get started, as always, I want to say thank you to Law Pods. Law Pods is our sponsor. They produce the show for us. So before this they went and set it up and make sure our mics actually sound good. They do all the editing, they do all the production. They just make life really easy. So if you want to do a podcast, which is a fun thing to do, I highly recommend Law Pods.

So Odalys, tell me a little bit about yourself.

Odalys Lopez:

So I am from the Rio Grande Valley. I've been in San Antonio for about 10 years now, and I've been practicing for almost three years. I graduated law school in 2021. I went to St. Mary's. So I've been practicing for about almost three years now.

Michael Cowen:

Okay. And for our national listeners, the Valley is the most southern point of Texas on the Mexican border, closer to the Gulf Coast where you and I are both from.

Odalys Lopez:

Yes.

Michael Cowen:

So I just wanted to ask you just a little bit of background stuff. First of all, growing up, did you know you wanted to be a lawyer?

Odalys Lopez:

I thought about it since I was small.

Michael Cowen:

Really?

Odalys Lopez:

But yeah, since I was little, I would watch TV and I would hear about being a lawyer and it always kind of interested me. Then I went to college and then I was like, you know what? I really enjoy being a voice for other people. I love standing up for other people, and I think that's one of the biggest things that drew me to being an attorney.

Michael Cowen:

So what all have you done now? Almost three years, what kind of things have you done as a litigator?

Odalys Lopez:

I have been blessed with such a great job coming straight out of law school. So I have gotten to go to trial, I've been able to go to hearings, I've done a bunch of discovery, communicating with clients, communicating with before and after witnesses, getting their stories. I have gotten such great experience, especially working on Mallory's docket. It has really been amazing.

Michael Cowen:

Yeah, I mean I like all our lawyers, but you did get lucky when you grew Mallory as your partner you're going to work for.

Odalys Lopez:

I sure did.

Michael Cowen:

So tell us about that. So let's talk about trial. How far out were you when you first went to trial?

Odalys Lopez:

I was a little baby lawyer. I started with the firm in December of 2021, and then I got to go to trial with you in federal court in March of 2022. So I was with the firm a few months, and we went to trial, and you let me take on some witnesses, and that was a lot of fun.

Michael Cowen:

But not one of the verdicts we're going to put on the website. It was a tough case, but it was fun.

Odalys Lopez:

It was a very tough case.

Michael Cowen:

We got a verdict, it just wasn't the biggest one we ever had. But you got the experience, you got to have fun. So what was that like, the very first time you're going to question a witness in front of a real jury and in federal court of all places?

Odalys Lopez:

I was extremely nervous at first, but I had you as a great mentor to really just teach me and I got to see you, see the way that you question the witnesses and how you prepare for them. I think we did such a great job at preparing, going to the client's home and just really getting to hear their stories. So although I was very nervous, I had a lot of preparation. So once I got in the groove, I felt really confident in myself.

Michael Cowen:

I pretty quickly got thrown in solo whether I should have or not in trying cases. Do you think it was more nervous producing to do it with me there or would've been more nervous to do it by yourself?

Odalys Lopez:

I was very nervous to have you watching me, but at the same time, I felt like that was the best possible thing for me, because I was able to see what I was doing and what I was doing wrong, as opposed as if I was by myself, I was kind of like, "What am I doing?" So it was really great to get some feedback from you.

Michael Cowen:

What did you think about the new... It's a tradition now, but I started in that trial of having our celebration dinner the night before closing.

Odalys Lopez:

I love that. Although we weren't sure, you don't know what the verdict is going to be, I think it's such a great thing to go to dinner and just really celebrate that we get to be out there and that we get to do this trial is such a great experience. You're really out there and it's a rough few days or week or however long it is and you really put yourself out there, and it's really great to just sit down the day before and just really celebrate what we get to do.

Michael Cowen:

Now obviously you're not popping bottles and stuff and getting drunk the night before...

Odalys Lopez:

No.

Michael Cowen:

... before closing.

Odalys Lopez:

No, but just a nice dinner. Just a nice dinner to just talk about what we've done and how blessed we are to get to do this kind of thing.

