

Part II: Scott Seaman and Diane Webster Discuss Litigation Strategies to Challenge Plaintiff Counsel Reptile Theory Tactics

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Scott Seaman, Hinshaw partner and Chicago-based co-chair of Hinshaw’s Global Insurance Services Practice Group, and Diane Webster—partner-in-charge of Hinshaw’s Chicago office—have published the second and final installment of their *Law360* Expert Analysis series that discusses the highly successful plaintiff litigation “reptile theory” strategy. In this article, the authors focus on how insurers and corporate policyholders can counter reptile tactics.

Seaman and Webster offer strategies to successfully challenge reptile tactics, including identifying cases susceptible to reptile theory promptly; informing the jury of the tactics; and humanizing the defendant to appeal to the jury. They add that traditional litigation strategies and an emphasis on applicable rules of evidence are also effective methods to defeat plaintiffs’ reptile tactics.

“Through prompt identification of the reptile theory, proper preparation, cogent trial and pretrial strategy, and proper use of the traditional tools available to defendants and their counsel, the reptile can be captured and rendered the way of the dinosaur,” they say.

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“Taming Plaintiffs’ Thriving ‘Reptile’ Tactics: How To Start” was published by *Law360* on July 26, 2022.

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