



Kenneth F. Oettle

Senior Counsel



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Mr. Oettle handles complex commercial litigation with an emphasis on public contracting, business valuation, and close corporation and LLC internal disputes, and he handles a range of administrative matters, including pay-to-play issues, access to public records, and licensing and compliance with an emphasis on gaming and cannabis.

Mr. Oettle has given a Lorman seminar on New Jersey public contracting, and he has authored articles on the financial stability of New Jersey casinos and the qualification requirements for institutional investors under the New Jersey Casino Control Act. He served for nine years as a trustee of the International Association of Gaming Advisors (IAGA).

Mr. Oettle is also a member of the Firm’s appellate group.

From 2002 through 2010, Mr. Oettle authored a column on persuasive legal writing that appeared in the *New Jersey Law Journal*, in several other legal publications, and at www.law.com. The first four years of Mr. Oettle’s “Making Your Point” columns are collected in a publication by ALM: *Making your Point: A Practical Guide to Persuasive Legal Writing* (2007).

Mr. Oettle chairs the Firm’s writing program.

Practices

Appellate

Government Relations and Public Policy

Litigation

Regulatory and Administrative

Court Admissions

U.S. District Court, District of New Jersey

U.S. Court of Appeals, Third Circuit

Newsroom

Presentations

Public Contracts and Procurement Regulations in New Jersey

Lorman Education Services

July 30, 2003

Publications

Bar Still High For Injunctive Relief In NJ Public Bidding Cases

Law360

August 13, 2019

Bigger is Better – The Health of the Racing Industry in New Jersey Depends on Large Purses

New Jersey Lawyer Magazine

April 1, 2013

New Jersey Close to Approving Mobile Gaming

Casino Enterprise Management Magazine

September 1, 2012

Open A Brief With Substance, Not Bluster – Mere posturing is ineffective

New Jersey Law Journal

January 24, 2011

Let the Implicit Stay Implicit – You Need Not Say What Need Not Be Said

New Jersey Law Journal

December 13, 2010

Verbs Are Dynamic and Economical – They Get Directly to the Point

New Jersey Law Journal

September 6, 2010

Rearrange Sentences to Minimize Interruption — Make the Reader's Job Easier

New Jersey Law Journal

June 28, 2010

Good Facts, Good Law, and Good Writing All Persuade — Good Writing Enhances the Credibility of Your Message and You

New Jersey Law Journal

May 31, 2010

Editorializing, Gratuitous Verbiage and Verbatim Tracking Don't Persuade — Many of the rhetorical tactics that you think work don't

New Jersey Law Journal

April 26, 2010

Replace Neutrality With Advocacy — Choose Words That Aid Your Cause

New Jersey Law Journal

March 29, 2010

Don't Ask the Court to Take a Leap of Faith to Get Where Wishful Thinking Has Taken You

New Jersey Law Journal

February 22, 2010

Take the Gild off the Lily and Save Words in Bunches — Extra Words Don't Add Punch; They Just Add Weight

New Jersey Law Journal

January 25, 2010

Introduce Long Discussions With Substantive Summaries — A précis will assist and may persuade the reader, and it may help you clarify your thinking

New Jersey Law Journal

November 23, 2009

When Acknowledging a Mistake, Highlight The 'Fix' If You Have One — Tailor your apologies to the circumstances

New Jersey Law Journal

October 19, 2009

Control the Urge To Tell All — Be candid but not confessional

New Jersey Law Journal

September 14, 2009

Be Selective, Not Linear, in Legal Argument — Control the material; don't let it control you

New Jersey Law Journal

August 10, 2009

Saving Words Pays Many Dividends — Trim words, sentences, paragraphs, and even arguments to tighten a brief

New Jersey Law Journal

July 13, 2009

Be Candid But Selective in Describing Case Holdings — As with all other aspects of persuasive legal writing, take control of the material

New Jersey Law Journal

June 1, 2009

Keep The References in A Sequence Consistent — Variety isn't the spice of life if it is counterproductive

New Jersey Law Journal

May 4, 2009

Ironic Quotation Marks Can Be Overused — Ask yourself whether mild sarcasm will help or hurt the presentation

New Jersey Law Journal

April 8, 2009

Make Your Point Before Accusing The Adversary of Ill Motives — Earn the right to express moral disapprobation

