#### USING NO MATTER TO EXPRESS IRRELEVANCE

#### **FUNCTION**

**No matter** is typically used to indicate that **persistent** <sup>1</sup> **action** by a subject does <u>not</u> produce the **desired effect**. The party's action is irrelevant. <sup>2</sup> Use the "no matter" structure when discussing facts, particularly proof of facts. <sup>3</sup>

# Example #1

**Situation:** Bill tries very hard to quit smoking.

**Result:** Despite his effort, he cannot quit.

Expressed as: No matter how hard Bill tries, he cannot quit smoking.

# Example #2

**Situation:** Sally works very hard, and she wants a raise. She has brought in

a lot of new clients to the firm, and she has worked many billable hours over the last two years. She's explained all this to her boss. She persists in giving him reasons why she should have a raise.

**Result:** Regardless of Sally's attempts to get a raise, her boss won't give

her one.

**No matter what** Sally tells her boss, he won't give her a raise. **No matter how many reasons** Sally gives her boss, he won't give her a raise.

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In both examples Bill and Sally persist in their actions.

- Bill tried
- Sally explained

<sup>2</sup> **Relevant** evidence is evidence that "tends to prove or disprove an alleged fact." (Black's Law Dictionary 1291 (6<sup>th</sup> ed. 1990)). If a fact is <u>irrelevant</u>, therefore, it does *not* mean that the fact is true or false. Instead, it means that the fact or conduct simply does not apply to the issue under dispute, or will not apply to your client's ability to satisfy a legal requirement, *regardless* of whether it is true or false.

<sup>&</sup>lt;sup>1</sup> **Persistent**: repeated, constant

<sup>&</sup>lt;sup>3</sup> Earlier structures, such as <u>have to</u>, <u>must</u>, <u>may</u>, <u>do not have to</u>, <u>must not</u>, and <u>may not</u> convey law, that is legal requirements, permission or prohibition on conduct.

<sup>&</sup>lt;sup>4</sup> He won't give her ... is an example of the use of won't to express refusal to take an action. It is not the future tense. "The child won't eat his food," is a similar example of this usage.

Nevertheless, they were not able to achieve their desired effects/results. The reality of their **situation** remained **unchanged**, or **unaffected** despite their persistent actions. Their **conduct** is **irrelevant**. It doesn't change a thing.

**No matter** is used to present a **situation or condition** that is **unchanged** (that remains the same) **despite** *repeated attempts* **to change it**.

#### **USING NO MATTER**

**No matter** is an adverbial conjunction that introduces a subordinate clause.

No matter means despite, regardless.

#### **FORM**

No matter is always followed by:

a WH-word (who, what, when, where, how, which one)

**No matter when** he gets off work, he goes to the gym. He's determined to stay in shape.

No matter how much 5 I try, I can't improve my golf handicap.

OR

• Whether or if 6

No matter whether he works or not, he will be paid. He's the boss's son.

**No matter** *if* she gets the job *or not*, she'll never be able to keep it. She's very irresponsible.

**No matter** is always used in a sentence containing *two clauses*. <sup>7</sup>

- No matter introduces the clause of persistent action.
- The other clause (the main clause) presents the result: the unchanged situation/reality.

<sup>5</sup> You could also say: "No matter <u>how hard</u> I try." **How** is an adverb followed by another adverb. Therefore, it can be followed by another adverb - <u>how quickly</u>. It can also be followed by an adjective - <u>how nice</u>. For example: "No matter how nice she is to them, they are rude to her. They are ungrateful and uncouth people."

<sup>&</sup>lt;sup>6</sup> **Whether** and **if** always represent a "**binary**" situation, meaning **yes** / **no**. The "wh" words represent specific information – who, what, when, where, how, why, which one.

<sup>&</sup>lt;sup>7</sup> a clause = subject + verb [e.g. John knows; Mary liked; they have been studying]

### Example:

No matter what you say, he won't believe you.

You (will) say many things. (persistent action)
 He won't believe you. (unchanged reality)

# USING NO MATTER EXERCISES

**Directions:** Combine the following pairs of sentences into single sentences using **no** matter.

- 1. Joe works very hard all day. Despite his hard work, he can't keep up with all his assignments.
- 2. English is an international language. You can go just about anywhere in the world, and people speak English.
- 3. That course is very demanding. You can read the materials until midnight every night, but you will still be behind.
- 4. The odds against him are very high, but he won't give up.
- 5. Americans try very hard to save their money. Despite their attempts to save, however, they can't put aside enough for their future.
- 6. Sometimes I get to his office early, and sometimes I get there right on time. Regardless of the time I get there, he's never ready to see me.
- 7. Jack travels all over the world all the time. He always runs into someone he knows every place he goes.

8.	I talked to dozens of lawyers who have been before that judge. Regardless of the decisions he rendered on their cases, they admired and respected him.
9.	Her workload is extremely demanding. She makes herself accessible to people, anyway.
10.	He might be found innocent, or he might be found guilty. Nonetheless, his reputation is permanently damaged.
11.	I try calling my best friend in the morning, the afternoon and the evening. I try calling her during the week, and on the weekend. She is never home!
12.	The competition is extremely tough. They'll make it <sup>8</sup> anyway.

<sup>8</sup> here, the term "make it" is idiomatic – it means, "be successful"

# USING NO MATTER ANSWERS TO EXERCISES

**Directions:** Combine the following pairs of sentences into single sentences using **no** matter.

1. Joe works very hard all day. Despite his hard work, he can't keep up with all his assignments.

No matter how hard Joe works, he can't keep up with all his assignments.

2. English is an international language. You can go just about anywhere in the world, and people speak English.

No matter where you go, people speak English.

3. That course is very demanding. You can read the materials until midnight every night, but you will still be behind.

No matter how late you stay up reading the course materials, you'll still be behind.

4. The odds against him are very high, but he won't give up.

No matter how high the odds are against him, he won't give up.

5. Americans try very hard to save their money. Despite their attempts to save, however, they can't put aside enough for their future.

No matter how hard Americans try to save their money, they can't put aside enough for their future.

6. Sometimes I get to that client's office, and sometimes I get there right on time. Regardless of the time I get there, he's never ready to see me.

No matter what time I get to that client's office, he's never ready to see me.

7. Jack travels all over the world all the time. He always runs into someone he knows every place he goes.

No matter where he goes, Jack always runs into someone he knows.

8. I talked to dozens of lawyers who have been before that judge. Regardless of the decisions he rendered on their cases, they admired and respected him.

No matter who I talked to, lawyers who have been before that judge admired and respected him (regardless of the decisions he rendered on their cases).

- <mark>or –</mark>

No matter what decision he rendered on their cases, the lawyers that I talked to all admired that judge.

9. Her workload is extremely demanding. She makes herself accessible to people, anyway.

No matter how demanding her workload is, she makes herself accessible to people.

10. He might be found innocent, or he might be found guilty. Nonetheless, his reputation is permanently damaged.

No matter whether he is found innocent or guilty, his reputation is permanently damaged.

11. I try calling my best friend in the morning, the afternoon and the evening. I try calling her during the week, and on the weekend. She is never home.

No matter when I call my best friend, she's never home.

12. The competition is extremely tough. They'll make it anyway.

No matter how tough the competition is, they'll make it.