

**Volume: 5 Number: 695\_law**

October 13, 2006

Sparky's list

By ANDREW H. BAIDA

*Special to The Daily Record*

Today's discussion, which is a continuation of last month's column about thoughts to consider when composing and/or editing your brief, has been inspired by a beloved family member, as have other articles which have appeared in this column over the last few years. But unlike those articles, the impetus for today's discussion is the least understood member of my family. And, as anyone who has read this column in the past will tell you, that's saying a lot.

Okay, maybe you can understand how my wife of 21-plus years could introduce me as her "friend" when we recently bumped into some guy she apparently dated in college, but I'm still trying to figure out what that was all about. So is the private investigator I hired, but that ball of confusion pales in comparison when it comes to understanding the one family member who, until now, I've managed not to mention in this column.

I'm talking about my dog, Sparky, who some people — actually, it's quite a few — just don't understand. Such as my sister, whose pants he accidentally tore when she startled him by walking across the kitchen while she was visiting for Thanksgiving a couple of years ago (she hasn't been back since). Or that guy to whom I gave twenty bucks, as compensation for his supposedly new Dockers, after he provoked what I thought was a perfectly understandable reaction from Sparky when the man invaded the poor dog's personal space in front of the local ice cream store a few years back (haven't been there in a while either). And then there was that time when my brother-in-law — oh, never mind.

If you were to ask my son, he'd tell you that Sparky is awesome and the best dog in the whole world. But Sparky also has some anxiety issues, like a lot of people, including the ones on the receiving end of his love bites. Had they known about Sparky's anxiety and, perhaps more important, that he was abused as a puppy by a repressed congressman with a drinking problem, I am sure that my sister, her husband, and the Dockers guy would have had an entirely different reaction and that they would have been much more understanding when they had their close encounters of the Sparky kind.

### **Statement of the case**

Which brings me to today's discussion about checklist items that Sparky, if he were a lawyer, would suggest that you consider when writing and/or editing that portion of the brief where you make your very first impression, i.e., the statement of the case.

Sparky would be among the first to tell you that first impressions can really count, but sometimes he can get a little too literal in making an impression, if you know what I mean, so here are some suggestions on how to create an impression in your brief that is not just lasting but positive:

