

Pre-Trial Report

Andrew Pickett Law

Navendra Ramnerase

June 2024

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Background & Purpose

EmotionTrac serves as a valuable tool for lawyers to refine their case presentation, identify case strengths and weaknesses, assess juror perceptions, and test legal theories. This statistically validated, comprehensive testing process defines the key emotional triggers which will enhance the overall visceral potency of their case strategy and narrative to drive the most successful outcomes.

Sample & Method

Sample Size: 100 panelists, White, Black, and Hispanic, 50% Men, and 50% Women. Our data is collected and reported at a 95% confidence level.

Method: Our analysis protocol collects data using the Facial Action Coding System (FACS) to identify micro-facial expressions. Our data is wholly without cognitive bias since it is collected subconsciously or passively (except for the post-video survey questions) through the front-facing camera as panelists watch the content.

Survey Questions

- After watching this video, what are the first three words that come to mind? How injured do you think Navendra is?
- To what extent does the fact that there was minimal damage to the vehicles involved impact your impressions of how seriously injured Navendra is today?
- You learned in the video that Navendra suffered from obesity. How important is this fact to the case and its outcome?
- You learned in the video that Navendra suffered from pre-existing low back pain that was treated for years by a chiropractor before the accident. How important is this fact to the case and its outcome?
- Do you believe this accident would have made his pre-existing condition more severe?
- How much do you think the plaintiffs should receive for is pain and suffering, for the loss of enjoyment and quality of life?

Summary of Findings

SUMMARY OF KPI EMOTIONAL SCORECARD

Of our four main KPI, the case story triggers significant emotional responses in angst and victory, but falls short in maintaining curiosity and rapport, highlighting a need for a

EMOTIONAL KPI SCORECARD				
Sentiment	Benchmark	Total	Men	Women
Curiosity	50%	36%	40%	32%
Angst	40%	43%	48%	39%
Rapport	40%	36%	38%	34%
Victory	40%	46%	53%	38%

balanced presentation that enhances engagement and emotional connection. Modifications in content delivery could improve engagement and the video's effectiveness in legal advocacy.

Curiosity: The video successfully arouses and maintains curiosity throughout, showing emotional peaks at key moments. It's particularly effective in capturing male attention early on, while women also demonstrate curiosity, albeit at lower levels.

Angst: The video elicits strong emotional responses, especially angst, which is significantly higher than typical benchmarks. Both men and women show similar patterns, indicating the narrative effectively triggers the desired emotional responses that align with advocacy for the plaintiff. Notable early peaks suggest the content is immediately impactful, unsettling viewers right from the start.

Rapport: The video establishes a significant emotional connection, with a consistent level of rapport throughout. The close alignment of responses between genders throughout the video suggests a universally appealing emotional and empathetic engagement. This stable engagement indicates that the content maintains a consistent connection with the audience.

Victory: The video is exceptionally successful in conveying a sense of victory, with frequent positive peaks throughout, suggesting that the narrative is rich with triumphant moments. Early spikes indicate compelling scenarios that resonate well with viewers, especially males, and the sustained high levels of perceived victory towards the end suggest a strong finish.

SUMMARY OF SURVEY RESPONSES

Injury Severity: There is a significant perception that **Navendra** is very injured, with a slight gender bias suggesting men are more likely to perceive him as less severely injured.

Impact of Pre-existing Conditions: Most respondents believe the accident exacerbated **Navendra's** pre-existing conditions, with a stronger conviction among females.

Influence of Vehicle Damage: Responses are evenly split on whether minimal vehicle damage affects perceptions of **Navendra's** injury severity, highlighting uncertainty and emphasizing that slight damage can still lead to severe outcomes.

Relevance of Obesity: The majority view **Navendra's** obesity as an important factor that could influence the case outcome, especially in terms of medical and legal discussions.

Importance of Pre-existing Back Pain: Navendra's long-term back pain treated by a chiropractor is seen as very important by most respondents, underscoring the relevance of medical history in legal claims.

Compensation for Pain and Suffering: Opinions on compensation vary, with a gender-based trend where men hold stricter views on lower compensation due to the plaintiff's pre-existing conditions and obesity, while women are more likely to support higher compensations to ensure justice. The interval with the most votes was \$1 million to \$2 million, with a "less than million" only a few percentage points lower.

Conclusions

The case video is highly effective in eliciting strong emotional responses across key emotional metrics like curiosity, angst, rapport, and victory. This demonstrates that the narrative and presentation style successfully engage the audience, maintaining their interest and aligning their emotions with the desired advocacy outcomes.

