

EXPERT WITNESS TRAINING

How to Deliver Higher Quality Opinions,
Reports, and Testimony



Faculty of Thought Leader Judges,
Trial Attorneys and Experts



19 Interactive Sessions Offering
The Latest Information & Strategies



Gorgeous Oceanfront Location:
Opal Sands Resort



Invaluable Networking with
Faculty & Colleagues

PRECONFERENCE WORKSHOPS: MAY 3-4, 2018

- **How to Write a Bulletproof Expert Witness Report**
- **How to Start, Build, and Run a Successful Expert Witness Practice**
- **Advanced Testifying Skills for Experts: The Master's Program**

Registration Information

Location/Hotel Accommodations: The 2018 SEAK Expert Witness Conference will be held at the Opal Sands Resort, Clearwater Beach, FL. The Opal Sands Resort offers guests ultra-modern Gulf front accommodations on the Gulf of Mexico, right on Clearwater Beach's lively promenade. SEAK has secured a special group rate of \$209/night. Rooms are limited and this rate expires on April 11, 2018. To make your reservations, please call 1-855-335-1087 and refer to the SEAK Group rate and National Expert Witness Conference.

Special Early Registration Savings: Tuition for each course is \$1,295 on or before February 28, 2018; \$1,395 March 1, 2018 - April 11, 2018; \$1,495 after April 11, 2018.

Group Discounts: Group discounts are available for two or more persons registering from the same organization. Discount prices depend on the size of the group. Our programs can also be brought onsite to your organization. Please call 508-457-1111.

Continuing Education Credits: Continuing education credits are offered for the programs. Please see pages 4, 11, 14, 17 for more information.

Conference Cancellations: Conference cancellations received in writing on or before April 11, 2018 will receive a full refund. Conference cancellations received after April 11, 2018 will receive a full tuition credit.

MAIL to: SEAK, Inc., P.O. Box 729, Falmouth, MA 02541 FAX to: 508.540.8304
CALL: 508.457.1111 or REGISTER ONLINE: www.seak.com

Please register me for the following preconference:

Each preconference is \$1,295 on or before February 28, 2018; \$1,395 March 1, 2018 - April 11, 2018; \$1,495 after April 11, 2018.

- How to Write a Bulletproof Expert Witness Report** May 3-4, 2018
- How to Start, Build, and Run a Successful Expert Witness Practice** May 3-4, 2018
- Advanced Testifying Skills for Experts: The Master's Program** May 3-4, 2018

Please register me for the Main Conference:

- 27th Annual National Expert Witness Conference** May 5-6, 2018 (Tuition is \$1295 on or before February 28, 2018; \$1395 March 1, 2018-April 11, 2018; \$1495 after April 11, 2018.)

Expert Witness Training seminars available on DVD: (MA residents add 6.25% sales tax)

- Law For Experts: What You Need to Know to Succeed** (\$895)
- How to Assist An Expert Witness Practice: The Support Staff Program** (\$595)
- How to Excel as an Expert Witness in Medical Malpractice Cases: Special Techniques** (\$895)
- How to Excel as an Expert Witness in Patent Cases: Special Techniques** (\$895)

Please print or type all items to assure accuracy.

All confirmations will be sent via email to the individual indicated. **Priority Code: EW2018**

<input type="checkbox"/> Check here if you require special accommodations to fully participate.		
First Name (as it will appear on name badge):		
Last Name:		
Title:		
Company/Organization:		
Specialty/Area of Expertise (to be included on your nametag for networking purposes):		
Mailing Address:		
City:	State:	Zip:
Phone:	Fax:	
E-Mail: (Please print neatly - confirmations and other information will be sent via e-mail)		
<input type="checkbox"/> I've enclosed a check payable to: SEAK, Inc., P.O. Box 729 Falmouth, MA 02541		
OR I'm Paying by Credit Card (please circle card type) MC / Visa / Amex / Discover		
Card Number:	Exp. Date:	
Name as it appears on the card:	Security Code:	
Signature:		

For 2018, please join SEAK on what has been rated the best beach in the USA!

We are pleased to once again be holding our 2018 program directly on Clearwater Beach in the new (opened February 2016) Opal Sands Resort. All rooms at the Opal Sands are Gulf Front and feature private balconies. We have secured a group rate of only \$209/night.



Opal Sands Pool



Opal Sands Balcony

Frequently Asked Questions

Q. I am new to expert witnessing. Will this conference be appropriate for me?

A. Yes, although we also highly recommend that you sign up for our *How to Start, Build, and Run a Successful Expert Witness Practice* preconference if your schedule permits.

Q. What types of experts is your training conference appropriate for?

A. All disciplines and all levels of experience. Each year we have experts who have testified hundreds of times attend as well as brand new experts. The level of diversity in terms of disciplines who attend the conference is breathtaking and includes accountants, engineers, physicians, attorneys, psychologists, life care planners, chiropractors, fire investigators, arborists, nurses, computer specialists, patent experts, damages experts, security, investments, etc.

Q. Are there continuing education credits for my discipline?

A. If we reasonably can obtain your credits, we will. Please see page 4 for more details and if you have any additional questions please contact Karen Cerbarano at 781-826-4974 or Karen@seak.com.

Q. How many expert witnesses have attended this training conference?

A. Over 4,000 since 1990. SEAK has trained many thousands more experts through seminars, on-site training, and 1-1 training.

Q. Are there any discounts available?

A. Yes. You can save up to \$400 by registering early (\$200 for the main conference and \$200 for a preconference). Group discounts are also available. Call 508-457-1111.

Q. I can't make it to the conference, what are my other options?

A. SEAK Expert witness training is offered 3–4 times a year. For a complete upcoming seminar schedule please visit www.seak.com. We also offer 1-1 training. Call 508-457-1111.

Q. Should I sign up for a preconference or is that information already covered in the main conference?

A. We highly recommend that you take advantage of the small group format preconferences and sign up for one if your schedule permits. The preconferences go into far more depth than what is covered at the main conference and allow you to drill down and perfect your skills. For example, we spend 14 hours teaching report writing in the *How to Write a Bulletproof Expert Witness Report* preconference, whereas report writing is covered in 1 hour at the main conference. A large percentage of attendees historically also attend a preconference.

Q. I am having trouble deciding on which preconference to attend. Can you offer any guidance?

A. Yes, please feel free to call Seminar Leader Attorney Steven Babitsky (508-548-9443) and he will evaluate your situation and make recommendations.

Register Early and Save!

"Once again the seminar was amazing. Thank you for providing this service to experts."

"An eye-opening experience."

"This weekend, my first exposure to SEAK, was extremely positive."

"Great training. I could use several hundred more hours of it. I will be putting what I learned to work next week."

"Fantastic seminar, exceeded expectations."

"Excellent. One of the best I have attended."

"Excellent, as usual (I am a repeat visitor)."

"Excellent, excellent use of speakers content areas that were all relevant but diverse with the whole variety of presenters with different style and information to share. Relevant, informative, interesting, and timely."

"Superb speakers! Great course."

"Worth every penny of my money."

"This is must know information for anyone doing expert witness work."



Main Conference Continuing Education Credit Information

Note: **If your specialty does not appear below and you desire credits, please contact Karen Cerbarano (Karen@seak.com or 781-826-4974).** We can often obtain desired credits upon request, but unfortunately, obtaining some types of credits are not feasible. Please register early, as we can only apply for credits after your registration form has been received and it can take time to get the requested approvals back from the accrediting agencies.

Accident Reconstructionists: SEAK will apply for credits through ACTAR upon written request at the time of registration.

Accountants: Earn 16.5 CPE credits in the field of study of Specialized Knowledge and Applications. SEAK, Inc. is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors through its website: www.nasbaregistry.org. For SEAK, Inc.'s complaint and program cancellation policies please call SEAK, Inc. at 508-457-1111. All attendees should have the education and experience that would qualify them as an expert witness. This is an intermediate group live program. Advanced Preparation: None. This program was created in July 2017. To register, please follow the instructions on page 2. **Appraisers:** Credits from The American Society of Appraisers will be applied for on written request at the time of registration. **Arborists:** SEAK will apply for Continuing Education hours through The International Society of Arboriculture (ISA) on written request at time of registration.

Attorneys: Credit varies by state. Continuing legal education credits for attorneys will be applied for if requested in writing at the time of registration. **Engineers:** 14 PDHs. The acceptance of this course is dependent upon your state(s) of registration. The vast majority of states do not require preapproval of either courses or course sponsors. **Life Care**

Planners: SEAK will apply for credits through The Commission on Health Care Certification (CHCC) upon written request at the time of registration. **Physicians:** SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this live activity for a maximum of 14 *AMA PRA Category 1 Credit(s)*[™]. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

For questions or more information call 508.457.1111 or email mail@seak.com. NOTE: SEAK does not accept commercial support for its programs and does not use faculty members with conflicts of interest.

Registration is Limited. Register Early and Save.

