

**Preconferences
June 19–20, 2007**

**Expert Report
Writing Workshop**

Tuesday, June 19, 2007

see page 14

**How to Become a
Dangerous
Expert Witness**

Tuesday, June 19, 2007

see page 16

**The Biggest Mistakes
Experts Make:
And How to Avoid Them**

Tuesday, June 19, 2007

see page 18

**Advanced Cross
Examination Workshop**

Wednesday, June 20, 2007

see page 20

**How to Start and Build a
Successful Expert
Witness Practice**

Wednesday, June 20, 2007

see page 22

Testifying Skills Workshop

Wednesday, June 20, 2007

see page 24

Persuasion Skills Workshop

Wednesday, June 20, 2007

see page 26

**Advanced Deposition
Skills for Experts**

Wednesday, June 20, 2007

see page 28

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Four Points by Sheraton Hyannis Resort
Hyannis, Cape Cod, Massachusetts
Thursday & Friday, June 21 – 22, 2007

**NOW
OFFERING
CONTINUING
EDUCATION
CREDITS**

16th Annual
**National
Expert Witness
Conference**

**THE PROGRAM FOR
EXPERT WITNESSES
OF ALL DISCIPLINES
AND LEVELS OF EXPERIENCE**

**SEAK
2007**



The SEAK National Expert Witness Conference

SEAK, Inc. is pleased to present its *Sixteenth Annual National Expert Witness Conference*. Experts from all disciplines and with all levels of experience will benefit from multi-disciplinary advanced techniques. Nationally recognized attorneys, experts, judges, and educators will discuss all aspects of expert witness testimony, ethics, and trial techniques. Conference participants will be presented with practical suggestions for succeeding as expert witnesses. This highly-acclaimed two-day program will include lectures, trial demonstrations, lively question and answer periods, and intensive breakout sessions led by a highly qualified faculty.

Conference registrants will have an opportunity to improve their skills while networking and meeting other professionals in a stimulating and collegial atmosphere. We are proud to present eight preconferences this year including one new preconference. We are also pleased to provide continental breakfast each day, an hors d'oeuvre reception on June 21 and lunch with faculty each day. Our faculty this year includes three distinguished judges. Our expanded program will permit participants to obtain even more information than in past years. **We are very pleased to offer continuing education credits this year.** Please see below for more information.

Continuing Education Credits:

Note: If your specialty does not appear below and you desire credits, please contact Karen Babitsky (781-261-9972 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:

The ACTAR Continuing Education Unit has approved this program for 15 CEUs.

Accountants:

Earn 16.0 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, 150 Fourth Avenue North, Suite 700, Nashville, TN, 37219-2417. Web site: www.nasba.org For SEAK, Inc.'s complaint and program cancellation policies please call SEAK, Inc. at 508-457-1111. There are no prerequisites for this intermediate/advanced group-live program.

Appraisers:

The American Society of Appraisers will accept 14 continuing education hours for this program.

Attorneys:

Credit varies by state. Continuing legal education credits for attorneys will only be applied for if requested in writing when sending in the registration form for the conference. Please contact Karen Babitsky (781-261-9972, Karen@seak.com) with any questions.

Engineers:

SEAK, Inc. has been reviewed and approved as an Authorized Provider by the International Association for Continuing Education and Training (IACET), 1620 I Street, NW, Suite 615, Washington, DC 20006. SEAK, Inc. will award 1.3 CEUs to participants who successfully complete this program.

Nurses:

13.2 Contact Hours.

This continuing nursing education activity was approved by the Ohio Nurses Association (OBN-001-91) an accredited approver by the American Nurses Credentialing Center's Commission on Accreditation.

ONA assigned #13,144. Approval valid through October 26, 2008.

Physicians:

SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this educational activity for a maximum of 13.3 AMA PRA Category 1™ Credits. Physicians should only claim credit commensurate with the extent of their participation in the activity.