Gender-Specific Reactions: There are often noticeable differences in how men and women respond to the video. Men show heightened curiosity and a strong response to victory themes, while women show greater empathy and concern for the plaintiff's pre-existing conditions and the seriousness of his injuries. This suggests that content should potentially be revisited to be tailored better to a general audience.

Significance of Medical History: The audience places significant importance on Navendra's pre-existing health conditions and his obesity. These factors are seen as crucial in evaluating the impact of the accident and the subsequent legal claims. This underscores the need for clear, comprehensive explanations of how pre-existing conditions can be exacerbated by accidents, and relevant demonstratives.

Complex Perceptions of Injury Severity The split opinions on the influence of vehicle damage on injury severity highlight a common misconception that needs addressing in personal injury cases: minimal vehicle damage does not necessarily mean minor injuries.

Compensation: Additionally, there is a gender-based divergence in views on compensation, with men generally favoring lower compensation. This indicates a need for careful presentation of evidence and testimonies that clarify the non-obvious impacts of injuries and justify the compensation claims.

Detailed Findings

Overall, the mood is disheartening as many feel that the situation is tragic and has permanently altered someone's life for the worse. There's a general sentiment of loss and irreversible damage. This confirms the case story accomplished its objective!



Sympathetic and Concerned: Many comments express sympathy for the individual involved in the accident, reflecting concern over their suffering and the impact of the accident on their life ("that's so unfortunate", "this man will never again be able to enjoy life", "pain, suffering, disheartening").

Financial Worry: There's a notable worry about the financial implications of the accident, with mentions of expensive lawsuits, medical bills, and ongoing financial strain which adds to the overall negative mood ("painful expensive lawsuit", "expensive medical bills", "wao! too much money"). RED FLAG – as this is mentioned too often and too early....

Critical of Legal and Medical Systems: Several comments critique the legal and medical advice given, and there is skepticism about the fairness and effectiveness of these systems, which contributes to a mood of distrust and dissatisfaction ("very thorough defense/help by the lawyer", "poor medical advice", "insurance companies suck").

Outrage and Frustration: There's a sense of outrage and frustration, particularly aimed at the perceived injustice and the defendant's role in the accident. This intensifies the negative mood ("the defendant is at fault. no questions asked.", "scam, ridiculous, exaggerated", "defense is wrong").

KEY EMOTIONAL KPIS : SCORECARD

Curiosity

The overall interest in the video stands below the expected benchmark. Not only. Not only in this test, but in every test. Men display higher level of curiosity. As the construct. Slash topic of. Car accidents, Personal injury. Absolutely trigger and trust far more often among men. Also, the central plaintiff is a male explains the higher interest among men.

EMOTIONAL KPI SCORECARD				
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Curiosity among women is noticeably lower. This does not imply a lack of advocacy for the plaintiff from women; rather, it suggests that the story may not be as compelling to them. The

Angst

The level of angst, which encompasses feelings of anxiety, fear, anger, and despair, is higher than the benchmark for all viewers, with men showing particularly high levels. This suggests that the video effectively conveys the emotional distress associated with auto accidents and personal injury. This robust angst among men indicate a strong empathetic response towards the plaintiff.

Comparative Emotional KPis by Gender



Comparative Emotional KPis by Gender



Rapport

The rapport, or empathetic connection, with the video is below the desired level for all demographic groups, although men score slightly higher than women. The case video struggles to establish a strong emotional connection, which is crucial. The detailed depiction of multiple back/spine surgeries, while critical for emphasizing the severity of injuries and influencing potential compensation perceptions, is overly detailed and lengthy. This has likely contributed to a decreased curiosity and now, a diminished rapport, as the audience may find the information too technical and disengaging.

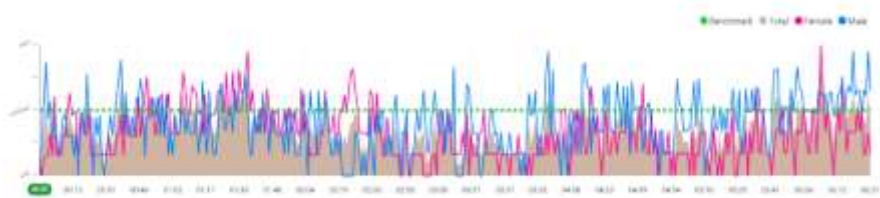
Victory

The sentiment of victory, reflecting feelings of success or positive outcomes, is notably higher than the benchmark for both men and women. This indicates that viewers perceived the case video to end on a positive note, suggesting a resolution that resonates positively with the audience.

KEY EMOTIONAL KPIS : MOOD MAPS

Curiosity

The case video appears to have been effective in arousing and maintaining curiosity through its content, as indicated by the emotional peaks at key moments in the graph. The ability to continually engage viewers throughout the entire trajectory. Indicates. that the video was well-structured to keep unfolding new information or emotional content, which is crucial in holding and satisfying viewer curiosity.