Preconference Workshops: May 3-4, 2018

- How to Write a Bulletproof Expert Witness Report
- How to Start, Build, and Run a Successful Expert Witness Practice
- Advanced Testifying Skills for Experts: The Master's Program

MAIN CONFERENCE

Saturday, May 5, 2018

- 7:00am - 8:00am** **REGISTRATION & NETWORKING BREAKFAST**
- 8:00am - 9:00am**
 **A View from the Bench: How Experts Can Improve Their Credibility with the Jury and Judge**
 The Honorable Stephen J. Murphy III
US District Court, Eastern District of Michigan
 Detroit, MI
- 9:00am - 10:00am**
 **The Expert Witness Deposition: How to Survive and Thrive**
 Darren M.R. VanPuymbrouck, Esq.
Freeborn & Peters
 Chicago, IL
- 10:00am - 10:10am** **BREAK AND NETWORKING OPPORTUNITY**
- 10:10am - 11:10am**
 **The Excellent Expert Witness Report**
 Stephen Noffsinger, MD
UH Cleveland Medical Center
 Cleveland, OH
- 11:10am - 12:10pm**
 **How Expert Witnesses Can Deliver and Defend the Truth**
 Stuart Simon
American Jury Centers
 Hailey, ID
- 12:10pm - 1:10pm** **NETWORKING LUNCH (PROVIDED WITH FACILITY)**
- 1:10pm - 2:10pm**
Breakout Session: Choose One
Business Development for Expert Witnesses
 Steven Babitsky, Esq.
SEAK, Inc.
 Falmouth, MA
- OR**
How to Excel During Your Direct Examination
 Michelle Hoffman, MS
Forensic Injury Analysis, LLC
 Tempe, AZ
- 2:10pm - 2:25pm** **BREAK AND NETWORKING OPPORTUNITY**
- 2:25pm - 3:25pm**
Breakout Session: Choose One
How Not to Get Disqualified from Testifying
 Nathan A. Schachtman, Esq.
Schachtman Law
 New York, NY
- OR**
Surviving and Thriving During Cross-Examination
 Scott Bouchner, CMA, CVA, CFE, CIRA
 Berkowitz Pollack Brant Advisors and Accountants
 Miami, FL
- 3:25pm - 3:40pm** **BREAK AND NETWORKING OPPORTUNITY**
- 3:40pm - 4:40pm**
 **Breakout Session: Choose One**
How to Bulletproof Your Methodology
 Nadine Nasser Donovan, Esq.
SEAK, Inc.
 Falmouth, MA
- OR**
 **How to Work With Counsel to Make Complex Information Understandable**
 Scott Wilkov, Esq.
Tucker Ellis LLP
 Cleveland, OH
- 4:40pm - 6:00pm** **NETWORKING RECEPTION**

Sunday, May 6, 2018

- 6:30am - 7:00am** **NETWORKING BREAKFAST**
- 7:00am - 8:00am**
 **A View from the Bench: The Effective Expert Witness**
 The Honorable Janet L. Sanders
Suffolk County Superior Court
 Boston, MA
- 8:00am - 9:00am**
 **How Experts Can Use Demonstratives to Improve Their Performance and Win New Clients**
 Christopher Campbell, Esq.
DLA Piper LLP
 Atlanta, GA
- 9:00am - 9:10am** **BREAK AND NETWORKING OPPORTUNITY**
- 9:10am - 10:10am**
 **Presentations and Communication Skills for Expert Witnesses**
 Jay Grossman, DDS
 Los Angeles, CA
- 10:10am - 11:10am**
 **How Experts Can Be Prepared, Confront, and Respond to Effective Cross-Examination**
 Gary Burt, Esq.
Primmer Piper Eggleston & Cramer PC
 Manchester, NH
- 11:10am - 11:20am** **BREAK AND NETWORKING OPPORTUNITY**
- 11:20am - 12:20pm**
 **Practice Management Protocols for Experts: Best Practices**
 Susan R. Borgaro, PhD, ABPP-rp
Neuropsychological Assessment Services
 Phoenix, AZ
- 12:20pm - 1:20pm** **NETWORKING LUNCH (PROVIDED WITH FACILITY)**
- 1:20pm - 2:20pm**
 **Breakout Session: Choose One**
Testifying Tips for Experts: With Video Examples
 James J. Mangraviti, Jr., Esq.
SEAK, Inc.
 Falmouth, MA
- OR**
Dealing with Difficult Attorneys
 Thomas Burtness, PE
Burtness Engineering Services
 White Heath, IL
- 2:20pm - 2:35pm** **BREAK AND NETWORKING OPPORTUNITY**
- 2:35pm - 3:35pm**
 **Breakout Session: Choose One**
Establishing Defensible Opinions
 Christopher Janson, MS, CSP
Haines, Janson, and Associates LLC
 St. Louis, MO
- OR**
 **How to Prepare to Testify at Deposition and Trial**
 John H. (Jack) Hickey, Esq.
Hickey Law Firm
 Miami, FL



Registration is Limited. Register Early and Save.

Conference Program: Saturday, May 5, 2018

7:00am – 8:00am**REGISTRATION & CONTINENTAL BREAKFAST****8:00am – 9:00am**

A View from the Bench: How Experts Can Improve Their Credibility with the Jury and Judge
The Honorable Stephen J. Murphy III



Judge Murphy will explain how the expert's candor, demeanor, language, presentation skills, and the content of the testimony impact their credibility and effectiveness. He will share feedback from jurors on what they like and do not like about expert witnesses. Judge Murphy will offer practical suggestions for experts. *Learning Objective: List ways to improve your credibility.*

The Honorable Stephen J. Murphy III is a United States District Judge for the Eastern District of Michigan. Prior to his appointment to the bench, Judge Murphy was the United States Attorney for the Eastern District of Michigan, Counsel for General Motors, an AUSA in Detroit, and a trial attorney at The United States Department of Justice in Washington, DC. Judge Murphy was an adjunct professor of law at University of Toledo College of Law, the Thomas M. Cooley Law School, and the Ana Maria School of Law. He received his BS from Marquette University College of Business and his JD from Saint Louis University School of Law.

9:00am – 10:00am

The Expert Witness Deposition: How to Survive and Thrive
Darren M.R. VanPuymbrouck, Esq.



Attorney VanPuymbrouck will explain the process attorneys go through preparing to depose experts. He will review and demonstrate with video, the attorney's goals, strategies, and tactics, including how attorneys sequence questions to trap experts into unwanted conclusions, jump from one topic to the other to sow confusion, and ask experts to opine about topics outside their charge to bolster their cross examination of those other experts. Attorney VanPuymbrouck will offer practical advice on how expert witnesses can survive, thrive, and excel at their depositions. *Learning Objective: Describe techniques to excel at your deposition.*

Darren M.R. VanPuymbrouck, Esq. is a national trial lawyer and a partner at Freeborn & Peters, LLP where he is the Chair of the firm's National Fire & Explosion Practice Group. Mr. VanPuymbrouck has litigated and tried thousands of cases throughout the country in some of the most difficult jurisdictions involving billions of dollars and bet-the-company exposure. Mr. VanPuymbrouck recently was the lead trial lawyer in a month-long jury trial in New Jersey involving construction defect and legal malpractice issues that resulted in a seven figure recovery for his client. In 2014, Mr. VanPuymbrouck tried a catastrophic fire case in Cook County, IL resulting in a \$22 Million verdict, the highest in Cook County that year and among the top 100 verdicts in the nation. Attorney VanPuymbrouck also regularly serves as national trial and coordinating counsel for clients facing multi-jurisdictional litigation often involving thousands of claims and billions of dollars in exposure. He has litigated and resolved national and statewide class actions in California, Nevada, and Arizona, numerous MDLs, and many mass actions. Darren is active in the American Bar Association where he serves as a co-chair of the Expert Witness Committee.

10:00am – 10:10am**BREAK AND NETWORKING OPPORTUNITY****10:10am – 11:10am**

The Excellent Expert Witness Report
Stephen Noffsinger, MD



Dr. Noffsinger will explain and demonstrate, with examples, how the excellent report can and should be a template for your effective direct examination. He will discuss anticipating and effectively dealing with cross-examination areas of inquiry, and expressing your opinions with the factual and scientific basis. Dr. Noffsinger will offer practical suggestions for writing the excellent expert witness report. *Learning Objective: List strategies for writing a more effective report.*

Stephen Noffsinger, MD is a nationally known forensic psychiatrist and experienced expert witness. He is Associate Program Director, Forensic Psychiatry, UH Cleveland Medical Center and Associate Professor, Psychiatry, CWRU School of Medicine. Dr. Noffsinger is the developer and instructor for the law and psychiatry course taught at the University of Akron School of Law. He teaches expert witness testimony standards and excelling at direct examination and report writing. Dr. Noffsinger is board certified in psychiatry and neurology and has been chosen as one of the Best Doctors in America for more than ten years.

11:10am – 12:10pm

How Expert Witnesses Can Deliver and Defend the Truth
Stuart Simon



Mr. Simon will explain and demonstrate, with examples, how experts need to prepare and be prepared for their direct and cross-examination. He will address how to speak to facts, precision, context, narrative, and giving the truth meaning the jury can understand. Mr. Simon will offer practical suggestions for excelling during difficult questioning. *Learning Objective: Describe techniques for preparing to testify.*

Stuart Simon is President/CEO and a principal founding partner at AJC American Jury Centers™, has assisted attorneys and corporations in the development of trial strategies and tactics since 1994. Mr. Simon is recognized for his ability to summarize complex technical data into simple, lay-friendly concepts that juries and other decision makers understand. He has consulted on some of the largest cases in the United States and abroad. Mr. Simon is the author of *Witness Communication Training: Helping Witnesses Learn to Deliver and Defend the Truth Under Adverse Examination*. For over 20 years, he has been a featured speaker at the national and international conferences. Mr. Simon holds a JD from Widener University School of Law and an undergraduate degree from Rutgers University.

12:10pm – 1:10pm**LUNCH (PROVIDED WITH FACULTY)**

“Excellent, every session had some relevant information that will help me be a better expert witness.”

“This is my 10th SEAK course, always meets my expectations.”

“Thanks again for a wonderful conference. One of the best ever.”

Conference Program: Saturday, May 5, 2018

1:10pm – 2:10pm

Breakout Session: Choose One
 Business Development for Expert Witnesses
Steven Babitsky, Esq.



The goal of expert witness business development ideally is to obtain, in a cost effective professional manner, the specific types of case assignments you are seeking. Attorney Babitsky will explain, and demonstrate with examples, specific, effective, tested techniques and strategies he has used successfully with experts for business development. Particular attention will be paid to branding, reputation building, and obtaining interesting and lucrative assignments in a professional cost-effective manner. *Learning Objective: List strategies for successful business development.*

Steven Babitsky, Esq. is the President of SEAK, Inc., the expert witness training company (www.testifyingtraining.com.) He trains and consults with expert witnesses and forensic companies on marketing, practice building, and deposition and trial preparation. He is the co-author of numerous texts on expert witnessing, including: *The Street Smart MBA: 10 Proven Strategies For Driving Business Success*, *How to Prepare Your Expert Witness for Deposition*, *How to Market Your Expert Witness Practice: Evidence-Based Best Practices*, *Never Lose Again: Become a Top Negotiator by Asking the Right Questions*, and *The Biggest Mistakes Expert Witnesses Make And How to Avoid Them*. He was a trial attorney for 20 years.