New Jersey Law Journal

March 2, 2009

Shorthand References Should Guide, Not Divert — Use them discretely when necessary

New Jersey Law Journal

February 2, 2009

To Find the Focal Point for Your Attack, Find the Forest — Look for the most serious affront to the moral matrix

New Jersey Law Journal

January 5, 2009

In Case Summaries, Make Your Point Sooner Rather than Later

New Jersey Law Journal

December 1, 2008

A Paragraph Should Make a Point Quickly and Compactly — Subject matter and purpose dictate the length

New Jersey Law Journal

November 3, 2008

Remove Subordinate Thoughts That Occlude Your Point — Crispness tends to be better than embellishment

New Jersey Law Journal

September 29, 2008

Dross Disappears and Points Emerge as Groupings Improve — Beware of bland connectors like “In addition”

New Jersey Law Journal

August 25, 2008

Don’t Let Advocacy Get Personal — Be wary of ascribing motives you suspect but cannot prove

New Jersey Law Journal

July 28, 2008

Subheadings in the Statement of Facts Guide and Persuade — Internal markers help readers sort and retain data

New Jersey Law Journal

June 23, 2008

Use Adjectives Sparingly But For Maximum Effect — Look for modifiers that reinforce your theme

New Jersey Law Journal

May 26, 2008

Reasons Consist of Facts Rather Than Conclusions

New Jersey Law Journal

May 12, 2008

Choose an Approach That Will Appeal to the Court’s Conscience

Michigan Bar Journal — Plain Language

May 1, 2008

Look for Opportunities To Delete ‘Any’ — The intensifier is usually gratuitous

New Jersey Law Journal

April 14, 2008

Be Willing to Declare Causation — Assertiveness shows confidence and aids clarity

New Jersey Law Journal

March 31, 2008

Avoid Double Negatives Because They Tend to Confuse — Positive statements are easier to grasp

New Jersey Law Journal

March 3, 2008

Temper Your Jargon — Always ask yourself if the reader will know what you mean

New Jersey Law Journal

February 4, 2008

Precision Requires Careful Evaluation — Choose the best word to deliver each component of your message

New Jersey Law Journal
January 21, 2008

Use Emphasis to Overcome the Reader's Resistance — Repetition and word placement help drive the point home

New Jersey Law Journal
January 7, 2008

Advocacy Targets Human Tendencies — Readers are vulnerable to tactics that would be lost on computers

New Jersey Law Journal
December 24, 2007

Unsupported Conclusions Are Not a Good Way to Begin — Step down off your soapbox and mingle with the facts

New Jersey Law Journal
November 26, 2007

Don't Tell the Reader What to Think — If your facts are strong but not dispositive, you may wish to suggest, not declare, your conclusion

New Jersey Law Journal
November 12, 2007

Screen Your Metaphors for Possible Backlash — Even apt comparisons can become 'two-edged swords'

New Jersey Law Journal
October 29, 2007

Place 'Only' As Close As Possible to the Limitation It Signals — Follow the grammatical form for clarity and for appearances

New Jersey Law Journal
October 1, 2007

'Less is More' is Often Wise Advice — Ask yourself if you need to say everything you are thinking

New Jersey Law Journal
September 17, 2007

Let the Needs of the Reader Guide Your Groupings — Be wary of easy organizational choices, such as chronology or the alphabet

New Jersey Law Journal
September 3, 2007

Resist the Temptation to Demonize the Adversary — Don't ascribe motives; let the facts

reveal them

New Jersey Law Journal

August 20, 2007

More Questions from Summer Associates — Good legal writing is a function of strategy, clarity and support, not style

New Jersey Law Journal

August 6, 2007

Questions from Summer Associates — Strike the balance of time, effort, and expense in favor of good product

New Jersey Law Journal

July 23, 2007

Your Audience Has Changed Since Law School — Now your job is to show why you win, not what you know

New Jersey Law Journal

May 14, 2007

Don't Cobble a List From Loosely Related Items — Take a moment to make sure your categories are consistent

New Jersey Law Journal

April 30, 2007

Arrange Conjunctions to Maintain the Flow — 'Because although' is awkward because 'although' interrupts

