



Hailey Drescher, PhD

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Hailey Drescher is a Senior Consultant of Trask Consulting, a boutique litigation strategy, jury research and trial consulting firm with offices in San Francisco, Houston and New York.

CAREER

Trask Consulting Senior Consultant 2012-Present

Dr. Drescher has consulted on a variety of civil and criminal cases in both State and Federal courts across the country. Her blend of communication and performance training make her an asset when preparing witnesses, crafting case themes and narratives, identifying sympathetic and non-sympathetic jurors during voir dire, and strategically communicating complex information to jurors. Dr. Drescher is adept in both quantitative and qualitative methods allowing for a comprehensive design and analysis of pre-trial research. Over her career, Dr. Drescher has been involved in jury trials across the United States and U.S. territories. Some of her more notable engagements include assisting:

- Plaintiffs in *Fractus v. AT&T Mobility, et al.* The case positively settled prior to trial.
- Defendants in *Gadeco, LLC v. Jack Grynberg, Inc.* An Arapahoe County, Colorado jury found on behalf of our clients, members of the Grynberg family, in their long and hard fought battle to gain control, and ultimately protect, several family companies worth hundreds of millions of dollars.
- Plaintiffs in *Lima Refining v. Harasco Corporation, et al.* A jury in Harris County, Texas found the defendant 100% responsible for the damages suffered by Lima Refining, resulting in \$317 million in damages to Lima Refining.
- Plaintiffs in *KAIST IP US v. Samsung* in Federal Court in Marshall, Texas. The jury found that defendants Samsung, Qualcomm and Global Foundries infringed a patent owned by KAIST IP US and awarded \$400 million in damages against Samsung.
- Plaintiffs in *Tech Pharmacy Services, LLC v. Alixa Rx, LLC et al.* in Federal Court in the Eastern District of Texas, Sherman Division. The jury awarded \$15 million in favor of Tech Pharmacy in a patent/trade secret case.
- Plaintiffs in *Cioffi, et al. v. Google, Inc.* in the Eastern District of Texas. The jury found that Google's Chrome Browser Sandbox technology infringes 3 U.S. Patents owned by inventors Al Cioffi and Al Rozman (deceased). The jury awarded damages of \$20 million.

Dr. Drescher earned her PhD in Communication Studies with an emphasis in Legal Communication from The University of Kansas. She publishes and presents research on topics including jury decision-making, damage awards in patent cases, enhancing the efficacy of expert testimony, juror misconduct, and Supreme Court rhetoric. She has also taught and lectured in courses including legal communication, communication in conflict resolution, and persuasion. She holds a Master's Degree in Communication Studies from the University of North Texas and an undergraduate degree in Theatre Performance from the University of Evansville in Indiana.

Dr. Drescher is a member of the American Society of Trial Consultants, American Bar Association, and The National Communication Association. She also serves as a Trial Consultant Advisor to the Civil Jury Project at NYU Law School. She is a native Texan and an avid stand-up paddle boarder.

LEADERSHIP

Trial Consultant Advisor to the
NYU Law School Civil Jury
Project

MEMBERSHIP

American Bar Association
National Communication
Association
American Society of Trial
Consultants

EDUCATION

University of Kansas, Lawrence

- PhD, Communication Studies, emphasis in Legal Communication, May 2017
- Dissertation: Combatting a failure to report: Juror misconduct and the mum effect
- Defended with Honors

University of North Texas, Denton

- BA Psychology, Summa cum laude M.S., Communication Studies, May 2013
- Advisor: Brian Richardson
- Thesis: Connecting the circuit: Analyzing jurors' cognitive gaps and damage awards in patent infringement trials

University of Evansville, Evansville

- B.S., Theater Performance, magna cum laude, May 2004
- Studied abroad: Harlaxton College, Grantham, England

PROFESSIONAL PRESENTATIONS

Drescher, H. (2017, December). Redheads are bad for my case: Practical thoughts on jury selection. CLE presented to the Douglas County Defense Bar in Lawrence, KS.

Drescher, L.H., Morris, C., & Kuehn, P. (2017, June). What are we doing to save the jury system? Panel presented to the annual meeting of the American Society of Trial Consultants, Chicago, IL.

Drescher, L. H. (2016, November) Combatting a failure to report: Juror misconduct and the mum effect. Paper presented to the annual meeting of the National Speech Communication Association, Philadelphia, PA.

Drescher, L. H., & Schon, J. (2016, April) Combatting expectations for victim demeanor: The ability of expert testimony to overcome EVT in rape cases. Paper presented to the annual meeting of the Southern Speech Communication Association, Austin, TX.

Drescher, L. H. (2015, November) "Them lawyers, they're going to make a killing": Analyzing jurors' justifications of damage awards in patent infringement trials. Paper presented at the annual meeting of the National Speech Communication Association, Las Vegas, NV.

Drescher, L. H. (2015, April). The parade of goats: The media's use of scapegoating in the Ethan Couch story. Paper presented at the annual meeting of the Central States Communication Association, Madison, WI.

Drescher, L. H. (2014, November). The Jury is Out. Great Ideas for Teaching (GIFT) presented at the annual meeting of the National Speech Communication Association, Chicago, IL.

Drescher, L. H. (2014, April). Connecting the circuit: Analyzing jurors' cognitive gaps in patent infringement trials. Paper presented to the annual meeting of the Southern Speech Communication Association, New Orleans, LA.

PROFESSIONAL PRESENTATIONS (CONT.)

Drescher, L.H. (2011, October). High stakes persuasion: Teaching persuasion through the perspective of the felony trial attorney. Paper presented at the annual meeting of the Texas Speech Communication Association, Irving, Texas.

PUBLICATIONS

Drescher, L.H. (2018, August). The illuminating power of the shadow jury. *The Civil Jury Project at NYU Law School*, 3(7).

Trask, T. & Drescher, L.H. (Spring 2018). Strategies for success at trial: How to change your jury selection preparation timeline and why it matters. *The Advocate, Case Planning*, 82, 45-47.

Drescher, L. H. (2015). Hunting dinosaurs? A conversation with Steve Susman and Tara Trask on the vanishing jury trial. *The Jury Expert*, 27(3).

Malphurs, R. A., Bochantin, J., Drescher, L. H., Framer, M. W. (2013). Too much frivolity, not enough femininity: A study of gender and humor at the U. S. Supreme Court. *Social Science Research Network* Available at SSRN: <http://ssrn.com/abstract=2335613> or <http://dx.doi.org/10.2139/ssrn.2335613>

Malphurs, R. A., & Drescher, L. H. (2012). "A parade of horrors"—broccoli, burial markets, and Justice Scalia's wife: The role of analogies in human decision-making from justices to jurors," *The Jury Expert*, 24(3), 48-56.

Malphurs, R. A., & Drescher, L. H. (2012). "That's enough frivolity": A not so funny countdown of the Supreme Court's Affordable Care Act oral arguments," *Social Science Research Network* 6 Available at SSRN: <http://ssrn.com/abstract=2079136> or <http://dx.doi.org/10.2139/ssrn.2>