Michael Cowen:

Yeah, I think the mindset is so important. So many people get burned out in this work, and I think one really difficult part about being a trial lawyer is that while we control what we put in, we put our preparation, our skill set, we don't control the outcome. We can be the best possible lawyers in the world and either the case isn't there or it just didn't go our way. We just didn't get the right jury. And no matter what you do, you can still lose or you can do a crappy job, do everything wrong, and still stumble into a win. And I think that when we only celebrate based on things that are outside of our control, it really messes with our mental health, so I really want to work on that. We're celebrating the fact that we are blessed with being able to do this, that we're going to have fun, we're going to enjoy it, and then we're going to let the jury take care of the rest. And we've done better since we've been doing that too.

Odalys Lopez:

Absolutely.

Michael Cowen:

Now, have you been back to trial since?

Odalys Lopez:

I have. So I got to do a trial with Mallory in Pennsylvania. It was a bench trial, so it was a little different, but it was really fun to get out there with Mallory and see her in her element. I learned so much. She did a closing on the fly, so it was really cool. I also got to take on some witnesses, so it was a really great experience.

Michael Cowen:

Absolutely. Yeah, because the judge originally was going to do briefing and then he changed it to oral. It's not that she wasn't planning on preparing, right?

Odalys Lopez:

Right, right.

Michael Cowen:

Just for the record here. Yeah. Both your trials have been federal court. How would you say that the Pennsylvania one was different than the Texas one?

Odalys Lopez:

Well, Pennsylvania, it was very, very different. The judge was very on the rules and what he wanted was very, very clear, so I think that was pretty much the same. It's just that we were in a different state. We still looked at the rules, we knew what we had to do, we knew. So it wasn't too, too different, I guess I would say.

Michael Cowen:

Yeah, I think a lot more of the lawyer from the state trying to intimidate or make you think there's something you didn't know even if you really did.

Odalys Lopez:

Yeah. I guess that would be the only difference that you kind of question yourself, "Am I doing this right?" But you look at the rules, you get a grip on what it is that you're doing.

Michael Cowen:

Yeah, I'm getting ready to try some cases in New Mexico and although for the case itself, I don't need local counsel, I'm actually bringing in someone who's tried a case in that court just to make sure that I'm worried about the things I don't know that I don't know, someone called "the unknown unknowns" a long time ago. And I don't want something just to explode on me without notice and then my client is harmed, so it's better to bring someone else in. I got to split the fee a little bit, but that's all right because worth it to make sure that my client gets the best possible trial and also I don't get the rug pulled out from under me.

Odalys Lopez:

Absolutely.

Michael Cowen:

So you actually did witnesses at trial before you did a deposition, which is not normal, but we finally having you do some, what? You defended a bunch of, and then now you're taking some.

Odalys Lopez:

Yes. So I've gotten to defend several depositions and now deposing. I've gotten to do a witness and I've gotten to do a driver. So hopefully get some more of those. I did a driver and I loved it. I was nervous at first, but once I got in there, I felt really good. I felt like I was asking the right questions, I was getting some good information. I know it's not always like that, but I felt really good in there.

Michael Cowen:

I got a really good report on you too afterwards.

Odalys Lopez:

Oh, awesome.

Michael Cowen:

I think everyone needs to know that. Like anything, I still get nervous sometimes. You don't get as nervous, but also after a loss, I'm more nervous the next time to go in there because something bad just happened last time. So we all get nervous, but usually once you get going, it goes away. And the jury doesn't really remember that you were nervous the first five minutes. I don't think it works through. So let's talk about defending depositions. What are some of the biggest takeaways you've had from your experience defending depositions?

Odalys Lopez:

I think one of the biggest takeaways is try to prepare your client for things that you sometimes are not really prepared for yourself. There's times where I've been in defending depositions where my client sometimes is not... They don't understand the question correctly, so you have to prepare them for taking pauses, really understanding the question, and taking breaks so they can take a breather. I think that's one of the biggest takeaways from defending depositions that your clients are very, very nervous in these depositions. So you really want to, I think, make them feel confident and make them feel that... prepare them so they feel confident, and also show them that you feel confident, and I think that will really help them.

Michael Cowen:

Absolutely. What did you do to get ready to defend a depo? What did you do to get that knowledge?

Odalys Lopez:

So I look at the entirety of the case. I will read any important documents, I'll look through all their medical records, I will look at if we have any kind of expert files, I'll look at the expert files, I'll review their discovery. Anything you can think of in a file, I will review. And then I make myself an outline with anything, important things I know these are main takeaways I have to hit with my client. And then I will go through any kind of medical treatment, if they've had any injuries before, and I will really hit on their damages. So Mallory has given me great ways to hit on their damages. She'll have me break up the damages and really help me explain the pain that they're feeling and help them get those kinds of examples and what it is, because sometimes they have a hard time explaining their pain and their limitations. So I really try to focus on that.