New Jersey Law Journal

April 16, 2007

Keep Your Transitional Hooks Subtle — Do not begin a sentence with the proper name that ended the previous sentence

New Jersey Law Journal

April 2, 2007

Quotations Are a Spice, Not the Main Course — Prefer your own words to those of others

New Jersey Law Journal

March 19, 2007

Never Relax Your Persuasive Posture — Even the conclusion can, where appropriate, make a point

New Jersey Law Journal

February 5, 2007

Tailor Your Possessives to the Convenience of the Reader — Sometimes a prepositional phrase works better than an apostrophe

New Jersey Law Journal

January 22, 2007

Maintain the Flow with Echoes from the Prior Sentence

New Jersey Law Journal

January 8, 2007

To Establish Common Ground with the Court, Begin Points with Local Law — Strategize the order of citations as you would strategize the order of witnesses

New Jersey Law Journal

December 25, 2006

Write the Preliminary Statement First If It Helps You Focus — Drafting an introduction can crystallize your theme

New Jersey Law Journal

December 11, 2006

Parallel Structure Meets the Reader's Expectations — Use balanced prose to maintain the flow

New Jersey Law Journal

November 27, 2006

Focus on the Essential Flaw in Your Opponent's Argument — Begin a response or a reply with a point, not merely a declaration of disagreement

New Jersey Law Journal

November 13, 2006

Unpack Your Broad Statements to Find More Factual Support — Facts persuade; to develop more of them, expand the ones you have

New Jersey Law Journal

October 30, 2006

In Memos and Letters, Deliver the Good News Up Front — Unless you would look foolish, be a pal first, not a pain

New Jersey Law Journal

October 16, 2006

Trust Your Reader to Fill In Some Blanks — Implicit steps of a procedural history can usually be omitted

New Jersey Law Journal

October 2, 2006

Follow Blue Book Style; It's Not That Hard — Add another skill to your résumé as a writer

New Jersey Law Journal

September 18, 2006

When Working by Analogy, Elaborate the Comparison — Spell out your analogies to make them unassailable

New Jersey Law Journal
September 4, 2006

Where Else Would a Court Rule But ‘In Its Opinion’? In stating the obvious, you may be sidestepping the point

New Jersey Law Journal
August 21, 2006

Be Cautious Using Nouns as Adjectives — A string of modifying nouns makes a heavy meal

New Jersey Law Journal
August 7, 2006

Jealously Guard Your Credibility with the Court — An untrustworthy act is like ink in the wash — it discolors everything

New Jersey Law Journal
June 26, 2006

Use Underlining for Emphasis, Not for Editorializing — Highlight quotations, not your own prose

New Jersey Law Journal
June 12, 2006

Take Control of Your Quotations, Don’t Let Them Control You — Delete or substitute for words that are awkward or may confuse

New Jersey Law Journal
May 29, 2006

Summarize Statutes and Rules before Quoting Them — Control your material and thus the reader’s perspective

New Jersey Law Journal
May 15, 2006

Be Cautious Using ‘And’ as a Connector — Look for relationships beyond the additive

New Jersey Law Journal
May 1, 2006

Carefully Craft Your Sets and Subsets — Make sure the items in a list are of the same kind and size

New Jersey Law Journal
April 17, 2006

Unpack Your Generalizations for Greater Effect — Where possible, create images for the reader to visualize

New Jersey Law Journal
April 3, 2006

Do Not Make a Thought Long Just Because It Is Good — Unnecessary elaboration can produce a net loss rather than a net gain

New Jersey Law Journal
March 20, 2006

'Rather' Is an Unnecessary, Annoying Signal — In most instances, the change in direction is obvious

New Jersey Law Journal
March 6, 2006

Misinterpreting Cases Is an Occupational Hazard — Beware of both wishful thinking and defeatism

New Jersey Law Journal
February 20, 2006

Don't Twist Your Prose into a Pretzel — Remedy awkwardly passive phrasing by changing the subject

New Jersey Law Journal
February 6, 2006

'Which' Is Often Incorrectly Used in Place of 'That' — Get the words straight to please the purists

New Jersey Law Journal
January 23, 2006

Good Editing Is Important, But Solid Preparation Is Key — Thorough research and analysis reduces work on the back end

New Jersey Law Journal
January 9, 2006

Mind Your P's and Q's and the Apostrophes That Go With Them — The little mark is a detail worth attention

New Jersey Law Journal
December 26, 2005

Look Behind the Quotation for the Rationale — Supply reasons even if your quoted source did not

New Jersey Law Journal
December 12, 2005

Brief Writing Requires a Formal Style — A casual tone may suggest you don't take your case seriously

New Jersey Law Journal

November 28, 2005

Spell Out the Facts Embedded in Your Generalizations — To do the right thing, the court needs to know the facts

New Jersey Law Journal

November 14, 2005

When Editing Time Is Limited, Perform a Triage — Begin by confirming your purpose and your dominant point

New Jersey Law Journal

October 31, 2005

When Writing a Memo, Keep the Reader in Mind — Dispel preconceptions as quickly as possible

New Jersey Law Journal

October 17, 2005

Curb Your Editorial Urges — Consider carefully how you describe a court's actions

New Jersey Law Journal

October 3, 2005

Seek Feedback on Your Work for a Fresh Perspective — When you give feedback, make sure it is received

New Jersey Law Journal

September 19, 2005

Law Firm Writing Programs Are a Challenge — The results are uncertain, and the time is non-billable

New Jersey Law Journal

September 5, 2005

Some Commas Should Neither Be Seen Nor Heard — Don't place a comma between subject and verb

New Jersey Law Journal

August 22, 2005

Choose an Approach That Will Appeal to the Court's Conscience — Show that the other side 'deserves' to lose

New Jersey Law Journal

August 8, 2005

A Rose by Any Other Name Might Not Be as Popular — The lawyer's job is to find the optimum spin

New Jersey Law Journal

July 25, 2005

The Need for Clarity May Override the Risk of Exaggeration — Don't be afraid to make an overstatement that you quickly qualify

New Jersey Law Journal

July 11, 2005

Skip the Unnecessary Tack-On Explanation — Stating the obvious slows the pace

New Jersey Law Journal

June 27, 2005

Precision Brings Your Idea to a 'Point' — Save the reader the trouble of sorting through multiple meanings

New Jersey Law Journal

June 13, 2005

Be Wary of the 'In Order to' or 'To' Construction — It is a common source of non sequiturs

New Jersey Law Journal

May 30, 2005

End Sentences with Your Most Important Thought — The last word delivers the greatest impact

New Jersey Law Journal

May 16, 2005

Be Brief but Not Brusque in Your Shorthand References — Anticipate the reader's likely reaction to your terms

New Jersey Law Journal

May 2, 2005

Tighten Your Work by Omission and Compression — Eliminate thoughts you don't need and streamline the ones you do

New Jersey Law Journal

April 18, 2005

Typos Undermine Your Credibility and Your Case — To catch mistakes, let your product sit or find a second set of eyes

New Jersey Law Journal

April 4, 2005

Sometimes the Illogical Is Very Logical — Off-point arguments can be persuasive if they address fundamental fairness

New Jersey Law Journal

March 21, 2005

Tell a More Powerful Story in the Active Voice — Use active verbs to convey a sense of fault or failure

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New Jersey Law Journal
March 7, 2005

Misusing Sets and Subsets — Don't try to make two facts seem like three

New Jersey Law Journal
February 21, 2005

Favor Facts over Law for Initial Reader Contact — If you can, use metaphors to interest the reader and intensify the image

New Jersey Law Journal
February 7, 2005

Develop Momentum by Tapping the Reader's Emotions — Among other things, seek agreement with the reader early on

New Jersey Law Journal
January 24, 2005

Maximize Impact by Making One Point at a Time — In writing as in art and music, less is sometimes more

New Jersey Law Journal
January 10, 2005

Dashes Are Powerful Punctuation Marks — They add a third option to commas and parentheses

New Jersey Law Journal
December 27, 2004

Though Detail Is Usually Helpful, It Can Be Overdone — Include what the reader needs to know and trim the rest

New Jersey Law Journal
December 13, 2004

Evaluating an Applicant's Writing Ability — A writing sample can provide a window into a job candidate's skills

New Jersey Law Journal
November 29, 2004

You Don't Need Intensifiers to Mark the Absence of Evidence — Emphatics such as 'whatsoever' tend not to persuade

