

#### Contact

---

##### Houston

1200 Smith Street, Suite 1400  
Houston, Texas 77002-4310  
Tel: 713.658.1818  
Fax: 713.658.2553

##### Atlanta

191 Peachtree Street, N.E.,  
Forty-Sixth Floor  
Atlanta, Georgia 30303  
Tel: 404.659.1410  
Fax: 404.659.1852

##### Philadelphia

50 South 16th Street, Suite  
1700  
Philadelphia, PA 19102  
Tel: 610.772.2300  
Fax: 610.772.2305

##### San Antonio

112 East Pecan Street, Suite  
1450  
San Antonio, Texas 78205  
Tel: 210.253.8383  
Fax: 210.253.8384

## Gambling With Doctrine Of Chances In Construction Cases

*Law360*

December 2016

In an article published by Law360 on Dec. 9, 2016, Gregg Jacobson offers guidance to businesses undergoing civil construction cases that may be able to use the Federal Rule of Evidence 404(b) in their favor. The article details the civil application of the Rule and explains how the “doctrine of chances” can be useful. Jacobson emphasizes that “Rule 404(b), at its heart, prevents evidence of a person’s character from being admitted at trial to prove that the person acted in accordance with that character or trait.” He goes on to discuss the doctrine of chances, stating, “Courts allow evidence under Rule 404(b) exceptions other than those listed in the statute. Yet in few cases do courts mention any attempt to use other exceptions, such as the doctrine of chances.” For the full article, subscribers may [click here](#).