

Trial Pros: Kilpatrick Townsend's Cole Ramey

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Cole B. Ramey is co-managing partner of the Dallas office of Kilpatrick Townsend & Stockton LLP.

Ramey is the son of a judge and trial attorney, and has been litigating and trying cases in state and federal courts in Texas and nationwide since 1990. He would prefer to be Anthony Bourdain but for the time being is keeping his day job.



Cole B. Ramey

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

A: Representing the Pennsylvania Public School Employees Retirement System in a dispute regarding the ownership and sale of a hotel in San Antonio. Four years of litigation, millions of dollars in fees, six weeks of trial, a nearly \$40 million jury verdict for my client and four years of appeals — all because of a single one-page letter sent on the eve of a property closing. It's why I always advise clients that it's easy to throw bombs, but don't ever think that you can control the explosion.

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

A: The most unexpected thing I experienced in my first trial — and I'm reminded of it after every trial — is how hard the jury works, how seriously they take their jobs and how rarely they are fooled by gimmicks. I'm also amazed at how many times the opposing counsel in a hotly contested case has become a close friend after the trial. It says something about what we do.

Q: What does your trial prep routine consist of?

A: As for the mechanics of it, I read every line of every significant pleading in the case, and then every line of every deposition in the case, summarizing them myself as I go. In longhand if possible, just for the mental exercise of making myself write it down. Then reviewing every trial exhibit of both parties, and summarizing the high points of each. I then prepare the exam for each witness, and the opening and the voir dire based on everything I've digested. I keep this all on a single document that I add to as I go, and by the end of the prep, I stick it all in a black binder and that's all I carry around with me.

My family has pretty much learned to just leave town to spare themselves the boredom of dealing with my robotics during this time period. I believe that my kids probably associate "trial" with going to the beach.

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: You're nervous, and it's going to be a little worse in the morning when you're walking in there, but that's the worst of it. Once you stand up and hear your own voice, it gets easy. And fun. And you'll realize it's why you put up with the rest of it to get there. And when it's over, you're going to look back and miss it, and wish it was happening again. So enjoy it, because it doesn't happen often anymore.

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

A: So many, and I've seen all their names on Law360. Tom Melsheimer and Jeff Tillotson come to mind. Also Hubert Crouch, who was a mentor of mine.

But I'm going to venture outside the usual suspects and say Joe Mastrogiovanni of Mastrogiovanni & Mersky in Dallas. He does not market or promote himself in any way, and given a choice he'd much prefer to be lead guitarist in an 80s hair band. But he's the most quietly excellent and uncompromising lawyer I've ever been around, both in terms of his intellectual and courtroom abilities, and his care for both his clients and the ethical requirements of what we do. He's Atticus Finch as portrayed by Al Pacino, straight out of Tahlequah, Oklahoma. If I ever get in a jam, that's my first phone call.

Also Ken Broughton of Reed Smith LLP in Houston, who taught me that the most important qualities in a trial lawyer are to be yourself, and within that, to be likeable and credible. If other people trust you and want you to do well, more often than not, you will.

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