Psychologists:

13.3 CE Credits. SEAK, Inc. is approved by the American Psychological Association to sponsor continuing education for psychologists. SEAK, Inc. maintains responsibility for this program and its content. To receive credit each psychologist must attend the entire program, sign in before the program, sign out after the program and return a completed evaluation form. Partial credit is not permitted. There are no prerequisites for this intermediate/advanced group-live program.

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

Here is what past attendees have to say about SEAK's National Expert Witness Conference:

"Excellent! Excellent! Excellent!"

"The presenters were excellent."

"This is my fourth year of attendance. I keep coming as long as I go away with new gems of knowledge or technique."

"Informative, attention holding, practical! Exceeded my expectations in terms of what I would be able to take back with me!"

"User friendly."

"Very professionally done."

"By far the best value of all training I've attended."

"Good job – well done, excellent conference."

"All speakers were outstanding and should be invited back."

"Thanks for the great opportunity to enhance my skills."

"Right on point."

"All speakers were good."

"All speakers were superb. I would not hesitate to recommend the seminar to others and already have!"

"Very well done, great faculty."

"Excellent presentations, information, handouts, and interaction."

"High quality – exceeded expectations."

"Well done, on time, excellent speakers and good topics."

"All speakers and presentations were very good."

"Impressed with the intellectual atmosphere, the thought-provoking questions of the attendees and the insight brought by judges, lawyers and trial consultants."

"Excellent, clear speakers, very good breakout sessions."

"Very professional, well organized."

"Your program was a pot of gold."

Hotel and Travel Information

Four Points by Sheraton Hyannis Resort

A limited block of rooms has been reserved at convention rates (\$150.00) at the site hotel. These rooms will be assigned on a first request basis. Due to the large influx of people to Cape Cod in June, hotel space will be at a premium. To reserve your room, please call 1-800-598-4559 and mention the SEAK Expert Group. **The Four Points by Sheraton Hyannis Resort** is surrounded by 52 totally private acres of beautifully landscaped grounds and offers an 18-hole par 54 golf course, a private patio or balcony for the 224 deluxe guest rooms, a complete fitness center, indoor and outdoor pools, a whirlpool, a complete spa, and free parking. The Four Points by Sheraton Resort is conveniently located within walking distance of Main Street with its many shops and restaurants. Public beaches and the ferries to Martha's Vineyard and Nantucket are minutes from the hotel. Driving directions are available on the Sheraton website at www.sheraton.com.

Alternative Lodging

As a tourist destination, the Hyannis area has numerous alternative lodging options for different tastes and budgets. SEAK has reserved a block of overflow rooms at the **Cape Codder Resort & Spa**. The discount rate is (\$149 single/double). To make your reservations, please call 888-297-2200 and identify yourselves as being with SEAK, Inc. The Cape Codder (www.capecodderresort.com) is approximately 2.5 miles from the Sheraton and is located adjacent to the Cape Cod Mall and several restaurants. The Cape Codder has a spa, indoor wave pool and 2 restaurants. If you prefer a hotel on the harbor, across from the Martha's Vineyard and Nantucket ferry docks and within walking distance of downtown/waterfront restaurants, we suggest **The Hyannis Harbor Hotel** (www.hyannisharborhotel.com), which is located 1.3 miles from the Sheraton. If you are coming with your family or colleagues and prefer a suite or townhouse with kitchenette, we suggest the **Red Jacket Green Harbor Resort** (www.greenharborresort.com), which is located directly on Lewis Bay, 2.9 miles from the Sheraton. If you would like to stay at an oceanfront beach resort with a private beach, jet ski rentals, etc., we suggest the **Red Jacket Beach Resort** (www.redjacketbeach.com). The Red Jacket Beach Resort is 6.1 miles from the Sheraton, but please note that traffic can be heavy in the afternoons coming back from the Sheraton.