Michael Cowen:

And how did you learn to do that?

Odalys Lopez:

And also our 3:00 PM trainings. I think our 3:00 PM trainings on Fridays, when we get to talk about preparing for depositions. So I think that has been super helpful. But when I've seen the way that we prepare clients, she has given me diagrams of the body and she'll explain how does the pain feel here, and just really have them go through it, and I think that's very helpful.

Michael Cowen:

And you're so lucky you were working with Mallory instead of me because Mallory had to figure things out for herself, because I am not good at witness rep. I've been told I don't have ADD, but I sometimes wonder, because I just, after about 10 minutes, 15 minutes, I'm wandering. It's just not my skillset. I'm more of an attack person than a defense person. Yeah, but I think did you watch her do depositions and watch her prep people before you did it yourself, or watch Robert? Or how did you do that?

Odalys Lopez:

I did. So I started off with watching Robert. So Robert, such an amazing lawyer. Whenever I first started, I worked a lot with him, so I would watch him do a lot of depo prep. So that's also another way that I really learned. And then I started watching Mallory do them and I watched her take depositions. I think that's one of the best ways that I've learned at this firm is by watching other attorneys do depositions or do hearings because it really teaches you to find your style and how it is that you want to do it yourself.

Michael Cowen:

That's Robert Disk, for the listeners. He's been on the podcast before. He was also on you and Mallory's team, but then recently got promoted and now he has his own team.

Odalys Lopez:

Yes.

Michael Cowen:

You mentioned the Friday three o'clock trainings. For the listeners, can you tell us a little bit more about what those are?

Odalys Lopez:

Yeah. So on Fridays, sometimes it'll be all the attorneys, sometimes it'll be attorneys, paralegals, but we get together, and the topic is picked beforehand. We all get to chime in on what topics we think we want more training on. This past Friday, we had a great topic about defending depositions. So we'll get together and somebody will present on the topic that everybody thinks that is needed, and we'll talk about that topic and we get such great stories from all the attorneys and their way of doing it. I think they are extremely helpful. I know that you guys are going to have a get-together on picking the trainings, because I'm ready to come up with some topics.

Michael Cowen:

Oh good. Talk to Christine. She's the associate rep on that. I think it's Christine, Lauren, me on the committee, but let me know.

Odalys Lopez:

It is, yeah. Christine and I will talk about those. Yeah.

Michael Cowen:

Awesome. And you can also let me know, because obviously I want to make it useful for you. I don't just need to hear myself talk. Well good, I'm glad you find those useful. It's a lot of work on my end, but I think for me to have the firm I want to have, we have to have training. Plus it really occurred to me, I think it was a number of years ago, we were working with Rodney Ju, a trial consultant, and going and working up this case, the third case in a row, we're going after a company for not training its employees properly. And I'm thinking, well, we're really hypocrites, because we go after these defendants for not training people. Like, what are we doing to train ourselves? So we really wanted to walk the walk and really start trying to get better and trying to train each other.

And I do like the fact that it is not just a lecture, but then we open it up at the end so that different lawyers would share their experiences and ask their questions. The other thing, I'm just wondering to what extent you get anything out of it or don't. You can be honest with me. We do our case valuations on Tuesdays, where before someone can send a demand or go to mediation, they have to present the case to the rest of the firm. Can you tell us a little bit about what you think about that?

Odalys Lopez:

I really enjoy case valuations. I like seeing the way the attorneys value their cases and what things are good for us and what things are not good for us, what things we're looking for. And it also helps you,

sometimes they'll ask you questions that you hadn't even thought of that you should be looking for, so to prepare your case even more. So I think they're super helpful. That was one of my goals back... I can't remember when it was, but during my attorney development meetings, I had told Mallory one of my goals is really learning how to value cases in case valuation meetings. I want to be able to come up with numbers and come up with ideas on how to hire the value of the case.

Michael Cowen:

Yeah, I agree. I think it's so important. I mean, I've both seen people that would've settled a case cheaper than they should have had they not been there, especially when a case really wasn't ready to settle. An example as a client had a radiofrequency ablation and a newer lawyer who isn't familiar with the thing saying, "Well, the client's pain free now. We need to get the case settled." And it's like, no, that pain, usually it goes away, but usually six or twelve months later it's back and they have to repeat it. You have to get them over and over again for life. We need to find out whether that's going to happen or not before we can value the case."

