

## Plaintiffs Bar Perspective: Kluger Kaplan's Steve Silverman

Law360, New York--

**Steve I. Silverman** is a founding member of Kluger Kaplan Silverman Katzen & Levine PL in Miami. He represents individuals and businesses in all aspects of complex commercial and business disputes, including lender liability issues, claims relating to membership interest rights, all aspects of real property litigation, and complex class action cases.

Silverman has experience litigating multiparty cases in federal and state courts in Florida and nationwide. In addition to his complex litigation practice, he is also an experienced appellate lawyer, having handled dozens of appeals in both state and federal courts, both crafting briefs and delivering oral arguments.

Prior to co-founding **Kluger Kaplan**, Silverman served as chairman of the litigation and dispute resolution department, and as co-founder of the distressed asset group at Kluger Peretz Kaplan and Berlin. He also heads Kluger Kaplan's electronic discovery group, following the latest trends and case law in electronic discovery issues at both the state and federal levels.



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### **Q: What's the most rewarding aspect of working as a plaintiffs attorney?**

A: One of the most rewarding aspects of representing a plaintiff is hearing from my client at the end of the case that his or her goals have been met, that my client walks away from the litigation feeling fully and adequately compensated, and that they feel no stone was left unturned in their representation. Plaintiffs often come to us feeling significantly wronged and harmed. Being able to work through a case with clients to make sure that they feel satisfied at the end of the day after an often difficult experience is very gratifying.

### **Q: What skill do you feel is most important for achieving success as a plaintiffs attorney?**

A: One of the most important skills a plaintiffs lawyer possess, and more broadly a lawyer representing any party, is the ability to listen carefully to the case laid out by your client, and then translate those facts into a successful strategy and representation. Listening to a client allows a lawyers to truly learn what the client wants to achieve from the case and can help shape the representation and appropriately manage the client's expectations so that at the end of the case they feel that they have had an excellent representation. My philosophy is that no matter the judgment or reward, my representation is not successful unless the client walks away satisfied with my work and the result.

**Q: When it comes to trial strategy, what's the biggest difference between representing a plaintiff and representing a defendant?**

A: In the most general sense, and in a word: speed. Although it is somewhat cliché, it is nonetheless true that time to trial is a paramount consideration when representing a plaintiff. A significant difference between representing a plaintiff and representing a defendant is the speed at which each wants to get to trial. Plaintiffs are harmed financially and want to get to trial as soon as possible to correct the wrong and be compensated for their damages. Defense counsel often seek to delay a trial as long as possible. As far as the actual trial itself, you always want to have your client appear sympathetic, and his or her cause must be made relatable to the jury that will judge it.

**Q: What advice would you offer to young lawyers interested in practicing as a plaintiffs attorney?**

A: The best piece of advice for a young trial lawyer is to get into court early and often. There is no substitute for trial experience. Being a successful trial attorney takes practice and experience. Getting as much experience as possible early in one's career by being in front of a judge, being in front of a jury, arguing motions and participating in evidentiary proceedings goes a long way in building a long-term track record of success in the courtroom.

**Q: What's one trend currently impacting your practice?**

A: One current issue is having to navigate the impact that legislatures and appellate courts are having in narrowing some traditional paths to recovery. It is making success in the courtroom more difficult to achieve for plaintiffs. To achieve success with these additional hurdles in place, a plaintiffs lawyer must be well researched and prepared, and have a plan that anticipates multiple pathways to the finish line of a favorable verdict. Being able to see where that finish line is early in a case is critical.