

## Trial Pros: Holwell Shuster's Mike Shuster

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Michael S. Shuster is co-founder of Holwell Shuster & Goldberg and represents corporate, financial and individual clients in complex commercial disputes involving a wide range of legal and business issues.

Shuster has won significant matters for U.S. Bank, HSBC and others in litigation over residential mortgage-backed securities, and has been named coordinating counsel across the world's largest portfolio of putback claims for Freddie Mac. He also represents Visa Inc. in the largest series of antitrust cases currently pending in the country relating to credit card "swipe fees" against the largest retailers in the world, including Wal-Mart, Home Depot, Target, Amazon and Delta Airlines.



Michael S. Shuster

In addition to his experience trying cases in federal and state courts, Shuster has tried arbitrations under the rules of the ICC, AAA and other arbitral bodies.

### **Q: What's the most interesting trial you've worked on and why?**

A: In a trial in the Southern District of New York, we represented Landoil, a Philippines-based construction group, in connection with political risk insurance claims against Alexander & Alexander, an insurance broker, relating to errors and omissions in the placing of the coverage that resulted in a denial of coverage by Lloyd's of London. The insurance covered various construction projects in the Middle East, and the claims resulted from conduct by the governments of Iraq and Libya causing losses to our client.

### **Q: What's the most unexpected or amusing thing you've experienced while working on a trial?**

A: A witness once looked at me like I had three heads when I asked her the first substantive question of my direct examination, which I had rehearsed with her at great length.

### **Q: What does your trial prep routine consist of?**

A: At least a month prior to openings, I let all my colleagues and clients (not to mention my family) know I'll be largely disappearing to prepare for trial, and make arrangements to ensure that I won't be distracted by matters unrelated to the trial. I focus initially on the overall trial plan, the themes we intend to hammer on, the documents and witnesses we intend to present, what we can expect from the other side and what instructions the jurors will receive. I then focus on preparing the opening and my

witness examinations. I meet with the entire team once a day to review progress on other trial preparation activities and other pretrial developments. Days are long, and as trial approaches I try to taper down slightly so I'm fresh and energetic when it counts.

**Q: If you could give just one piece of advice to a lawyer on the eve of their first trial, what would it be?**

A: Trust in yourself and your preparation, and know in advance that there will probably be a curveball or two along the way. You've been wanting to do this for years, so enjoy it!

**Q: Name a trial attorney, outside your own firm, who has impressed you and tell us why.**

A: Sheron Korpus at Kasowitz Benson. He can really carve up a hostile witness.

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