Sometimes it's inexperience, sometimes we just believe our own BS, but they totally overvalue a case, and they're going to go walk into a minefield, and being talked down off the ledge I think is important too. I think sometimes not just the setting the values but the ideas for like "Go back and do this" because it's going to add more value has been so good for our clients and our referral partners.

Odalys Lopez:

Absolutely.

Michael Cowen:

So any programs you've been to, seminars, training programs, or anything else that you've found helpful?

Odalys Lopez:

So many programs. I have again been blessed with being at a firm that we get to go to so many programs, so many CLEs. I have gotten to do... Probably one of my favorites was when we went to Montana and we drove eighteen-wheelers. I thought that was one of the best things ever. It really gives you a different perspective into getting behind the wheel and seeing what these drivers really are doing. So I've gotten to do that. I've gotten to go to the depositions college. I've gotten to go to so many of the ATAA AJ seminars. So they've all been so great. And the networking that you get out of them I think is invaluable. I've met so many great people, especially hanging around with you. I've gotten to meet so many awesome attorneys.

Michael Cowen:

It's a great bunch, and the plaintiffs world, we are pretty good about helping each other. But when you've actually met someone, I just think you're more likely to pick up the phone and call them back or respond to that email. I mean, you want to help everybody, but there's only so many hours of the day. But when you actually know the person, you're going to see them again, you're a lot more likely to return the call or to go out of your way to find the file instead of just giving a two-sentence email back. So I think it is so important to that.

You get this kind of stuff at three o'clock trainings all the time, but if people want to get a feel for what kind of stuff we share at our firm, we got our Big Rig Boot Camp coming up in July, July 12th here in San

Antonio, Texas. It's cheap. It's going to be fun. If any y'all want to come and I really would like to get a lot of people there, it's bigrigbootcamp.com. Registration is open. Again, that's bigrigbootcamp.com. You can come meet Odalys and Mallory and me and Sonia and Robert, everyone else on the team. We'd love to have you.

Odalys Lopez:

I have learned so much from Big Rig Boot Camp. I highly recommend anybody who has not attended to get out there. Michael knows all there is about trucking, and it's an invaluable experience in my opinion.

Michael Cowen:

Yeah. We're doing some really cool stuff this year too. We bought what they call a telematic system, one of the ones that's like the GPS where it shows how fast the truck is going, where it is, whether it's breaking too hard, turning too hard. And so right now I got a call with our expert tomorrow. We're doing a bunch of experiments with that, and we're going to show you, this is how the trucking company can set it up. These are the alerts the trucking company gets. This is the kind of safety scorecard the trucking company gets. I'm trying to figure out a way to also get electronic logging device and cheat on it.

Odalys Lopez:

Oh, fun.

Michael Cowen:

The problem is everyone I know that has one, they don't want to go actually cheat on it, which I get. We have to make sure they're not on public roads, they're not driving in transport. So I don't know that I can get the EOD cheating done in time for the bootcamp, but we definitely are going to have all the telematic stuff. That's going to be new. We're going to work with a real expert and put on a direct exam. So we're not just going to talk about the theory, but we're going to show both what visuals to use, how to prep the expert, how to get the expert to testify well, and of course lots of other things. It's going to be a great program. And just things we've never done before, things we normally don't share outside the firm. But because this is going to be live only, it's not going to be sold afterwards on trial guides this time, it's not going to be a virtual option. So that way we can make sure it's only plaintiffs lawyers there that we have vetted, and then I can really reveal everything.

Because even the podcast, I try to be open, honest to the podcast, but I've seen the podcast cited in motions in limine and also appellate briefs both involving our firm and involving other guests we've had on there. And so we share 90% of the stuff, but at the bootcamp, I can really go in and dig deep and share secrets that I normally wouldn't want the defense to hear or anyone who'd been on the other side to hear. So really hope you all come. Again, it's bigrigbootcamp.com.

Voiceover:

Each year the law firm of Cowan Rodriguez Peacock pays millions of dollars in co-counsel fees to attorneys nationwide on trucking and commercial vehicle cases. If you have an injury case involving death or catastrophic injuries and would like to partner with our firm, please contact us by calling 210-941-1301 to discuss the case in detail and see where we can add value in a partnership. And now, back to the show.