Getting to Hyannis

The two major airports closest to Cape Cod are Logan International Airport in Boston, MA (70 miles) and T.F. Green Airport in Warwick, Rhode Island (80 miles). Barnstable Airport is a five minute drive from the Sheraton, but this is a commuter airport that has smaller planes and fewer flights. T.F. Green is preferred over Logan (if you can get a non-stop flight) as it is usually less congested. Rental cars, taxis and car service are available at all three airports.

Cape Cod

Cape Cod is a true destination spot that features beautiful beaches, warm water, great restaurants, historic towns, sightseeing, kayaking, whale watching, museums, numerous bike trails, shopping, nightlife, championship golf, and world famous boating. Cape Cod is also gateway to the islands of Martha's Vineyard and Nantucket. For more information on what to do on Cape Cod, please visit www.capecod.com.



2007 SEAK National Expert Witness Conference Hyannis, Cape Cod, Massachusetts

PRECONFERENCES: June 19 & 20, 2007

- Expert Report Writing Workshop, Tuesday, June 19, 2007
 How To Become a Dangerous Expert Witness, Tuesday, June 19, 2007
 The Biggest Mistakes Experts Make: And How to Avoid Them, Tuesday, June 19, 2007
 Advanced Cross Examination Workshop, Wednesday, June 20, 2007
 How To Start and Build A Successful Expert Witness Practice, Wednesday, June 20, 2007
 Testifying Skills Workshop, Wednesday, June 20, 2007
 Persuasion Skills Workshop, Wednesday, June 20, 2007
 Advanced Deposition Skills for Experts, Wednesday, June 20, 2007

Thursday, June 21, 2007

- 7:00 - 8:00 **REGISTRATION**
Continental Breakfast Provided
- 8:00 - 9:00 **A View From The Bench**
 By The Honorable Ellen Segal Huvelle
 Washington, DC
- 9:00 - 10:00 **Communicate with Clarity: Effective Expert Witness Testimony**
 By Richard Gabriel
 Los Angeles, CA
- 10:00 - 10:15 **BREAK AND NETWORKING OPPORTUNITY**
- 10:15 - 11:15 **Impeaching the Expert: Survival of the Fittest**
 By James B. Lees, Jr., Esq.
 Charleston, WV
- 11:15 - 12:15 **When Things Go Wrong: Dealing When Disaster Strikes**
 By Michael G. Kaplan, MBA, CPA, CVA, CFFA
 Woodland Hills, CA
- 12:15 - 1:15 **LUNCH PROVIDED WITH FACULTY: NETWORKING OPPORTUNITY**
- 1:15 - 2:05 **Breakout Sessions: Choose One**
Trial Demonstration: Cross-Examination of an Expert Witness
 By Jeffrey N. Catalano, Esq., (Boston, MA) and
 Alison Vredenburg, PhD, CPE, (Carlsbad, CA)
OR
How to Build and Manage a Premier Forensic Consulting Practice
 By Ward Brian Zimmerman, PhD, MBA, CSSC, AVA
 Boone, NC
- 2:05 - 2:15 **BREAK AND NETWORKING OPPORTUNITY**
- 2:15 - 3:05 **Breakout Sessions: Choose One**
Daubert-Proofing your CV-Expertise and Qualifications
 By Stephen A. Batzer, PhD, PE
 Farmington, AR
OR
View from the Trenches: Successful Expert Witness Testimony
 By Harold J. Friedman, Esq.
 Portland, ME
- 3:05 - 3:15 **BREAK AND NETWORKING OPPORTUNITY**
- 3:15 - 4:15 **Breakout Sessions: Choose One**
Marketing and Building a Premier Forensic/Expert Witness Practice: What Works
 By Michael G. Kaplan, MBA, CPA, CVA, CFFA
 Woodland Hills, CA
OR
Knocking Expert Witnesses Out of the Box: What Experts Need to Know
 By John C. McMeekin II, Esq.
 Philadelphia, PA
- 4:15 - 5:30 **RECEPTION: NETWORKING OPPORTUNITY**