Onboarding (0:00 - 0:46):

At the kickoff of the video, what we call onboarding, we noticed right away that there are substantial peaks in interest and curiosity by men, obviously for the men. In the video. Although lightly at lower levels, we observe women expressing curiosity in the content as well.

Sustained Interest (1:02 - 3:21):

Throughout the middle of the video, there are varied emotional responses with multiple peaks, especially a pronounced one around 2:35, notably among females. This indicates that medical animations maintain and reigniting curiosity.

Curiosity Peaks (4:08 - 6:27):

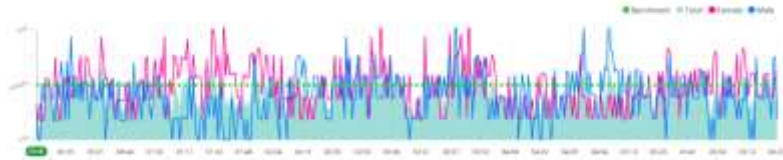
We note significant spikes in curiosity, as seen around 5:10 and 5:41. These spikes happen for men – as more details are presented about the Plaintiff.

Peak End (6:12 - 6:27):

The spike at the Peak End indicates that the audience has not had all of their questions answered, and/or they find something confusing or hard to believe. For women, it's another peak at the surgery, and among men – it's the "ask."

Angst

Overall, the response patterns indicate the case video that consistently aroused sincere anguish in this case – as noted by the frequent and high spikes nearly throughout the entire case video. The frequent peaks suggest that the video was effective in eliciting strong emotional reactions. Men and women tend to pattern in a similar trajectory which confirms the case narrative is triggering all the “right” emotions that will become Plaintiff advocacy.



Onboarding (0:00 - 0:46):

Early in the video, there are notable fluctuations in how upset the audience was, with specific peaks, especially around 0:31. These early reactions suggest that the video that the case was unsettling right from the start, provoking immediate emotional responses. The intensity/frequency of these responses indicates that the content was spot on.

Developing Narrative (0:46 - 3:21):

As the video progresses, the emotional response varies with significant peaks at 1:17, 2:04, and a very pronounced peak at 2:35. These moments correspond to key revelations that were distressing or caused discomfort. The peak at 2:35, notably high among the female demographic, indicates that the animation/simulation of the back injury/surgery particularly impacted women as angstful content.

Peak End (5:10 - 6:27):

The graph shows another significant peak around 5:41, indicating another moment where the lawyer brings the case narrative to a close and the “ask” is displayed. For this metric, we prefer to see the levels exceed the benchmark, indicating that the audience is left feeling a heightened sense of fear, tension, and despair. This emotional state strongly correlates with increased advocacy for the plaintiff.

Rapport

Overall, the graph indicates a strong level of rapport. This demonstrates that a



significant emotional connection and empathy were established between the audience and the case narrative.

Onboarding (0:00 - 6:27)

Not exactly at Kickoff, but then and then throughout the video, the graph shows a relatively stable level of rapport, with all lines (total, female, male) closely intertwined and moving within a narrow band. This suggests a steady level of engagement without major spikes or drops, indicating that the content maintained a consistent level of connection with the audience.

Gender Consistency:

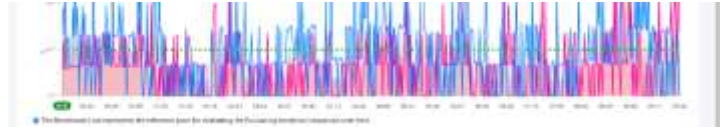
The closeness of the female and male lines suggests that the video equally engaged both genders. This uniformity indicates that the case narrative was emotionally and empathetically universally appealing.

Peak End

Excellent rapport was created as the graph returns to the mean line for both genders.

Victory

Overall, the pattern of responses suggests that the video was highly effective in delivering a perception or impressions of victorious or successful moments outcome. These line graphs break our benchmarks and nearly all records of metrics on file.



The repeated spikes across the timeline indicate a narrative rich case with positive peaks, likely keeping viewers engaged sensed with the anticipation and satisfaction of a win.

Onboarding (0:00 - 1:32):

Excellent start. The graph starts with sharp spikes, especially in the male demographic around 0:23 and 1:09, suggesting early moments of victory or positive outcomes in the video that were particularly resonant. These spikes indicate that the content likely introduced compelling scenarios or outcomes

Late Video Responses (4:36 - 7:39):

The latter part of the video continues to show a high frequency of peaks, indicating ongoing scenarios where the audience perceives victory or success. For example, peaks around 4:58 and 6:30 suggest continuing positive outcomes or resolutions. The consistency of these responses implies that the video maintained a dynamic and engaging narrative, repeatedly delivering moments of triumph that kept the audience emotionally invested.