Michael Cowen:

Okay. Well, as far as your development, what is your future plans? What's your next step? And then let's start with your next step and then I'm going to ask you where you eventually want to be.

Odalys Lopez:

Well, so I hope to continue just learning so much from all the attorneys at our firm. Mallory has also given me three cases on her docket now. So I've been handling those, getting the clients into medical treatment, deciding when we're going to file a lawsuit. We just had filed a review today, so deciding what our next steps are in the case. So that's been really fun, just getting more experience. I hope to eventually have a docket in this firm and just continue growing in my career.

Michael Cowen:

What could we do to better help you take the next steps in your career?

Odalys Lopez:

I think just more of exactly the same that we're already doing. I think I have a great boss and mentor who just teaches me so much. I think my attorney development meetings are so helpful because I know if I'm doing things right, if I'm doing things wrong, what else I can be doing. And then also, Mallory has such an open-door policy that anytime I have a question or anything really when it comes to my work, I can pop in there and ask her anything. She'll teach me so many things. I think more of the 3:00 PM trainings, the case valuations, the CLEs, I think those are all invaluable. So I think just more of the same. I really can't think of anything else that we could be doing.

Michael Cowen:

Is there anything in the past that we could have done better? I know we're not perfect. We can be honest. This is not something we have to hide here.

Odalys Lopez:

It's a good question, Michael.

Michael Cowen:

I know it's your chance to tell your boss how he sucks. I mean, you don't get these very often.

Odalys Lopez:

No, I don't think there's really anything, honestly. I think it all has been really great. Anytime I talk about with my other attorney friends where I work and the things that we get to do, I don't hear that people have the same kind of experience straight out of law school, unfortunately. I think it's been all really great. I've gotten so much great experience, hands-on experience. I haven't been just thrown into anything. I've slowly been on the ropes of anything I've been doing, so I really can't think of anything that we could have done better. I think I've been progressing well, hopefully, and I think I've been doing great.

Michael Cowen:

Well, now that I want to be super transparent now with our audience, you've been here and you're going on three years, right?

Odalys Lopez:

Three years.

Michael Cowen:

It just flies by. I apologize. Of our three associates, you're the only one who's been here for the three years, and not the other two that were hired at the same time as you aren't here anymore, and by their choice. What do you think is the difference between you who have thrived and you've had a great experience and the people that have chosen that this wasn't the right firm for them?

Odalys Lopez:

I guess maybe it was just they wanted something different. They wanted different... whether it be a different field or to be solo. I don't think necessarily that it was that they weren't doing great. It was just that they just wanted something different. So many times I have been so great with Mallory. I think we were just such a great fit for one another. Hopefully she feels the same. I think we've just been such a great fit that I think that's really why I've thrived in this firm. I think my fit with Mallory and the way that she's guided me and taught me has been probably the best thing for me to grow in this firm.

Michael Cowen:

Well, I guess depending on what happens at mediation this afternoon, you may be trying a case in the third state this June.

Odalys Lopez:

Yeah, I know. We'll see.

Michael Cowen:

You and Mallory have a case set in New Mexico while I'm on vacation, so you all would have to go knock that one out. I'm sure you all do great. Did you have any attorneys in the family or...

Odalys Lopez:

No, I'm the first attorney in my family.

Michael Cowen:

What do you think it is that made you think... Where we're from, the Rio Grande Valley unfortunately has one of the highest poverty levels in the United States, one of the lowest education levels in the United States. I think we're right there with, I don't want to slam other states, but unfortunately, Cameron County, where I'm from, the county over, for years was the lowest in per capita income, really high dropout rate, really low college education rate. And I think a lot of people have these self-limiting beliefs that because no one they know has made it that they can't make it either. So what do you think made you believe you could do this? You could go and graduate college, go to law school, become a lawyer?

Odalys Lopez:

My parents. My parents have always told me the sky's the limit. You can do anything that you want to do. I truly owe it to them that they have pushed me and given me the confidence to really put myself out there, and it really just takes some discipline and hard work, and anything you want can be yours.

Michael Cowen:

That's good. My mother, she was a teacher and then she became a guidance counselor in the high school in Brownsville, and she had to fight so many parents that they did not want their kids going off to college. They wanted the kids to go work. They didn't understand why would you spend this money, why would you get this debt? It's not going to help. We need them to work and help the family. She worked with the migrant program, so you'd have migrant farm workers. And because they're having to move from South Texas to Michigan or wherever they were going to harvest the crops, didn't coincide with school year so they would try to do programs back before Zoom doing remote work or accelerated work so these kids could actually go and progress through high school. But it was very difficult to overcome that mindset of like, "Well, that's for other people. That can't happen to us." And I think it's so great that you had parents that did not perpetuate that mindset.

Odalys Lopez:

Yeah, no, my dad is a truck driver, and so he has always told me, "What I do is for you all to have a better life, for you not to have to work hard labor jobs. Go out there, get an education, and make a great life and career for yourself."

Michael Cowen:

Your dad's a truck driver?

Odalys Lopez:

He is.

Michael Cowen:

And you work for a law firm that specializes in suing trucking companies. How does Christmas dinner work?

Odalys Lopez:

When I first started this job, he was a little adverse about it. He was never nasty about it or anything, but he would poke at me and make fun of me. But once I really told him, I think that's one of the big things that drew me. Whenever I first heard about this job opening, I researched the firm. I was really looking into what it was to be a trucking lawyer, and I did speak to my dad about it. And my dad has been a truck driver for almost 20 years now, and he has not always worked for some great companies. So I felt like coming into this field was just making a small little difference in not only passenger vehicles, but also in truck drivers' lives in holding trucking companies accountable for vetting their drivers, training, not violating hours of service. I felt like that also keeps truck drivers safe. So once I really explained to him what I believed and what we stood for, now he's all for it.

Michael Cowen:

Oh, good. I really do think that that part of your background gives you a big advantage, because I think one problem that we can have is we all talk to each other on our side, and there is a tendency to demonize or dehumanize your opponent, and that they're all bad, that they're all idiots, that they're not good people, which is so wrong because most truck drivers, I think 90-something percent of them are good people trying hard to make a living in difficult circumstances. And you have a few crazy ones out there, but most of them, they're being pushed by economic pressures and company pressures to work

too much, to drive too fast, to push in conditions where they shouldn't. And I think the more we empathy for them, the more real we are because the jury doesn't hate them walking in there.

And so if we go in there all hostile and they're like, "Well, who are these jerks that are so hostile and arrogant and looking down on those people." I think treating the driver on their side with respect and even maybe love is too strong, but empathy, definitely trying to see their point of view, and see how can they be good people and merely make it about the company and not about them. And I think it makes the case better, it makes the story better, and also, it feels better.

Odalys Lopez:

Absolutely. And I think that was one of the biggest things I took away from when we went to the driving school in Montana, once you get behind that wheel, I mean just the minutes or however long we were behind that wheel, we're like, "Wow, this is crazy. And it's tiring. And it was a lot. It really gives you a different kind of I would say respect for these truck drivers.

Michael Cowen:

And for anyone who's interested, the program, you can do it through ATAA, which is the Academy of Truck Accident Attorneys. If you're an ATAA member, which you should be, it's a great, great organization. I think if you want to do trucking, it's the best organization to be in. AJ's trucking litigation group is good too, but I think ATAA is just a little step above right now. They do that once a year where you can sign up. Also, we just contacted owner of Legacy Truck School, the trucking school up there in Montana, because we wanted to do it ourselves. We had more people than they were going to have room for with the ATAA program, so we brought up some referring partners. We brought up our whole firm. We had 20 people. We had a great time, but we also all got to drive trucks. And I think it really does give you such a different perspective when you've been behind the wheel of a tractor trailer as opposed to just watching a video or reading about it in a book.

Odalys Lopez:

It really does.

Michael Cowen:

And there's cases that I won't take now. There's cases where I know that they're BSing me like, "Oh, they say they couldn't see somebody. There's blind spots." If you adjust your mirrors, you have no blind spots on the side. But then there's some other kind of cases like on a dark road, a dark highway and there's a pedestrian, dark clothes, crossing the road. It really is hard to see them.

Odalys Lopez:

Oh yeah.

Michael Cowen:

[inaudible 00:31:49] there's something really convincing me, there's cases that I might not take anymore.

Odalys Lopez:

Right.

Michael Cowen:

Okay. We've talked about our 3:00 PM trainings, we've talked about our workshops, the one-on-one work Mallory's done with you, showing you how to do something and letting you watch her and stuff like that. Are there other things we've done at the firm that have helped you develop as a lawyer?

Odalys Lopez:

Another thing I've really enjoyed is when we have a work day on some cases. So in our work day, when we really go through the case and really come up with what our story is, I have found those extremely helpful.