OR
 How to Excel During Your Direct Examination
Michelle Hoffman, MS



Ms. Hoffman will explain and demonstrate, with examples, how to work with retaining counsel to make your direct examination both effective and memorable. She will show how to bring to life complex scientific concepts and testimony that is readily understood and appreciated by the jury. Ms. Hoffman will offer practical techniques and strategies for an excellent direct examination. *Learning Objective: Describe techniques to deliver more effective direct testimony.*

Michelle Hoffman, MS is a forensic biomechanical engineer with over 25 years of forensic consulting experience in the area of injury analysis. She is an experienced expert witness who has conducted analysis of over 1,000 cases and has testified in both state and federal courts. She has both a BSE and MS degree in biomechanical engineering from Arizona State University.

2:10pm – 2:25pm

BREAK AND NETWORKING OPPORTUNITY

2:25pm – 3:25pm

BREAKOUT SESSION: CHOOSE ONE
 How Not to Get Disqualified from Testifying
Nathan A. Schachtman, Esq.



Attorney Schachtman will discuss and demonstrate, with examples, the types of actions and inactions by expert witnesses that lead to their disqualifications. He will explain the biggest mistakes that lead to experts being disqualified under *Daubert* and how to avoid them. Attorney Schachtman will offer practical advice to experts on how to avoid getting disqualified from testifying. *Learning Objective: List strategies to avoid disqualification.*

Nathan A. Schachtman, Esq. is a trial attorney who has focused on the defense of products liability suits. He has tried over 50 cases and over 12 *Daubert* hearings. He has been involved in some of the most prominent cases involving hormone therapy, PPA, Rezulin, and other oral anti-diabetic medications, anti-depressants, and silicone gel. Nathan's expertise involves a heavy emphasis on the scientific and medico-issues that often dominate toxic tort litigation cases. He has challenged a wide variety of expert witnesses, including scientists and physicians, testifying on behalf of the claimants, on immunology, epidemiology, toxicology, polymer and analytical chemistry, rheumatology, neuropsychology, and other areas of clinical medicine.

OR
 Surviving and Thriving During Cross-Examination
Scott Bouchner, CMA, CVA, CFE, CIRA



Mr. Bouchner will explain how to diagnose and defeat numerous cross examination tactics such as impeachment with prior deposition testimony, insults and personal attacks, confrontation with learned treatises, taking previous statements out of context, closed-ended questions designed to box you in and misrepresent your position, staccato questioning, preventing you from talking to the jury, nitpicking for small contradictions, throwing documents at you, and insisting that you only answer yes and no. *Learning Objective: Explain techniques for defeating counsel's cross-examination tactics.*

Scott Bouchner, CMA, CVA, CFE, CIRA is a director of Berkowitz Pollack Brant's Forensic and Business Valuation Services practices. For more than 25 years he has served as a litigation consultant, expert witness, court-appointed expert, forensic accountant and forensic investigator. Bouchner's team has assisted bankruptcy courts, the SEC, municipalities, school boards, government agencies, the FBI and numerous other entities in proving or defending against allegations using a range of forensic and investigative techniques. As an expert witness, Mr. Bouchner has testified at deposition and trial in both federal and state courts. Bouchner is a frequent presenter and panel moderator at legal and professional conferences. He is co-author of three AICPA practice guides used by his peers, including a) Calculating Lost Profits, b) Discount Rates, Risk, and Uncertainty in Economic Damages Calculations, and c) Attaining Reasonable Certainty in Economic Damages Calculations. Bouchner was honored in South Florida Legal Guide's Top CPAs and Financial Professionals in Litigation Support for the past 13 years and was awarded the AICPA's volunteer of year award in 2016.

3:25pm – 3:40pm

BREAK AND NETWORKING OPPORTUNITY

"The Conference was AWESOME, as always!! Thank you so much for all your effort and I'll see all of you in Clearwater, FLA!!"

Registration is Limited. Register Early and Save.

Conference Program: Saturday, May 5, 2018

3:40pm – 4:40pm

BREAKOUT SESSION: CHOOSE ONE
 How to Bulletproof Your Methodology
Nadine Nasser Donovan, Esq.


The methodology an expert witness uses to develop opinions is the subject of intense scrutiny during testimony, and a frequent target of attempts to block an expert opinion. Attorney Donovan will explain how experts can develop bulletproof methodology that can withstand intensive cross-examination and Daubert challenges. She will offer practical strategies for developing your methodology protocol. Using examples, Attorney Donovan will demonstrate best practices for effectively explaining and defending your methodology when testifying on direct and cross-examination. *Learning Objective: List strategies for bulletproofing your methodology.*

Nadine Nasser Donovan, Esq., is a former trial lawyer with extensive litigation experience. She is a senior SEAK seminar trainer and marketing consultant, and has been on the SEAK Faculty since 2002, having trained hundreds of experts via SEAK's scheduled courses, customized on site expert witness training programs, and one-on-one consulting. Nadine is the co-author of the SEAK texts *How to Be An Effective Expert Witness at Deposition and Trial: The SEAK Guides to Testifying as an Expert Witness*, *How to Be a Successful Experts Witness: SEAK's A-Z Guide to Expert Witnessing*, and *How to Write an Expert Witness Report*. She is also a Legal Writing Instructor at Boston University School of Law. Nadine previously spent 18 years practicing medical malpractice defense, and prior to that was a prosecutor and counsel for New York City. Ms. Donovan received her J.D. *cum laude* from Boston College Law School. She graduated from Fordham University *summa cum laude* with a B.A. in French Literature.

OR
 How to Work With Counsel to Make Complex Information Understandable
Scott Wilkov, Esq.


Attorney Wilkov will explain and demonstrate, with examples, how counsel and the expert can work together to deliver complex scientific information in an understandable and interesting fashion. He will discuss the need for mutual education, preparation, development of demonstrative evidence, and careful use of analogies, to put the science into context for the jury in a fashion they can relate to. *Learning Objective: Describe strategies for speaking in a manner that is more easily understood.*

Scott Wilkov, Esq. is a trial counsel in the Cleveland, Ohio office of Tucker Ellis LLP where he defends product manufacturers in coal mine, dust, silica, asbestos and other toxic exposure cases. Prior to entering private practice Scott was the senior Air Force prosecutor for the Western United States. Through that assignment and more than a decade of military service he tried approximately 100 criminal cases. Attorney Wilkov's knowledge of science is a key contribution in his cases as he identifies and develops the most appropriate experts to advance the theories of the case. Attorney Wilkov received his B.A. from American University and his J.D. from the University of Arizona College of Law.

Conference Program: Sunday, May 6, 2018

6:30pm – 7:00pm

NETWORKING BREAKFAST

7:00am – 8:00am

 A View from the Bench: The Effective Expert Witness
The Honorable Janet L. Sanders


Judge Sanders will explain the characteristics that effective, credible, persuasive expert witnesses have in common. She will discuss the common mistakes experts make and how to avoid them. Judge Sanders will discuss what juries have told her about expert witnesses and will offer practical suggestions and advice for expert witnesses. *Learning Objective: List techniques for presenting more effective testimony.*

The Honorable Janet L. Sanders is a Massachusetts Superior Court Judge serving since 2001. Following her graduation from Stanford University in 1976, she worked as a newspaper reporter for the Houston Chronicle covering criminal and civil courts for four years. Judge Sanders earned a J.D. from Harvard Law School in 1982, graduating magna cum laude. After two federal clerkships, she worked at Hill & Barlow in civil litigation, and then at Zalkind & Sheketoff in criminal defense. Judge Sanders served as Regional Administrative Justice of Norfolk County from 2007 until 2011. She has also served on several Superior Court and Supreme Judicial Court Committees, including the Committee on Judicial Evaluations and Judicial Performance Enhancement. Judge Sanders is a frequent participant in MBA and MCLE programs, and teaches trial advocacy at Boston University Law School.

8:00am – 9:00am

 How Experts Can Use Demonstratives to Improve Their Performance and Win New Clients
Christopher Campbell, Esq.


Attorney Campbell will explain and demonstrate with examples how experts can, with the use of slides, models, animations, flip charts, and data visualization, make complex science understandable and memorable. He will discuss how experts can win new clients with the effective use of demonstratives. Attorney Campbell will offer practical suggestions for working with counsel to create and present effective demonstrative evidence. *Learning Objective: Explain strategies for creating and using effective demonstrative aids.*

Chris Campbell, Esq. is a partner in DLA Piper's Product Liability and Mass Tort practice group. Attorney Campbell serves as head of litigation in the Atlanta office, while also working out of the New York office. Chris is a graduate of Harvard Law School with experience in all phases of litigation. He is co-author of the book *Expert Witnesses: Products Liability Cases*, an in-depth guide to expert witness development in all types of product liability and mass tort matters, including pharmaceutical, toxic torts, automotive, industrial accidents and children's and consumer products.

9:00am – 9:10am

BREAK AND NETWORKING OPPORTUNITY

Conference Program: Sunday, May 6, 2018

9:10am – 10:10am Presentations and Communication Skills for Expert Witnesses Jay Grossman, DDS



Dr. Grossman will explain and demonstrate, with examples, techniques for effective presentation and communication during expert testimony. He will discuss choice of language, visual aids, body language, confidence, passion, and delivering memorable, understandable and persuasive testimony. Dr. Grossman will offer practical suggestions for experts to improve their presentation and communication skills. He will also cover some basic techniques for maintaining your calendar and keeping track of your cases. *Learning Objective: List techniques for being a more effective communicator.*

Jay Grossman, DDS is a professor of dental medicine at Western University College of dental medicine, a lecturer for the past 21 years at UCLA College of dentistry, a former Lieutenant in the United States Navy dental corp, general, cosmetic, laser, and implant dentistry in Brentwood, California for the past 26 years. As a dental expert, he has been involved in over 600 dental malpractice and injury cases, deposed over 100 times, in Superior Court over 40 times. He is qualified to offer an expert opinion in 42 states due to his 3 licenses and 1 expert certificate. Founder of the non-profit "Homeless Not Toothless" (www.homelesstoothless.org), he has made it possible for thousands of homeless people to receive over \$3 million in pro-bono dental care.

10:10am – 11:10am How Experts Can Be Prepared, Confront, and Respond to Effective Cross-Examination Gary Burt, Esq.



Attorney Burt will discuss and demonstrate with examples, how attorneys prepare to cross-examine experts including: background research, prior testimony, methodology issues, analysis of the big picture and the details, and an expert's failure to perform proper analysis and review all that must be reviewed. Attorney Burt will provide practical suggestions on how, with proper preparation, experts can effectively deal with their cross-examination, and turn it to the client's advantage. *Learning Objective: Explain techniques for being more effective during cross examination.*

Gary Burt, Esq. is a trial lawyer and director of the New Hampshire law firm of Primmer Piper Eggleston & Cramer PC. Attorney Burt's trial experience includes bringing more than 200 jury trials to conclusion. He is known for his expertise advocating for clients in commercial and business litigation, toxic tort litigation, product liability litigation, defamation claims, and claims for personal injury. He has deposed, examined, and cross-examined experts in such varying fields as medicine, engineering, architecture, accident reconstruction, psychology, neuropsychology, economics, accounting, and toxicology. Attorney Burt has been honored as one of the best lawyers in America for the past seven years.

11:10am – 11:20am BREAK AND NETWORKING OPPORTUNITY

11:20am – 12:20pm Practice Management Protocols for Experts: Best Practices Susan R. Borgaro, PhD, ABPP-rp



Dr. Borgaro will explain and demonstrate the effective use of expert protocols for information requests, case intake, retention agreements, fees & billing, staff training, depositions, and trials. Dr. Borgaro will offer practical suggestions for the use of protocols to increase efficiency and a higher quality work product. *Learning Objective: List strategies for running a more efficient and successful practice.*

Susan Borgaro, PhD, ABPP-rp is a Neuropsychologist, Board Certified in Rehabilitation Psychology. She is the Founder and Director of Neuropsychology Assessment Services in Phoenix, Arizona, where she conducts over 500 clinically referred neuropsychological evaluations per year. Dr. Borgaro is an experienced expert witness and provides expert witness services and consultation nationally to plaintiff and defense attorneys. She is an expert in forensic report writing and testifying at deposition and trial. Dr. Borgaro received her BA and PhD from Fairleigh Dickinson University and completed her internship at Yale University Department of Psychiatry School of Medicine.

12:20pm – 1:20pm LUNCH (PROVIDED WITH FACULTY)

1:20pm – 2:20pm BREAKOUT SESSION: CHOOSE ONE Testifying Tips for Experts: With Video Examples James J. Mangraviti, Jr., Esq.



Attorney Mangraviti will explain numerous techniques which assist expert witnesses to deliver more powerful and effective testimony. Each tip will be demonstrated with a video example of experts testifying in actual cases. Questions and Answers. *Learning Objective: Describe methods for being a more effective expert witness at deposition and trial.*

James J. Mangraviti, Jr., Esq., has trained thousands of expert witnesses through seminars, conferences, corporate training, training for professional societies and one-on-one training/mentoring. He is also frequently called by experts, their employers, and retaining counsel to train and prepare individual expert witnesses for upcoming testimony. Mr. Mangraviti is a former litigator with experience in defense and plaintiff personal injury law and insurance law. He currently serves as Principal of the expert witness training company SEAK, Inc. (www.testifyingtraining.com). Mr. Mangraviti received his BA degree in mathematics *summa cum laude* from Boston College and his JD degree *cum laude* from Boston College Law School. He is the co-author of thirty books, including: *How to Be an Effective Expert Witness at Deposition and Trial: The SEAK Guide to Testifying as an Expert Witness*; *How to Be a Successful Expert Witness: SEAK's A-Z Guide to Expert Witnessing*; *How to Write an Expert Witness Report*; *The Biggest Mistakes Expert Witnesses Make: And How to Avoid Them*; and *How to Market Your Expert Witness Practice: Evidence-Based Best Practices*. He can be reached at 978-276-1234 or jim@seak.com.

"Excellent speakers and lecture content"

"Incredibly valuable"

Conference Program: Sunday, May 6, 2018

OR

Dealing with Difficult Attorneys

Thomas Burtness, PE



Mr. Burtness will discuss and demonstrate with examples, how to effectively deal with attorneys who are uncommunicative, demanding, intimidating, withholding, coercing, manipulative, or slow in paying your invoices. He will explain how to utilize tact, diplomacy, and the ability to say no, in order to diffuse difficulties, keeping your relationship with the client while maintaining your integrity, credibility, and professional reputation. *Learning Objective: List techniques to deal with difficult employees.*

Thomas Burtness, PE has been providing expert witness services to attorneys and forensic investigatory services for insurance companies in the fields of street and area lighting and electrical engineering since 1978. As a Licensed Professional Engineer in 14 states, and a former Licensed Electrician and Electrical Contractor, he has participated in cases involving industrial accidents, electrocution, personal injury, vehicle accidents, fire cause and origin, equipment and machinery failure, failure of safety circuitry, construction defects, design and specification disputes, and construction contract claims.

2:20pm – 2:35pm**BREAK AND NETWORKING OPPORTUNITY****2:35pm – 3:35pm****BREAKOUT SESSION: CHOOSE ONE**

Establishing Defensible Opinions

Christopher Janson, MS, CSP



Mr. Janson will explain and demonstrate with examples what attorneys are really looking for in the opinions of expert witnesses. He will discuss answering the questions posed, assumptions made, methodology, research, citing of literature, and structure of the opinions offered. Mr. Janson will offer bottom line advice on how to bullet-proof and inoculate their opinions from attack. *Learning Objective: Explain strategies for developing more defensible opinions.*

Christopher Janson, MS, CSP is a safety and premises liability expert as well as an experienced expert witness. Mr. Janson has held safety management positions with several Fortune 500 companies. He has also worked with a variety of firms as a consultant for the insurance industry. Mr. Janson is a professional member of the American Society of Safety Engineers and the American Industrial Hygiene Association. He is a member of the ASTM F13 committee on Pedestrian/Walkway Safety and Footwear as well as the ANSI A1264 committee on Walking and Working Surfaces. Chris also serves as member of the board of directors for the St. Louis Safety Council.

OR

How to Prepare to Testify at Deposition and Trial

John H. (Jack) Hickey, Esq.



One of the major ways an expert witness builds a successful practice is to master the art of effectively and comprehensively preparing for depositions and trial testimony. Attorney Hickey will explain and demonstrate with examples how expert witnesses can and should properly prepare for their deposition and trial testimony. He will discuss the crucial role of retaining counsel, the materials to be reviewed, and how to deal with voluminous amounts of material. Attorney Hickey will offer practical advice, strategies, and techniques for successful preparing for deposition and trial testimony. *Learning Objective: Explain techniques for properly preparing to testify.*

John H. (Jack) Hickey, Esq. is a trial attorney in Miami who has been trying personal injury, wrongful death, admiralty, malpractice, and products liability cases for over 36 years. He is Double Board Certified in Civil Trial and Admiralty and Maritime by The Florida Bar. He is also Board Certified as a Civil Trial Lawyer by the National Board of Trial Advocacy (NBTA). Jack is the Past Chair of 7 DCBA committees, Past Chair of 3 Florida Bar Committees, has received 17 Certificates of Merit from the DCBA “for outstanding and constructive service to the bench, the bar, and the public;” has received 3 certificates from The Florida Bar “in recognition and appreciation of meritorious service to the public and legal profession.”

“Very helpful, informative. Wonderful speakers”

“Very good, lots of useful information”

“Well-crafted for relevance and a stellar cast of presenters”

with a focus on practical knowledge”

“This is exactly what I needed”

“Very good seminar – many excellent speakers”

“First and foremost, as a first year attendee I have to tell you the conference was AMAZING! I walked away with more real-world, directly applicable information than I thought was possible in a weekend. SEAK is an amazing organization and a fantastic resource.”

“Very smart presenters”

“Very well organized. High level of professionalism”

“Impressive-true leaders in the field”

“Extremely beneficial”

“The SEAK conference on a scale from 1-10 was an 11.

Thank you to you and your team and the professionals who spoke!”

HOW TO WRITE A BULLETPROOF EXPERT WITNESS REPORT

Opal Sands Resort, Clearwater Beach, FL

Thursday–Friday, May 3–4, 2018

Executive Summary: *This limited attendance, interactive workshop teaches you how to draft superior reports.* Each attendee will be asked to submit in advance of the course a sample report for critique and use in the class demonstrations. Each attendee will be provided with a detailed 200+ page course handbook not available elsewhere. The course manual contains practical and specific bullet-point advice along with numerous examples of both poor and effective report language. You will leave the course with an extensive, customized set of action steps to follow to help you write more powerful, persuasive and defensible reports. The course is taught using six methodologies: lecture, questions and answers, well written report excerpts, report writing exercises, report critique exercises, and mock cross examination exercises. Continental breakfast and lunch with the faculty is provided each day. **This workshop will not be offered again in 2018.**

Registration Information: Tuition is: \$1295 on or before February 28, 2018; \$1395 March 1, 2018 – April 11, 2018; \$1495 after April 11, 2018 and includes continental breakfast each day, lunch with faculty each day, a workshop manual, and a dynamic learning experience. **To register, please use the form on page 2, visit www.seak.com or call 508-457-1111.** Group discounts are available for two or more persons registering from the same organization. Discount prices depend on the size of the group. Our programs can also be brought onsite to your organization. Please call 508-457-1111.

Cancellations: Conference cancellations received in writing on or before April 11, 2018 will receive a full refund. Conference cancellations received after April 11, 2018 will receive a full tuition credit.



Distinguished Faculty:

Nadine Nasser Donovan, Esq., is a former trial lawyer with extensive litigation experience. She is a senior SEAK trainer and consultant, and has been on the SEAK Faculty since 2002, having trained hundreds of experts via SEAK's scheduled courses, customized on site expert witness training programs, and one-on-one consulting. Nadine is the co-author of the SEAK texts, *How to Be an Effective Expert Witness at Deposition and Trial: The SEAK Guide to Testifying as an Expert Witness*; *How to Write an Expert Witness Report* and *How to Be a Successful Expert Witness: SEAK's A-Z Guide to Expert Witnessing*. She is licensed to practice law in New York, Massachusetts, and Rhode Island. In addition, Nadine is a Legal Writing Instructor at Boston University School of Law. Nadine also serves as a Dispute Resolution Arbitrator for the Financial Industry Regulatory Authority. Nadine previously practiced litigation for 21 years. She spent 18 years in the defense of medical professionals in medical malpractice actions and before medical licensing boards. Nadine started off her legal career in New York City, first as a prosecutor in Queens, and then as counsel for the City of New York. Nadine received her J.D. *cum laude* from Boston College Law School. She graduated from Fordham University *summa cum laude* with a B.A. in French Literature. She can be contacted at 617-791-4282 or nadine@seak.com.

Continuing Education Credits: **Note: If your specialty does not appear below and you desire credits, please contact Karen Cerbarano (781-826-4974 or Karen@seak.com).** We can often obtain desired credits upon request, but unfortunately, obtaining some types of credits are not feasible. Please register early, as we can only apply for credits after your registration form has been received and it can take time to get the requested approvals back from the accrediting agencies.

Accident Reconstructionists: SEAK will apply for credits through ACTAR upon written request at the time of registration.

Accountants: Earn 16.5 CPE credits in the field of study of Specialized Knowledge and Applications. SEAK, Inc. is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors through its website: www.nasbaregistry.org. For SEAK's complaint and program cancellation policies please call SEAK, Inc. at 508-457-1111. All attendees should have the education and experience that would qualify them as an expert witness. This is an advanced group-live program. Advanced Preparation: None. This program was reviewed in July 2017. To register, please follow the instructions on page 2. **Appraisers:** Credits from The American Society of Appraisers will be applied for on written request at the time of registration. **Arborists:** SEAK will apply for Continuing Education hours through The International Society of Arboriculture (ISA) on written request at time of registration. **Attorneys:** Credit varies by state. Continuing legal education credits for attorneys will be applied for if requested in writing at the time of registration. **Engineers:** 14 PDHs. The acceptance of this course is dependent upon your state(s) of registration. The vast majority of states do not require preapproval of either courses or course sponsors. **Life Care Planners:** SEAK will apply for credits through The Commission on Health Care Certification (CHCC) upon written request at the time of registration. **Physicians:** SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this live activity for a maximum of 14 AMA PRA Category 1 Credit(s)[™]. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

NOTE: SEAK does not accept commercial support for its programs and does not use faculty members with conflicts of interest.

TO REGISTER, CALL 508-457-1111 OR VISIT SEAK.COM

HOW TO WRITE A BULLETPROOF EXPERT WITNESS REPORT**Opal Sands Resort, Clearwater Beach, FL****DAY ONE, Thursday, May 3, 2018****7:30–8:00 REGISTRATION & CONTINENTAL BREAKFAST**

8:00–8:30 Introduction Attendees will introduce themselves to the group. Faculty will explain the reasons why a well drafted report is critically important as a roadmap to direct testimony, talking points on cross, to help you to prepare to testify, and to enhance your brand. Faculty will explain the six major methodologies that will be used to teach the program, namely: lecture, questions and answers, analysis of well written report excerpts, report writing exercises, report critique exercises, and mock cross examination exercises. *Learning Objective: Explain the benefits of a well-written expert witness report.*

Questions & Answers.

8:30–9:15 How to Protect Your Report, Yourself, and Your Opinions from Daubert, Qualifications, and Other Admissibility Challenges An inferior investigation or straying outside of your true area of expertise can lead to an indefensible written report. A poorly written report can lead to being excluded from testifying. Such an exclusion is often a career ending event. In this section, the faculty will explain how opposing counsel can and will use Rule 702, Rule 703, and the Daubert line of cases to attempt to limit or exclude the expert's testimony. The legal basis for each of these challenges will be explained in easy to understand terms. Attendees will be provided with 16 methods and techniques to protect themselves from admissibility challenges. *Learning Objective: Describe techniques to protect yourself from having your testimony limited or excluded.*

Questions & Answers.

9:15–10:15 How to Draft a Powerful, Persuasive, and Understandable Report Every word in your expert report matters. In this segment the faculty will present twenty-two techniques for drafting a more powerful, persuasive and defensible expert witness report. Each of the techniques learned in this segment will be used in the segments that follow. *Learning Objective: Explain how to draft a more powerful report.*

Questions & Answers.**10:15–10:30 BREAK AND NETWORKING OPPORTUNITY**

10:30–11:30 How to Draft a Powerful, Persuasive, and Understandable Report (Continued) Attendees will be asked to complete a series of writing exercises in which they will improve the language of sample report segments which they will be presented with. *Learning Objective: List action steps to draft more powerful, persuasive and understandable expert reports.*

Questions & Answers.

11:30–12:00 Report Templates and How to Format Your Expert Witness Report Looks matter. A well laid out report will carry more weight than a report exhibiting poor formatting and style. In this section, faculty will discuss the importance of style, layout, and formatting and provide twenty-three easily implementable suggestions for making your expert witness report stand out. Samples from well formatted reports will be provided and studied. Attendees will be asked to critique and suggest formatting improvements to sample report segments. *Learning Objective: Describe methods for improving the style, layout, and formatting of your expert witness report.*

Questions & Answers.**12:00–12:45 LUNCH PROVIDED WITH FACULTY**

12:45–1:45 How to Document Your Assignment Attendees will learn how to obtain a clear and unambiguous expert witness assignment from counsel (with the necessary documents) and why this will increase the likelihood of meeting and exceeding the expectations of counsel. Attendees will be provided with a checklist of eight questions to ask retaining counsel at the beginning of the engagement. Faculty will explain six best practices that can be used to document the scope of the assignment in your report. Attendees will be provided with sample assignment sections of reports, will be asked to critique assignment report sections, and will be asked to draft a concise assignment section. *Learning Objective: Describe techniques to utilize when obtaining and documenting your expert witness assignment.*

Questions & Answers.

1:45–2:45 How to Document Your Qualifications Attendees will learn sixteen best practices for persuasively and accurately describing how and why they are qualified to opine on the case at hand. Sample expert witness report segments regarding qualifications will be reviewed. Attendees will be asked to critique the qualifications sections from several sample reports as well as draft a concise qualifications section to a report. *Learning Objective: List methods for most effectively documenting your qualifications.*

Questions & Answers.**2:45–3:00 BREAK AND NETWORKING OPPORTUNITY**

3:00–4:15 How to Best Describe Your Document Review, Research & Investigation Many problems in expert reports are not caused by the drafting of the report per se. Instead, these problems are a reflection of suboptimal document review, research & investigation. Put simply, if the work prior to the expert report is flawed, it will make drafting a solid report difficult. In this segment, attendees will learn proven techniques for forming solid opinions which can be easily documented into a persuasive and defensible expert witness report. In addition, attendees will be provided with sixteen techniques for how to best document their review of documents, research and investigation. Sample report segments will be reviewed.

Attendees will be asked to critique sample report segments as well as to draft a concise documents reviewed and research/investigation sections. *Learning Objective: List techniques to better document your document review, research and opinions.*

Questions & Answers.**4:15–5:00 How to Make Optimum Use of Charts, Graphs, Timelines, and Photographs in Your Expert Witness Report**

A picture says a thousand words. In this segment the faculty will explain and demonstrate the advantages of adding charts, graphs, timelines and photographs to an expert witness report and provide eleven best practices suggestions for doing so. Sample reports segments with charts, graphs, timelines and photographs will be provided. Attendees will be asked to critique for possible improvement several report segments containing charts, graphs, timelines and photographs. *Learning Objective: Describe when and how charts, graphs, timelines and photographs should be used to improve an expert report.*

Questions & Answers.*“Excellent instructor. High energy”**“Very informative, made the hours seem like minutes”***Registration is Limited. Register Early and Save.**

HOW TO WRITE A BULLETPROOF EXPERT WITNESS REPORT**Opal Sands Resort, Clearwater Beach, FL****DAY TWO, Friday, May 4, 2018****6:30–7:00 CONTINENTAL BREAKFAST**

7:00–7:45 How to Best Deal with Confounding Data and Studies and Alternate Explanations and Theories Slam dunk opinions are few and far between. Almost every close case has facts, research or other items that undercuts the expert witness's opinions. Such information is ignored in a report at the expert witness's peril. In this segment, attendees will learn five techniques for how to properly document confounding information, alternative explanations and alternative theories in a way that puts this information into context. Sample report segments will be reviewed. Attendees will be asked to critique relevant report sections as well as to draft a concise report segment dealing with confounding data, studies, or alternative explanations and theories. *Learning Objective: List action steps to best document confounding data.* **Questions & Answers.**

7:45–9:15 Properly Expressing Your Opinion An expert witness is retained primarily for the purpose of giving an opinion or opinions. Opinions need to be expressed in an expert witness report clearly, confidently, and with supporting rationale. In this segment attendees will learn fourteen techniques for more persuasively stating opinions in their reports. Sample report segments will be reviewed. Attendees will be asked to critique relevant report sections as well as to draft a concise report segment in which they clearly and persuasively express their opinion(s). *Learning Objective: Discuss best practices for expressing opinions in expert witness reports.* **Questions & Answers.**

9:15–9:30 BREAK AND NETWORKING OPPORTUNITY

9:30–10:15 How to Best Rebut The Opposing Expert's Opinion(s) When an expert witness is aware of the opposing expert witness's opinions, these should be dealt with in the expert's report. In this segment attendees will learn nine techniques to persuasively document how and why the opposing expert's opinion is flawed. Sample report segments will be reviewed. Attendees will be asked to critique relevant report sections as well as to draft a concise report segment in which they rebut an opposing expert's opinion(s). *Learning Objective: List techniques for effectively rebutting the opposing expert's report.* **Questions & Answers.**

10:15–10:45 How to Properly Use Boilerplate, Standard Language, and Disclaimers Most experts use standard boilerplate language and disclaimers in their expert witness report. In this segment the faculty will offer seven guidelines on the use and misuse of boilerplate language. Sample boilerplate language and sample disclaimers will be provided. Attendees will be asked to critique relevant report sections as well as to draft a concise report segment containing standardized verbiage. *Learning Objective: Identify boilerplate language and disclaimers to include in your expert report.* **Questions & Answers.**

10:45–11:00 BREAK AND NETWORKING OPPORTUNITY

11:00–11:30 Discovery, Ethics and The Influence of Retaining Counsel Faculty will explain the various discovery rules which (depending upon the jurisdiction the case is in) may govern your communications with counsel and draft reports. Suggestions for how and when to communicate with retaining counsel will be provided. Also included will be eight suggestions for how to protect your credibility and deal with potential overreaching by retaining counsel. *Learning Objective: Describe best practices for communicating with and working with retaining counsel.* **Questions & Answers.**

11:30–12:00 How to Excel When Drafting Rule 26 Reports for Federal Court Federal Rule of Civil Procedure 26 governs what must be included in expert witness reports in federal cases. Following Rule 26 is mandatory. In this segment attendees will learn how to make sure their report complies with FRCP 26. Specific techniques to excel when drafting Rule 26 reports will be provided as well as sample Rule 26 report segments. *Learning Objective: List the legal requirements for Rule 26 reports and describe techniques for complying with these requirements.* **Questions & Answers.**

12:00–12:45 LUNCH WITH FACULTY PROVIDED

12:45–1:15 Quality Control & Editing Techniques for Expert Witness Reports At best, mistakes in an expert witness report can be embarrassing. At worst, mistakes can completely destroy an expert witness's credibility. In this segment attendees will learn the ten point protocol for quality controlling their reports. Included will be a detailed quality control checklist which can be used by the expert or one of the expert's support staff. *Learning Objective: Identify protocols for editing and reviewing expert witness reports.* **Questions & Answers.**

1:15–2:15 How to Defend Your Expert Witness Report at Deposition, Hearing & Trial An expert witness is likely to be attacked through his report while testifying. In this segment attendees will participate in mock testimony demonstrations based upon their pre-submitted reports. Each demonstration will focus on: 1. How could the expert have better handled the attack/tactic that was being used by counsel? 2. How could the expert have avoided or lessened the attack had the expert drafted their report differently? Attendees will be provided with a fifteen point outline of how, specifically, attorneys will attack an expert through their report. *Learning Objective: Describe techniques for defeating opposing counsel's tactics while testifying about your report.* **Questions & Answers.**

2:15–2:30 The Biggest Report Writing Mistakes Expert Witnesses Make: And How to Avoid Them To reinforce the concepts learned in this workshop, attendees will be provided with a list of the 32 biggest mistakes that expert witnesses commonly make on their reports. The list is designed to be used as a take home quality control checklist. *Learning Objective: Identify the biggest mistakes expert witnesses make in their reports.* **Questions & Answers.**

*“Two very enjoyable days”**“Good use of time and money”**“Outstanding”**“Very informative and interactive”**“Very good...highlighted traps”**“Very helpful and informative”**“Well done, great job!”**“Very effective”***TO REGISTER, CALL 508-457-1111 OR VISIT SEAK.COM**

How to Start, Build and Run a Successful Expert Witness Practice**Opal Sands Resort, Clearwater Beach, FL****Thursday–Friday, May 3–4, 2018**

Executive Summary: Excellent and ethical legal consultants can easily double their income by devoting one day a week to expert witnessing. Time spent by experts on such matters is commonly billed out at \$200-\$500 or more per hour. **How to Start, Build and Run a Successful Expert Witness Practice** is an intensive, content rich workshop that is designed to show you how to start, build, and run a successful expert witness practice. This course is appropriate for professionals with all levels of legal-consulting experience including prospective and novice expert witnesses. Attendees will learn from an experienced faculty in a step-by-step fashion how to start, build, and run a successful and ethical expert witness practice. **This is SEAK's most popular expert witness training program.**

Learning Objectives: At the completion of this course you will learn:

- The role of expert witnesses in civil litigation,
- What attorneys are looking for from their experts,
- How to properly define your area(s) of expertise and practice areas,
- How to draft a curriculum vitae appropriate for expert witness work,
- How to get cases,
- How to avoid ethical problems and maintain your integrity,
- The essentials of expert witness report writing,
- How to set your fee and collect it,
- What to bill for and when,
- How to draft a retention agreement to protect your rights,
- How to form defensible opinions,
- Techniques for maintaining your independence and objectivity,
- How to exceed expectations,
- How to build a tremendous reputation,
- Ethics,
- Expert witness risk management techniques, and
- Much, much more.

Registration Information: To register, please use the form on page 2 or visit www.seak.com or call 508-457-1111.

Tuition is \$1295 on or before February 28, 2018; \$1395 March 1, 2018–April 11, 2018; \$1495 after April 11, 2018. Your tuition includes continental breakfast and lunch with faculty each day and a detailed conference manual. Group discounts are available for two or more persons registering from the same organization. Discount prices depend on the size of the group. Our programs can also be brought onsite to your organization. Please call 508-457-1111.

Continuing Education Credits: Note: If your specialty does not appear below and you desire credits, please contact Karen Cerbarano (781-826-4974 or Karen@seak.com). We can often obtain desired credits upon request, but unfortunately, obtaining some types of credits are not feasible. Please register early, as we can only apply for credits after your registration form has been received and it can take time to get the requested approvals back from the accrediting agencies.

Accident Reconstructionists: SEAK will apply for credits through ACTAR upon written request at the time of registration.

Accountants: Earn 16.5 CPE credits in the field of study of Specialized Knowledge and Applications. SEAK, Inc. is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors through its website: www.nasbaregistry.org. For SEAK's complaint and program cancellation policies please call SEAK, Inc. at 508-457-1111. All attendees should have the education and experience that would qualify them as an expert witness. This is an intermediate group-live program. Advanced Preparation: None. This course was reviewed in July, 2017. To register, please follow the instructions above. **Appraisers:** Credits from The American Society of Appraisers will be applied for on written request at the time of registration. **Arborists:** SEAK will apply for Continuing Education hours through The International Society of Arboriculture (ISA) on written request at time of registration. **Attorneys:** Credit varies by state. Continuing legal education credits for attorneys will be applied for if requested in writing at the time of registration. **Engineers:** 14 PDHs. The acceptance of this course is dependent upon your state(s) of registration. The vast majority of states do not require preapproval of either courses or course sponsors. **Life Care Planners:** SEAK will apply for credits through The Commission on Health Care Certification (CHCC) upon written request at the time of registration. **Physicians:** SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this live activity for a maximum of 14 AMA PRA Category 1 Credit(s)[™]. Physicians should claim only the credit commensurate with the extent of their participation in the activity. **NOTE: SEAK does not accept commercial support for its programs and does not use faculty members with conflicts of interest.**

Distinguished Faculty:

James J. Mangraviti, Jr., Esq., has trained thousands of expert witnesses through seminars, conferences, corporate training, training for professional societies and one-on-one training/mentoring. He is also frequently called by experts, their employers, and retaining counsel to train and prepare individual expert witnesses for upcoming testimony. His clients include the FBI, Secret Service, IRS and NYPD. Mr. Mangraviti is a former litigator with experience in defense and plaintiff personal injury law and insurance law. He currently serves as Principal of the expert witness training company SEAK, Inc. (www.testifyingtraining.com). Mr. Mangraviti received his BA degree in mathematics *summa cum laude* from Boston College and his JD degree *cum laude* from Boston College Law School. He is the co-author of thirty books, including: *How to Be an Effective Expert Witness at Deposition and Trial*; *How to Be a Successful Expert Witness: SEAK's A-Z Guide to Expert Witnessing*; *How to Write an Expert Witness Report*; *The Biggest Mistakes Expert Witnesses Make: And How to Avoid Them*, and *How to Market Your Expert Witness Practice: Evidence-Based Best Practices*. He can be reached at 978-276-1234 or jim@seak.com.



Chip Darius, OHST, CET, CSHO, is an OSHA / Safety Consultant and Trainer with 26 years' experience serving clients in general industry, construction, utilities and emergency services. In addition to his consulting and training business, Mr. Darius is an Instructor for the OSHA Training Institute Region 1 Education Center, where he has been teaching courses on OSHA regulations for over a decade. Mr. Darius is a well experienced Forensic Expert Witness and Litigation Consultant in catastrophic injury, fatality and personal injury matters. He has experience in both plaintiff and defense cases, in state and federal matters. He has significant testimony experience in depositions and at trials. Mr. Darius has conducted training at international, national, regional, state and local conferences and seminars. He earned BS and MA degrees from the University of Connecticut. Mr. Darius has also been a certified Emergency Medical Technician for 36 years.

How to Start, Build and Run a Successful Expert Witness Practice

Opal Sands Resort, Clearwater Beach, FL

DAY ONE: Thursday, May 3, 2018

7:30–8:00 REGISTRATION AND CONTINENTAL BREAKFAST

8:00–8:30 The Role of Expert Witnesses in Civil Litigation

Attendees will learn the proper role of expert witnesses in civil litigation. Included is an explanation of Federal Rule of Evidence 702 and the types of specific assignments experts can expect from retaining counsel including forensic consulting, report writing, and where necessary, testifying at deposition or trial. **Questions and Answers**

8:30–9:30 What Successful Expert Witnesses Have in Common

Faculty and the attendees will analyze what some of the nation's "go to" experts have in common and how they got to their position of prominence. Videotaped interviews of the experts will be reviewed. Lessons for the attendees will be drawn from these examples. **Questions and Answers**

9:30–10:30 Finding and Developing Your Niche in the Expert Witness Marketplace

Faculty will explain the advantages of identifying a niche for yourself. Attendees will be provided with a protocol for researching their niche, determining the proper fit and developing their niche to its fullest potential. **Questions and Answers**

10:30–10:45 BREAK AND NETWORKING OPPORTUNITY

10:45–12:00 Pulling Together a CV Appropriate for Expert Witness Work

Anyone considering starting an expert witness practice needs to maintain a CV. Attendees will learn the importance of an accurate, up-to-date CV, what should and should not be on a CV, and how mistakes in preparing CVs can damage or destroy an expert's credibility. Sample CVs will be provided. **Questions and Answers**

12:00–12:45 LUNCH PROVIDED WITH FACULTY

12:45–1:45 Bulletproofing Yourself – Your Qualifications, Marketing Activities, Web Site, Image & Reputation

A mock trial demonstration followed by bottom line bullet point advice with numerous examples on how to avoid potentially devastating problems in an expert's qualifications, marketing activities, web site, image and reputation. **Questions and Answers**

1:45–2:15 Bulletproofing Your Opinions – Passing the *Daubert* Tests, Your Methodology