Friday, June 22, 2007

- 7:00 - 8:00 **Continental Breakfast Provided**
- 8:00 - 9:00 **A View from the Bench**
 By Justice Patricia Ann Hurst
 Providence, RI
- 9:00 - 10:00 **Dealing with Difficult Attorneys**
 By Thomas G. Gutheil, MD
 Cambridge, MA
- 10:00 - 10:15 **BREAK AND NETWORKING OPPORTUNITY**
- 10:15 - 11:15 **Preparing for Your Deposition and Trial: What Every Expert Should Do**
 By Daniel I. Small, Esq.
 Miami, FL
- 11:15 - 12:15 **Using Cross-Examination as an Opportunity: Techniques for Experts**
 By David S. Davis, PhD
 Lexington, MA
- 12:15 - 1:15 **LUNCH PROVIDED WITH FACULTY: NETWORKING OPPORTUNITY**
- 1:15 - 2:05 **Breakout Sessions: Choose One**
It's OK Not to be Perfect: Increasing Your Credibility
 By Barry A. Cohen, Esq.
 Tampa, FL
OR
The Use of Expert Witnesses in Arbitration and Mediation
 By Michael B. Lee, Esq.
 Houston, TX
- 2:05 - 2:15 **BREAK AND NETWORKING OPPORTUNITY**
- 2:15 - 3:05 **Breakout Sessions: Choose One**
Advanced Deposition Skills for Expert Witnesses
 By Prof. David A. Sonenshein
 Merion, PA
OR
Writing the Expert Report
 By Jeffrey D. Zwirn, CPP, CFPS, CFE, DABFET, CHS-III, SET
 Teaneck, NJ
- 3:05 - 3:15 **BREAK AND NETWORKING OPPORTUNITY**
- 3:15 - 4:15 **Breakout Sessions: Choose One**
Advanced Expert Techniques
 By Alison Vredenburg, PhD, CPE
 Carlsbad, CA
OR
Bulletproofing Your Fee Schedules and Agreements
 By James J. Mangraviti, Jr., Esq.
 Falmouth, MA

Conference Program: Thursday, June 21, 2007

7:00 - 8:00

Registration & Continental Breakfast - Provided

8:00 - 9:00

A View From The Bench

By **The Honorable Ellen Segal Huvelle**



Judge Huvelle will discuss how the expert witness's demeanor, language, and presentation, together with the content of the expert's testimony affects the jury and judge. She will review some of the more common mistakes experts make and will offer practical suggestions for experts on how to improve the quality and effectiveness of their testimony. **Questions and Answers.** *Learning Objective: Discuss the common mistakes experts make and how to avoid them.*

Judge Ellen Segal Huvelle was appointed to the United States District Court in October 1999. She received a B.A. from Wellesley College in 1970, a Masters in City Planning from Yale University in 1972, and a J.D. from Boston College Law School in 1975. Following law school, she served as law clerk to Chief Justice Edward F. Hennessey of the Massachusetts Supreme Judicial Court. From 1976 until 1984, Judge Huvelle was an associate at the firm of Williams & Connolly and in 1984, she became a partner at that firm. She was appointed Associate Judge of the D.C. Superior Court in September 1990 and served in the Civil, Criminal and Family Divisions until her appointment to the federal bench. Judge Huvelle has been a Fellow of the American Bar Association, a member of the Edward Bennett Williams Inn of Court, and has taught trial practice at Harvard Law School's Trial Advocacy Workshop and at the University of Virginia School of Law.