Michael Cowen:

Yeah. I think that's so important. You just take sometimes the full day, sometimes a half day, but you turn off your ringer, turn off your email, all get into one room, and just dive deep into the case. And it's just that focus. I think three hours is about the minimum time to do something like that. And it takes a little while to kind of get up and going and remember where you were before. There's a big difference between doing three hours straight and three... one hour Monday, one hour Wednesday, one hour Friday. It's so different. You really need to take the time to do that deep work. And I think it's so much better also to do it with a group as opposed to one person, because the Rodney Ju saying, and I don't know if Rodney came up with it or he got it from someone else, but no one is as smart as everyone, which is when even though I've been doing this for a while, I don't have all the answers.

And you're equally likely to come up with something, a different angle, a different idea that's going to make the case that if you weren't in the room might not come up. So when we work in groups, and if you're a solo, a lot of our listeners are solos, get a friend group. And that's what I used to do is if you can't have a group of people that you work with, and they don't have to be lawyers, even paralegals, non-lawyers can join. But if you don't have that at your firm, get two, three, four friends together and say, "Look, we're going to meet twice a month or once a week and we're going to take turns bringing a case, and we're going to take an afternoon and brainstorm each other's cases and help each other." It really will make a difference, and you'll all end up doing much better.

The big hits that move you forward, not only financially but reputationally, when you start getting.. They say big cases beget big cases. Once you start getting big results, then people will give you more opportunities to do bigger cases, then you get more big results, then you get more opportunities, and it just really explodes. So when you really pour the resources into those big cases, it really makes a difference. But it doesn't have to be a death case, and it's whatever your biggest case is at your office. So if you've got 10 cases with chiropractor only and you have one case where the doctor recommended surgery, well then go spend three hours, four hours on that one case to figure out how you're going to make a 200 or \$250,000 case instead of a \$100,000 case. Really, that's how you move up, that's how you get better, and honestly, that's what I like doing most other than trying cases is the work days.

Odalys Lopez:

I really enjoy them too. I get to see everybody's different ideas, what they're looking for. And like I mentioned, coming up with what our story is going to be when we get to trial, I think they're very, very, very valuable.

Michael Cowen:

One other thing, I forgot to follow up with you on this. You mentioned an attorney development meeting earlier in our interview. What is an attorney development meeting?

Odalys Lopez:

So our attorney development meetings, we have them once a month, and we don't go through it every single time, but we have an Excel spreadsheet where we go through all the goals that the associates should be meeting and any other goals that the associate has as an individual. So we'll sit down, Mallory and Brett, Brett will also join us. So we'll sit down in our meetings and we'll go through how I've been doing and how I feel with the firm. Also, if there's anything, if I'm getting good feedback, do we need to change the way that we're communicating, do we need to change the way that I'm getting feedback, the way Mallory reviews my things, anything like that. And then also getting feedback on myself. Am I doing what I should be doing? Do I need to be better at something? Am I doing great at this? Am I doing the things I enjoy doing?

That's another thing that I love about Mallory. She asks me, "Are you enjoying what you're doing? Is there anything that you would rather be working on than this?" And also it's an opportunity for me to also say, "Hey, I saw this CLE that I really want to attend," or anything like that. And so I really enjoy them. I think they're very helpful. It really gives me a feel for what I've been doing and just make sure that I'm on the right track.

Michael Cowen:

And just so people know, Brett Long is our... We call him our Chief Galvanizing Officer. He is a retired sergeant major, 31 years in the Army, helped run vet clinics and medical clinics in the Army, so I thought he would be good at helping us one, develop as leaders, but also making sure that we're all staying on track and doing what you're doing, because even the best lawyer, we get so caught up on one case, which is important, we've got to do our deep dives, but it's easy to let little things slide on other ones, so kind of keeping us all on track. And then we talked about goals. What type of goals, as going into a three-year associate, what kind of goals have you been working on that are on that spreadsheet?

Odalys Lopez:

There are a bunch of goals that we have on that spreadsheet, anywhere from identifying, starting with medical treatment, being able to identify what medical treatment, if any, is coming up next, is our client done, and anything like that, talking to experts. I think that's one of my biggest goals coming up, I really want to learn how to communicate with experts and what I should be looking for in their expert reports. We also have goals having to do with discovery, answering discovery, what we should be requesting in discovery, compelling discovery.