An in-depth discussion of the legal requirements of *Daubert* and FRE 702 as they relate to how an expert forms and expresses his/her opinion(s) and the admissibility of the opinions. Numerous examples will be discussed. The lecture continues with practical advice on how to avoid being caught in a *Daubert* nightmare and how to use the *Daubert* criteria as a roadmap to bolster the persuasiveness of any opinion. **Questions and Answers**

2:15–3:00 Bulletproofing Your Opinions – Research, Investigation, Chart Review and Examination

An expert witness's opinion will only be as strong as the facts, research and investigation upon which it is based. Attendees will learn how to conduct an investigation, perform research and collect data in a manner that bolsters an expert's opinion. **Questions and Answers**

3:00–3:15 BREAK AND NETWORKING OPPORTUNITY

3:15–3:45 Bulletproofing Your Opinions – Managing the Potentially Damaging Influence of Retaining Counsel

Expert Witnesses often severely damage or destroy the persuasiveness of their opinions by allowing retaining counsel to influence (or appear to influence) their investigation, assumptions, and opinions. In this segment attendees will learn how to insulate their opinions from the appearance of being under the influence of retaining counsel, for example through the information the expert witness relies upon, the modification of draft and preliminary opinions, and through the communications between the expert witness and retaining counsel. **Questions and Answers**

3:45–4:00 Bulletproofing Your Opinions – Rebuttals and Commenting On Other Experts

Commenting on another expert's opinions is an area that gets many experts into unnecessary difficulty. In this segment experts will learn the right way and wrong way to comment on another expert's opinions. **Questions and Answers**

4:00–5:00 Best Practices in Forensic Office Management

Attendees will learn myriad techniques that will help them run an efficient and successful litigation support consulting practice. These include optimum new case intake procedures, billing systems, document receipt and retention policies, support staff training and instruction, file maintenance, trial scheduling, procedures for keeping your CV up-to-date, how to account for all time spent on the case, responsibilities and boundaries, security and confidentiality protocols and developing and using forms, templates and checklists. **Questions and Answers**

"Excellent, only wish I had taken the course when I first heard about it"

"Loved it!"

"Excellent. The faculty have taken so much great information and condensed it into an invaluable starter kit. I'm amazed at the things I've learned in just 2 days."

"It was such a good course and well worth the time and money."

"Hello Jim. Thank you giving a wonderful, informative, and entertaining conference. Please thank Chip as well. I shall take your teachings to heart (even those obtaining through grilling!)"

How to Start, Build and Run a Successful Expert Witness Practice**Opal Sands Resort, Clearwater Beach, FL****DAY TWO: Friday, May 4, 2018****6:30-7:00 CONTINENTAL BREAKFAST****7:00-8:00 Best Practices in Dealing with Counsel**

A frank discussion of how to best deal with retaining and opposing counsel. Included is an explanation of the importance of maintaining boundaries, how to best communicate with retaining counsel, the importance of not giving away your theories or reviewing any confidential information until you have been retained, how to deal with non-responsive or incompetent lawyers, how to deal with failure to prepare you for deposition or trial, being pushed beyond your true area of expertise, how to handle "rush" requests for reports and opinions and how to avoid problems before they materialize.

Questions and Answers**8:00-9:00 Best Practices in Report Writing**

Faculty will review the most efficient methods for dealing with requests for preliminary, draft, and other written reports. Best practices for responding to input from counsel, formatting, editing, controls over release of the report, signing, and proofreading will be provided. There will also be an in-depth discussion on the use and misuse of computer templates to assist in report writing. A sample expert witness report will be provided.

Questions and Answers**9:00-9:15 BREAK AND NETWORKING OPPORTUNITY****9:15-10:00 Deposition Best Practices**

Attendees will be provided with an in-depth look at scheduling, billing, postponements, cancellations, errata sheets, and retention/destruction of deposition transcripts. A list of expected areas of inquiry will be provided.

Questions and Answers**10:00-10:45 Trial Best Practices**

Attendees will learn more than twenty techniques to help them prepare for trial. These techniques deal with issues which include dress, logistics, travel, scheduling, payment, and visual aids.

Questions and Answers**10:45-11:00 BREAK AND NETWORKING OPPORTUNITY****11:00-12:00 Best Practices in Fee Setting, Fee Schedules & Agreements, Billings and Collections**

Experts will learn how to correctly value their time and set their fee. They will be taught the importance of not undercharging and how to determine exactly what their time is worth. Also included is a detailed discussion of the amount and frequency of retainers, whether retainers should be non-refundable, cancellation fees, expense reimbursement and proven techniques to improve collections of expert witness and consulting fees. Attendees will be provided with sample expert witness retention contract language that addresses 15 common problems faced by expert witnesses.

Questions and Answers**12:00-12:45 LUNCH (PROVIDED WITH FACULTY)****12:45-1:45 Advanced Marketing Techniques for Building an Expert Witness Practice**

Faculty and attendees will engage in a frank discussion and analysis of the utility of: search engine optimization, social media, networking, writing articles, speaking, directory listings, fees, advertising, referral services/brokers and 24-7 marketing.

Questions and Answers**1:45-2:15 Ethics and Risk Management**

Experts will learn how to deal with common ethical problems and will learn the potential civil and professional liability of experts. Numerous specific risk management techniques for experts will be explained including avoidance, maintaining the appropriate insurance coverages, due diligence, confidentiality protocols, anti-spoilation procedures, avoiding conflicts and the overriding importance of being 100% honest.

Questions and Answers**2:15-2:30 Conclusion and Takeaways**

Concluding remarks will be preceded by an attendee and faculty generated numbered list of action steps and takeaways from the covered material that attendees will be taking home to their practices to start, build and run a better and more successful expert witness practice.

Questions and Answers***"The training was excellent-very informative, engaging speakers, great teaching methods."******"You guys are great, very personable, honest, available and engaging, great job."******"Excellent, well organized, engaging, and practical."******"Loaded with powerful information."******"Phenomenal-did not want the seminars to end."******"Jim: All I can tell you is that I am in awe of the incredible job you and Chip did in conducting this course. I learned a huge amount and am working on digesting it all."******"Thank you and thanks to the entire SEAK team....I attend a decent amount of seminars with my Civil Engineering degree...yours was top notch!!!!"*****TO REGISTER, CALL 508-457-1111 OR VISIT SEAK.COM**

Advanced Testifying Skills for Experts: The Master's Program

Opal Sands Resort, Clearwater Beach, FL

Thursday – Friday, May 3–4, 2018

Executive Summary: This program is the most advanced course offered by SEAK on testifying. It is designed specifically for experienced expert witnesses and provides personalized written feedback to attendees on their presubmitted CVs and sample expert reports (for those registering on or before April 11, 2018). This program is only offered once per year.

Here's What Past Attendees Had To Say:

"Enjoyed most the immediate feedback critiquing testimony."

"Great performances."

"I enjoyed and appreciated your great teaching techniques and excellent material presented. I got a lot out of it."

"Great work!"

"Take no prisoners: I loved it."

"I'm amazed at how much you remember about each of us."

"This was a fantastic, top-notch seminar."

Registration Information: Tuition is: \$1295 on or before February 28, 2018; \$1395 March 1, 2018 – April 11, 2018; \$1495 after April 11, 2018 and includes continental breakfast each day, lunch with faculty each day, a workshop manual, and a dynamic learning experience. **To register, please use the form on page 2, visit www.seak.com or call 508-457-1111.** Group discounts are available for two or more persons registering from the same organization. Discount prices depend on the size of the group. Our programs can also be brought onsite to your organization. Please call 508-457-1111.

Continuing Education Credits: Note: If your specialty does not appear below and you desire credits, please contact Karen Cerbarano (781-826-4974 or Karen@seak.com). We can often obtain desired credits upon request, but unfortunately, obtaining some types of credits are not feasible. Please register early, as we can only apply for credits after your registration form has been received and it can take time to get the requested approvals back from the accrediting agencies.

Accident Reconstructionists: SEAK will apply for credits through ACTAR upon written request at the time of registration.

Accountants: Earn 16.5 CPE credits in the field of study of Specialized Knowledge and Applications. SEAK, Inc. is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors through its website: www.nasbaregistry.org. For SEAK's complaint and program cancellation policies please call SEAK, Inc. at 508-457-1111. All attendees should have the education and experience that would qualify them as an expert witness. This is an advanced group-live program. **Advanced Preparation:** None. This program was reviewed in July, 2017. To register, please follow the instructions above. **Appraisers:** Credits from The American Society of Appraisers will be applied for on written request at the time of registration. **Arborists:** SEAK will apply for Continuing Education hours through The International Society of Arboriculture (ISA) on written request at time of registration. **Attorneys:** Credit varies by state. Continuing legal education credits for attorneys will be applied for if requested in writing at the time of registration. **Engineers:** 14 PDHs. The acceptance of this course is dependent upon your state(s) of registration. The vast majority of states do not require preapproval of either courses or course sponsors. **Life Care Planners:** SEAK will apply for credits through The Commission on Health Care Certification (CHCC) upon written request at the time of registration. **Physicians:** SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this live activity for a maximum of 14 AMA PRA Category 1 Credit(s)[™]. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

NOTE: SEAK does not accept commercial support for its programs and does not use faculty members with conflicts of interest.

Distinguished Faculty:



Steven Babitsky, Esq. is the President and founder of SEAK, Inc., the Expert Witness Training Company. He was a personal injury trial attorney for twenty years and is the former managing partner of the firm Kistin, Babitsky, Latimer & Beitman. Steve has helped expert witnesses and their attorneys prepare for deposition in a broad range of cases, including antitrust, patent, medical malpractice, wrongful death, computer forensics, and many others. He has trained the Federal Bureau of Investigation and the Federal Aviation Administration, and he has worked with numerous forensic and financial companies including Fortune 500 companies and has worked with numerous experts to help them expand and grow their practices. Mr. Babitsky is the co-author of the texts *How to Market Your Expert Witness Practice: Evidence-Based Best Practices*; *How to Become a Dangerous Expert Witness: Advanced Techniques and Strategies*; *Writing and Defending Your Expert Report: The Step-by-Step Guide with Models*; *How to Excel During Cross-Examination: Techniques for Experts That Work*; *The A-Z Guide to Expert Witnessing*; *How to Write an Expert Witness Report*; and *How to Excel During Depositions: Techniques for Experts That Work*. Attorney Babitsky is the co-developer and trainer for the "How to Be an Effective Expert Witness" seminar and has been the seminar leader since 1990 for the Annual National Expert Witness and Litigation Conference. Mr. Babitsky trains hundreds of experts every year. He may be contacted at 508-548-9443 or stevenbabitsky@seak.com.

