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# Commercial Litigation Attorneys Discuss Importance of Disclosing Juror Misconduct in *New Jersey Law Journal*

Day Pitney counsel Mark Salah Morgan and associate Andres Acebo discuss how *Apple v. Samsung* has made reviewing juror backgrounds more important than ever in a March 28 article for the *New Jersey Law Journal*. In that case, the district court ruled that "[s]o long as a party is aware of evidence giving rise to the possible need for a new trial, or fails to exercise reasonable diligence in discovering that evidence, any right to challenge the jury's impartiality is deemed waived." Mark and Andres write that, "Lawyers can neither delay in testing their suspicions nor rely on postverdict statements as grounds to set aside a verdict and begin anew. The trial lawyer must, to every extent possible, think prospectively and act in the present."