We also have things like communicating with clients and before and after witnesses, like I mentioned, getting those stories out from the before and after witnesses. You asked me another way that I learned how to prepare clients for the depositions. I've sat in some great Pat Montes sessions, and that's also been a great way for me to really, really get these stories out and speak to these clients and see how it is that they're feeling and prepare them for their depositions. But we have all different sorts of goals. And I find them very, very helpful to keep track of "Am I meeting this? What else do I need to be working on?" And we also have it in a green, red, yellow way. So yellow, you've done it a few times, but you could use a little bit more practice. And then green, you're good.

Michael Cowen:

And red doesn't mean there's anything wrong with you, it just means you haven't learned the skill yet.

Odalys Lopez:

It just means you haven't touched it for whatever reason. It just hasn't come up. It's not that you're bad at it necessarily.

Michael Cowen:

Yeah. And just so you talked about Pat Montes sessions. Pat, she's been on the podcast before, but she is a lawyer, but she is the best person in the universe at preparing witnesses. And it's like a day-long process, but she really gets their stories out and teaches them how to tell their story and teaches you how to tell their story. She is growing. I shouldn't mention her anymore because she's getting so busy, it's hard to work with her. It's easy to work with her once you get her in there, but she gets way booked up, so I probably should stop saying such great things about her, but I love her so much I can't help myself.

And I think the goals are so important. We really sat down and looked at like, "Okay, for you to master your craft and do your job with less supervision, and then for you to move to the next level, what are the skills you need to master?" So we just put a list on the spreadsheet and then when you start, it's going to be all red because you don't know how to do anything. And then as you master different things, it goes to yellow when you can do it, but you still need help, and then green is I don't even have to double check your work anymore. The goal is all green, but also it's a multi-year thing as we're... you having part of these discussions.

But as we're thinking about the future growth of the firm and what the career path is for people and how we work all that, we've really been thinking about like, "Okay, what are the next steps here? What is that process going to be so that there is a path forward?" And hopefully a more clear path forward, although it's going to be probably the rest of the year to develop that. Sorry, I don't want to get it wrong. Okay. Well, Odalys, anything else?

Odalys Lopez:

No, I think we talked about some great things and I really appreciate you giving me the opportunity to hop on this podcast. That's another way I learned about the firm. I listened to your podcast, and it's really awesome to get to be a guest on here. Thank you, Michael.

Michael Cowen:

No problem. I have one last question. I'm sure some people, I've asked you this before, but I'm sure some people are asking, you have such a cool name. What's the story of Odalys as a name?

Odalys Lopez:

There's really no backstory. Well, I guess my mom saw... I believe it was a girl from a novella. She really liked her name, and that's how she chose my name. I know. I get it all the time that it's a unique name, and sometimes hard to pronounce, I know, but-

Michael Cowen:

It's not hard to pronounce.

Odalys Lopez:

I [inaudible 00:40:51].

Michael Cowen:

It's just you need to correct... Everyone mispronounces it, and you don't correct them, and you got to correct them, because it drives me... Because I get this... I took the time to learn to say your name right. Everyone else can too. It's not Odalys, it's Odalys, right?

Odalys Lopez:

Yes, Odalys.

Michael Cowen:

Speak up. Don't let them... You got to take your power. They don't want to mispronounce your name. Well, thank you so much for coming on. It's been a joy to watch you develop as a lawyer. I love practicing with you. It's fun to have you on the podcast, and I'm sure after you get your next big verdict, we can come back on and talk about it some more and how much more you've developed. For everyone else, if you want to continue your developing, please join us at the Big Rig Boot Camp in San Antonio, Texas on July 12th. That's bigrigbootcamp.com. And come back next time on Trial Lawyer Nation.

Odalys Lopez:

Thank you, Michael.

Michael Cowen:

Thank you for joining us on Trial Lawyer Nation. I hope you enjoyed our show. If you'd like to receive updates, insider information, and more from Trial Lawyer Nation, sign up for our mailing list at triallawyernation.com. You could also visit our episodes page on the website for show notes and direct links to any resources in this or any past episode. To help more attorneys find our podcast, please like, share and subscribe to our podcast on any of our social media outlets. If you'd like access to exclusive plaintiff lawyer-only content in live monthly discussions with me, send a request to join the Trial Lawyer Nation Insider Circle Facebook group. Thanks again for tuning in. I look forward to having you with us next time on Trial Lawyer Nation.

Voiceover:

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