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Advanced Testifying Skills for Experts: The Master's Program**Opal Sands Resort, Clearwater Beach, FL****Day One (Thursday, May 3, 2018)****Part I: PREVENTION****7:30–8:00 CONTINENTAL BREAKFAST AND REGISTRATION****8:00–9:45 Protecting Yourself from Attacks on your Credibility and Credentials**

The most valuable experts deny opposing counsel ammunition to attack their credentials and credibility. This segment will identify a detailed checklist of potential areas of attack that experts may be subject to regarding their credentials and credibility including: every word on their CVs, skeletons in the closet, past testimony, their image, controversial or political associations, missing credentials, fees, fee schedules, fee agreements, marketing materials, web page, speeches, work on past cases, apparent and actual conflicts of interest, non-related litigation, hobbies, professional complaints or discipline, presentations and writings. The faculty will provide specific advice on how to insulate yourself as much as possible from these attacks. Emphasized will be prevention and the "hidden pitfalls" that can and will come back to haunt the expert at a later date. *Demonstrations, Interactive Discussion, Questions and Answers. Learning Objective: List techniques to insulate yourself from attack from opposing counsel.*

9:45–10:00 BREAK AND NETWORKING OPPORTUNITY**10:00–12:00 Forming Airtight Opinions**

The best experts express opinions that hold up under the most rigorous scrutiny and cross-examination. This segment will identify many ways in which opposing counsel is able to poke holes in an expert's opinion. The faculty will provide specific action steps to bullet-proof your opinion including, proper case and client selection, avoiding time crunches, using careful and confident language, not overstating or understating facts or opinions, consistency, dealing with the opinions of other experts, knowing exactly what needs to be proved, testing alternative theories, properly using reliable equipment, taking careful and precise measurements, being well-trained and well-versed in any computer program used, verifying computer results, leaving no stone unturned, taking photographs, verifying your factual assumptions, gaining as much first hand knowledge as possible, thoroughly researching the issues at hand, obtaining and carefully reviewing all relevant documents, not sharing draft reports with counsel, avoiding "junk science," understanding how the *Daubert* rule applies in your specialty and jurisdiction, maintaining accurate billing records and avoiding even the appearance of impropriety. *Demonstrations, Interactive Discussion, Questions and Answers. Learning Objective: Describe how to make your opinions more resistant to cross examination.*

12:00–12:45 LUNCH WITH FACULTY (Provided)**PART II: PREPARATION****12:45–2:45 Properly Preparing to Testify at Deposition and Trial**

Peak performance requires proper and disciplined preparation done correctly. Well prepared experts are able to deliver confident testimony, deal with cross examination far more effectively, and are in a much better position to articulate and defend their opinions. In this segment, the faculty will explain advanced techniques that can and should be used to prepare for depositions, direct examination and cross-examination. Included is an explanation of the goals of retaining counsel at your deposition and how this affects your preparation, how to insure that retaining counsel properly prepares you to testify, how to study your file, which facts and documents must be known cold, making sure the language you intend to use is understandable to a lay audience, forming and testing analogies, conducting mock direct and cross-examinations with retaining counsel, gaining and using intelligence on the judge, jury, jurisdiction and opposing counsel, and being in your best form when it comes time to testify. *Demonstrations, Interactive Discussion, Questions and Answers. Learning Objective: Describe techniques to effectively prepare to testify.*

2:45–3:00 BREAK AND NETWORKING OPPORTUNITY**PART III: PERFORMANCE****3:00–5:00 Defeating Opposing Counsel's Deposition Tactics**

The best experts recognize that most cases are won and lost in the discovery phase and that the expert's deposition is a crucial—often outcome determinative component of the case. In order to excel at the highest level during a deposition, experts need to be able to recognize and defeat opposing counsel's deposition tactics and recognize how these tactics differ from those used during trial. This segment will teach experts how to recognize and defeat counsel's most insidious deposition tactics including: going for the jugular at the start, physical discomfort, waiving rights, locking down the expert on the facts, playing games with the videotape image, the silence gambit, gaining extra discovery from the expert, wearing the expert down, baiting the expert, getting the expert to talk and volunteer information, questioning notes, setting the expert up for a subsequent *Daubert* challenge, setting the expert up for a subsequent learned treatise cross examination, putting many balls in the air at once, asking about conversations with retaining counsel, intimidating the expert, tricking the expert into inconsistencies, trick questions about documents, the "fumble and bumble" gambit, getting the expert into a rhythm, and utilizing broad catchall questions. Many of the above tactics will be demonstrated with a brief demonstration using volunteer attendees. *Demonstrations, Interactive Discussion, Questions and Answers. Learning Objective: Discuss how to defeat opposing counsel's deposition tactics.*

Advanced Testifying Skills for Experts: The Master's Program

Opal Sands Resort, Clearwater Beach, FL

Day Two (Friday, May 4, 2018)

PART III: PERFORMANCE (CONTINUED)**6:30 – 7:00 CONTINENTAL BREAKFAST WITH FACULTY****7:00–8:30 Mastering the Art of Persuasion During Direct Testimony**

The best experts deliver powerful and understandable direct testimony. This section will explain and demonstrate numerous advanced techniques for delivering captivating, memorable and persuasive direct expert testimony. The advanced techniques explained include: showing - not telling, getting to the point up front and explaining later, being well-prepared and well-organized, making the complex simple, entertaining, being likeable, highlighting your most relevant qualifications, working on a smooth flow and style, getting out of the jury box early and often, using visual aids that work, aggressively self-editing, employing powerful, memorable analogies, showing your human side and bonding with the jury, using precise language, using confident language, employing short preview and review summaries, using numbered lists, citing references, speaking conversationally, conforming your testimony to the theme of the case, and reading and reacting to the jury. Many of these techniques will be illustrated with brief demonstrations utilizing attendees. *Demonstrations, Interactive Discussion, Questions and Answers. Learning Objective: List techniques to present more persuasive direct testimony.*

8:30–8:45 BREAK AND NETWORKING OPPORTUNITY**8:45–10:30 Staying One Step Ahead of Opposing Counsel During Cross-Examination**

The best experts are able to stay one step ahead of opposing counsel during cross-examination by recognizing and defeating opposing counsel's tactics. In this segment, experts will learn advanced techniques for identifying and defeating dozens of opposing counsel's cross-examination tactics, including: mischaracterizations, accusations of inconsistencies, learned treatise impeachment, attacking the expert's credentials, taking statements out of context, intimidating the expert, challenging the expert on figures and calculations, fee questions, bullying, misleading questions, challenging the expert's factual assumptions, asking for concessions, "yes or no," accusing the expert of bias, contrasting the expert's opinions, timelines, agitating the expert, tricking the expert, pushing the expert to an extreme position, interrupting the expert and asking the expert to define certain terms. Many of these tactics and defenses will be demonstrated with brief demonstrations utilizing attendee participation. *Demonstrations, Interactive Discussion, Questions and Answers. Learning Objective: Explain how to defeat opposing counsel's cross examination tactics.*

10:30–10:45 BREAK AND NETWORKING OPPORTUNITY**10:45–12:00 Going On Offense During Cross-Examination**

The rarest of all experts are those experts who are able to turn the tables on opposing counsel during cross-examination and "stick the knife in." These experts are particularly dangerous as opposing counsel is quite likely to lose far more ground during cross-examination than she is to gain. In this section, the faculty will explain dozens of techniques to turn the tables on opposing counsel, including; repeating damaging portions of your direct testimony, twelve techniques for breaking counsel's momentum, pushing back, interpreting a "yes or no" question as being open-ended, using backhanded compliments, responding to a question with a question, baiting counsel into asking one question too many, tasteful humor, offering explanations, pointing out the misleading nature of a question, actively challenging false factual assumptions in predicate questions, lulling counsel into a false sense of security prior to pouncing, striking back with a light touch, six techniques to encourage counsel to lose his cool, self-deprecating remarks, pointing out hypocrisy, injecting personal information in your responses and requesting permission to explain. Many of these techniques will be demonstrated by brief interactive cross-examination demonstrations using students in the class. *Interactive Discussion, Questions and Answers. Learning Objective: Explain how to turn the tables on opposing counsel.*

12:00–12:45 LUNCH WITH FACULTY (PROVIDED)**Part IV: PRACTICE****12:45–2:30 Advanced Testifying Skills in Action: Skillfully Answering Cross-Examination Questions**

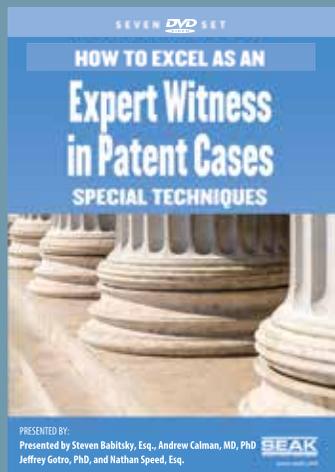
This final segment is designed to allow the attendees to solidify the knowledge gained earlier in the course. The faculty will ask the attendees numerous trick and difficult cross-examination questions. For each question, the attendees will have an opportunity to practice the techniques covered in this program by explaining how the question could have been avoided, how they could have and should have prepared to answer the question, identifying the tactic that counsel is using and delivering a response that defeats the tactic and/or allows the expert to turn the tables and go on the offensive. *Demonstrations, Interactive Discussion, Questions and Answers. Learning Objective: Describe truthful and artful responses to trick and difficult questions.*

"Having been in the forensic world for 3 years and with 3 depo's under my belt, it was a perfect time to attend your seminar. Really good presentation! Thanks much for all the good stuff you imparted. I have 2 trials slated for this spring/summer, and am feeling much better prepared having been to the seminar."

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"I attended your SEAK training course in Naples, FL. Not only was it an exceptional training experience, but it has really jump started my work as an expert witness. Combining the course with the SEAK Directory utilization has probably increased my referrals about ten-fold."

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