**Listening 1**: **Preparing a lawsuit and developing an argument**

When a lawyer is engaged to represent a client in court in a contract-related lawsuit. a good deal of time will be spent on the following:

- gathering information about the case;

- collecting evidence;

- researching relevant legislation and legal precedent;

- developing a strong line of argument.

The strength of the argument presented in court will significantly affect the outcome of the case. Generally speaking. the strength of such an argument depends on several factors: the clarity of the reasoning, the quality of the evidence presented to support it, and the lawyer's skill in using language to convey ideas.

The following dialogue deals with a lawyer's preparation of a contract-related lawsuit. In the first part of the dialogue, you will hear Ron, the lawyer preparing the case, talking with Sam, a senior partner in Ron's law firm, about the facts of the case.

**Listen** to the first part of the dialogue and tick the facts of the case Ron mentions.

1. The Jones Corporation (the lessor) wanted to sell a restaurant to Keats (the lessee).
2. Keats requires consent from the Jones Corporation to assign the lease to a third party.
3. Prior written consent to assignment is not necessary.
4. The Jones Corporation is not permitted to withhold consent unreasonably.
5. Keats could not provide the information about the buyer that Jones requested.
6. The prospective buyer withdrew his offer for the restaurant.
7. The buyer is suing Keats for breach of contract.

**Listen** to the second part of the dialogue, in which Ron mentions the arguments he plans to use in court. What are the three points of evidence Ron will use?

**Follow-up email**

The email below was written by Ron to Sam following their discussion of the case. Attached to the email is a draft version of the closing argument which Ron intends to present to the court.

Read the email and answer these questions:

1 What are the purposes of the email?

2 What would he like Sam to do for him?

**Subject**: Keats case: update and closing argument

**Attachment**: Draft version of closing argument: *Keats v. Jones Corp*.

Hi Sam,

Haven't been around for the last couple of days - I've been in court on the Keats case. You asked me to keep you posted on how things are going -I have to say, it's going pretty well. I've finished drafting my closing argument for tomorrow. Would you mind looking at the draft and letting me know what you think of it? I'm basically quite satisfied with it, but would still appreciate getting some input from you.

It would be great if you could give me some feedback on this. Can I ask you to send it to me by 5 p.m.? That way I'll be able to make any changes that you think are necessary. I look forward to hearing your suggestions.

Best regards

Ron