New Jersey Law Journal
November 15, 2004

Don't Be Afraid to Make Your Own Dicta — Sometimes you have to declare what the case law merely implies

New Jersey Law Journal
November 1, 2004

If a Square Peg Won't Fit, Try a Round One — The rationale for a rule may support you though the words do not

New Jersey Law Journal

October 18, 2004

Skip the Generalities and Go Straight to the Specifics — Don't make the reader wait as you home in on your point

New Jersey Law Journal

October 4, 2004

Don't Take Pot Shots at Court or Counsel — Gratuitous zingers are offensive and unpersuasive

New Jersey Law Journal

September 20, 2004

Precision Begets Persuasion — The more precise you are in support of your point, the greater the chance you will persuade

New Jersey Law Journal

September 6, 2004

Preliminary Statements Should Focus on the Facts — Be selective rather than comprehensive

New Jersey Law Journal

August 23, 2004

Show Every Step of Your Reasoning on Key Points — Elaborating the obvious isn't necessarily beating a dead horse

New Jersey Law Journal

August 9, 2004

Use Quotation Marks to Focus the Reader's Attention — The punctuation should go with the flow rather than interrupt it

New Jersey Law Journal

July 26, 2004

Take Control of Statutes by Summarizing Them — You may need to offload much of what the legislators lump in

New Jersey Law Journal

July 12, 2004

Free Yourself from the 'It' Syndrome — A missing antecedent may give the reader pause

New Jersey Law Journal

June 28, 2004

Be Upbeat but Not Pollyannish — In memos that deliver bad news, you should spin, not pander

New Jersey Law Journal
June 14, 2004

Check Your Lists for Logical Structure — Lists may not emerge from your brain fully formed

New Jersey Law Journal
May 31, 2004

You Need to Sweat the Small Stuff — Minor usage mistakes can be major blemishes

New Jersey Law Journal
May 17, 2004

Eliminate ‘There Is’ and ‘There Are’ — Directive phrases, useful in speech, are rarely needed in legal writing

New Jersey Law Journal
May 3, 2004

Reasons Persuade: Conclusions Do Not — Give reasons to back up your positional statements

New Jersey Law Journal
April 19, 2004

Look Within for the Premise of Your Argument — You can determine what the court is likely to deem fair

New Jersey Law Journal
April 4, 2004

Discretionary Punctuation Should Achieve Clarity and Flow

New Jersey Law Journal
March 22, 2004

Trim the Facts to Bring Out the Essence of Your Case — You may not need marginal facts to make your point

New Jersey Law Journal
March 8, 2004

Know When It Is Time to Rewrite Rather than Edit — Sometimes you have to clean house

New Jersey Law Journal
February 23, 2004

Use Brackets to Alter a Quotation — You can substitute words to improve clarity

New Jersey Law Journal
February 9, 2004

You Have to Walk a Mile in the Reader’s Shoes — To judge your own work, imagine you are the reader

New Jersey Law Journal
January 26, 2004

Lead with Good Facts if the Law Is Unsettled - You aren't required to begin an argument with a rule

New Jersey Law Journal
January 12, 2004

Even Procedural Histories Can Be Persuasive — Take any opportunity to highlight good facts

New Jersey Law Journal
December 29, 2003

Writing Is a Self-Analytical Process — Quiz yourself relentlessly and without mercy as you compose

New Jersey Law Journal
December 15, 2003

Thorough Editing Proceeds in Stages — Your initial changes may reveal more opportunities for improvement

New Jersey Law Journal
December 1, 2003

'However' Is Usually an Unnecessary Signal — Negation or limitation may be obvious without it

New Jersey Law Journal
November 17, 2003

You May Need to Reorganize Your Thoughts after Recording Them — Be wary of digressions, which divert the reader

New Jersey Law Journal
November 3, 2003

In Case Write-Ups, Get Quickly to the Holding — Then decide how much of the court's reasoning to present

New Jersey Law Journal
October 20, 2003

Characterize Your Time Intervals to Take Control of the Facts

New Jersey Law Journal
October 6, 2003

Your Writing Is a Barometer of Your Thinking — Drafts reveal when you haven't grappled with or mastered an issue

New Jersey Law Journal
September 22, 2003

In a Memo, the Short Answer Should Get Immediately to the Point — Busy lawyers appreciate brevity and directness