Peak End (7:39 - 9:34):

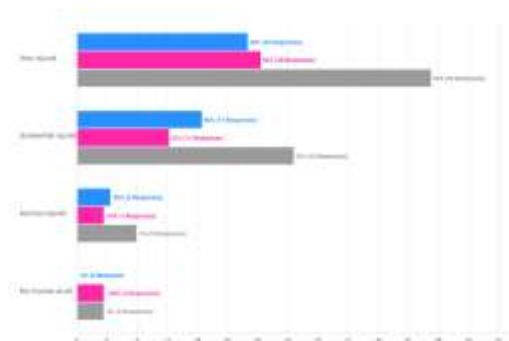
Towards the end, the graph shows sustained high levels of perceived victory which would indicate the audience is all on the final “ask.”

SURVEY QUESTIONS

Q. How injured do you think Navendra is?

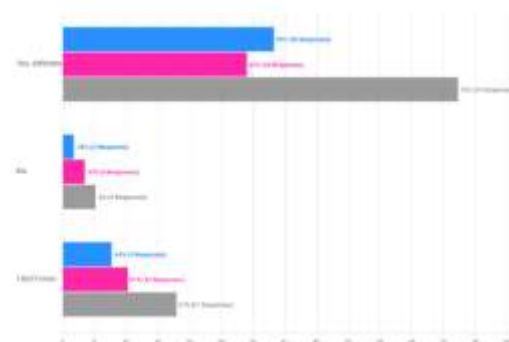
There is a significant perception that Navendra is very injured.

A smaller yet notable segment perceives him as somewhat injured with a majority in the being male. Men will expect men to be tough – and tend



Q. Do you believe this accident would have made his pre-existing condition more severe?

There is a predominant belief among respondents that the accident would have made Navendra's pre-existing condition more severe, with more females than males supporting this view.



Q. To what extent does the fact that there was minimal damage to the vehicles involved impact your impressions of how seriously injured Navendra is today?

Given the pattern observed here, with nearly equal numbers of votes on the extent of damage related to injury, this question evidently posed the greatest challenge for the audience to answer.

The mixed responses indicate their indecision. This significantly underscores the concept that even slight damage to a car can indeed lead to potentially tragic physical and mental outcomes.



Q. You learned in the video that Navendra suffered from obesity. how important is this fact to the case and its outcome?

Yes it is very important!

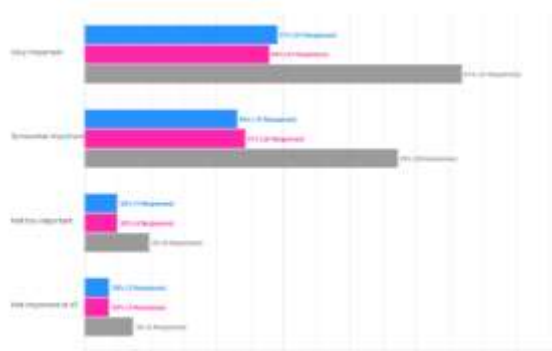
The majority find Navendra's obesity to be at least somewhat important, which could impact how the case is presented and argued, especially regarding how obesity might affect health outcomes post-accident



Q. You learned in the video that Navendra suffered from pre-existing low back pain that was treated for years by a chiropractor before the accident. how important is this fact to the case and its outcome?

The majority of the respondents find Navendra's pre-existing back pain to be very important, reflecting a general perception that past medical history is relevant in legal claims involving new injuries.

The balance of the audience sees it as somewhat important, indicating this is not a case fact to



Q. How much do you think the plaintiff should receive for pain and suffering for loss of enjoyment and quality of life?

\$0 Claims: Predominantly female respondents expressed the impression that he might not be as ill as it seems, with women holding this view twice as often as men. This suggests that women are more skeptical about the severity of his injuries.

Less than \$1 Million: A slight majority of male respondents dominate this category, as men tend to hold other men to a higher standard. The combination of the plaintiff's obesity and pre-existing health conditions has led men to believe he deserves less than \$1 million, though a significant number of women also share this view.



\$1 Million - \$2 Million: There's an even split between male and female respondents, indicating that this range is perceived as the most generally acceptable payout valuation.

\$2 Million - \$3 Million: This category sees slightly more male respondents, though it remains a smaller group overall.

Greater than \$3 Million: More female respondents favor very high compensations, viewing larger payouts as a way to ensure that justice is adequately served.