New Jersey Law Journal
September 8, 2003

Use ‘Accordingly,’ ‘Thus’ and ‘Therefore’ Sparingly — The context usually supplies the connection

New Jersey Law Journal
August 25, 2003

Grammatical Patterns Dictate the Reader’s Response — Arrange your sentences to account for embedded reactions

New Jersey Law Journal
August 11, 2003

Weak Arguments Are Pellets for the Shotgun Approach — Fight the temptation to include them ‘just in case’

New Jersey Law Journal
July 28, 2003

Which Comes First: the Chicken or the Egg? — Sometimes you lead with your point, and sometimes you lead up to it

New Jersey Law Journal
July 14, 2003

Don’t Be Afraid to Characterize the Facts — The perspective you supply will assist and persuade the reader

New Jersey Law Journal
June 30, 2003

If You Have More than One Dispositive Point, Let the Reader Know Up Front — An overview provides power and aids comprehension

New Jersey Law Journal
June 16, 2003

Footnotes Are Where the Horse Is Buried — Think twice about using substantive footnotes in briefs

New Jersey Law Journal
June 2, 2003

Should I Change Horses in Mid-Stream? Deciding Whether to Hire Appellate Counsel

The Metropolitan Corporate Counsel
June 1, 2003

‘Indeed,’ ‘Simply’ and ‘Certain’ Are Unnecessary Additives

New Jersey Law Journal

May 19, 2003

Put Your Openings to Good Use - Use them to persuade, not to mark time

New Jersey Law Journal

May 5, 2003

To Get to the Point, Get to the Verb — Avoid the ‘start-stop’ syndrome

New Jersey Law Journal

April 21, 2003

Create a Parallel Universe for Rhythm and Reinforcement — A balanced structure can also improve clarity

New Jersey Law Journal

April 7, 2003

Begin Paragraphs with Ideas Rather than Case Names — ‘In Smith v. Jones’ is a tempting but weak transition

New Jersey Law Journal

March 24, 2003

The Writing Process Begins with Getting the Assignment Straight — Smart writers stop and ask for directions

New Jersey Law Journal

March 10, 2003

When Tracking Statutes and Rules, Use Only What You Need — Verbatim recitation is comforting but often unnecessary

New Jersey Law Journal

February 24, 2003

Grouping and Subordination Help Guide and Persuade the Reader — Use bags and baskets to present your facts and arguments

New Jersey Law Journal

February 10, 2003

Commas Enhance Clarity and Regulate the Flow of Your Writing — If used improperly, they can confuse and irritate the reader

New Jersey Law Journal

January 27, 2003

Use Smaller Categories to Convey Precise Information — Offering unnecessary alternatives creates ambiguity

New Jersey Law Journal

January 13, 2003

Give a Quotation a Good Introduction — A short summary guides the reader and enlists

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the power of repetition

New Jersey Law Journal

December 30, 2002

Transition by Repetition: Take One Step Back to Go Two Steps Forward — Transitions are transparent to the reader but good for the flow

New Jersey Law Journal

December 16, 2002

Is the Glass Half Empty or Half Full? — Permissive and restrictive words give different slants to the same rule

New Jersey Law Journal

December 2, 2002

Don't Take Refuge in 'Common Sense' — Like the phrase 'it is important to note,' it may indicate fuzzy thinking

New Jersey Law Journal

November 18, 2002

Point Headings Should Persuade — Crisply stated gists help the court follow the argument's direction

New Jersey Law Journal

November 4, 2002

Don't Give Your Adversaries Free Airtime

New Jersey Law Journal

October 21, 2002

Exaggerations, Disparagements and Other Intensifiers

New Jersey Law Journal

October 7, 2002

Rankings and Recognition

Selected for inclusion in:

- *The Best Lawyers in America*®* 2012-2023, Gaming Law

* See [Award Methodology](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

Affiliations

Trustee, International Association of Gaming Advisors (IAGA) (2003-2012)

Sills Cummis & Gross P.C.

Member, Business Law Section, American Bar Association

Member, Litigation Section, American Bar Association

Member, Casino Law Section, New Jersey State Bar Association

Education

J.D., Harvard Law School

A.B., Cornell University

Bar Admissions

New Jersey

California