9:00 - 10:00

Communicate with Clarity: Effective Expert Witness Testimony

By **Richard Gabriel**



Mr. Gabriel will discuss the "new juror" and the attitudes they have to experts. He will review the desirable and undesirable expert witness qualities and will explain what makes an expert credible to jurors. Mr. Gabriel will review what makes an expert an effective communicator and will demonstrate expert testimony preparation points and testimony sequence. Mr. Gabriel will offer practical suggestions on how experts can improve their demonstrations and trial testimony. **Questions and Answers.** *Learning Objective: Describe techniques to make your expert testimony more credible to jurors.*

Richard Gabriel is the president of Decision Analysis, a trial consulting firm in Los Angeles, CA. He has worked on hundreds of civil and criminal cases since 1985. Mr. Gabriel has conducted training sessions and lectures for thousands of litigators nationally and is published in national legal publications and legal texts. He has co-authored a book, *Jury Selection: Strategy and Science*, which was published by Thompson West Publications. Mr. Gabriel is recognized as an expert on pre-trial research and presentation strategies that favorably impact trial outcomes. He is a regular speaker at law schools, bar associations, and law firms on jury research and trial communication strategy. He is a guest speaker at Pepperdine Law School and was formerly on the Communication and Learning Skills faculty at the University of California - Los Angeles Extension program. He has specialized in addressing complex, high-liability civil issues and high-bias criminal issues. His experience includes working for the defense on the O.J. Simpson, Heidi Fleiss, and Patrick Naughton trials, as well as for the Office of the Independent Counsel. He is the past President of the American Society of Trial Consultants and appears regularly as a commentator on jury issues for CNBC, CNN, NBC, ABC and CBS.

10:00 - 10:15

Break and Networking Opportunity

10:15 - 11:15

Impeaching the Expert: Survival of the Fittest

By **James B. Lees, Jr., Esq.**



Attorney Lees will discuss common themes and techniques utilized by top American trial lawyers in impeaching expert witnesses during cross-examination. He will demonstrate use of authoritative textbooks and articles as an effective means of impeachment. Attorney Lees will explain techniques that can be used by expert witnesses in successfully dealing with impeachment. Attorney Lees will offer practical advice to experts on how to turn the impeachment strategy of the opposing attorney to your advantage in cross-examination. **Questions and Answers.** *Learning Objective: List techniques to successfully deal with impeachment attacks.*

James B. Lees, Jr., Esq. owns and operates Hunt & Lees, LC, located in Charleston, West Virginia, specializing in trial litigation with an emphasis on consumer issues. A former Deputy District Attorney in Pittsburgh, Pennsylvania, Mr. Lees has tried over 200 cases to jury verdict during his career. As an attorney, Jim Lees has served West Virginia several times as Special Prosecutor, and his litigation on behalf of West Virginia citizens to bring fairness to taxation policies have earned him the praise of many West Virginia citizens. He is a frequent lecturer and teacher of trial tactics throughout the United States, including teaching at the National College of Advocacy's Ultimate Trial College at Harvard Law School

Registration is limited. Register Today! To register, please see page 2.

Conference Program: Thursday, June 21, 2007

and Duke Law School. Mr. Lees is a member of ATLA's Board of Trustees of the National College of Advocacy, and has appeared on ABC's Good Morning America and America Overnight.

11:15 - 12:15

When Things Go Wrong: Dealing When Disaster Strikes

By Michael G. Kaplan, MBA, CPA, CVA, CFFA



Mr. Kaplan will discuss advanced strategies for avoiding disasters on the witness stand. He will explain the numerous potential expert witness disasters and will demonstrate how to deal with them even in the face of extreme adversity. Mr. Kaplan will offer practical advice that can be used by experts of all disciplines. **Questions and Answers.** *Learning Objective: Identify common expert witness disasters and describe how to avoid them.*

Michael G. Kaplan, MBA, CPA, CVA, CFFA has had more than 27 years experience in the areas of forensic accounting, business valuation and litigation consulting. He is a co founder of Voir Dire Partners, LLC, an association of independent forensic valuation consultants, and Kaplan Abraham Burkert & Company, Litigation and Valuation Consultants. He has rendered services in more than 1,500 litigation matters, including business litigation, malpractice plaintiff and defense matters, fraud and embezzlement, trademark and technology, marital dissolution, loss of earnings, wrongful termination, and partner and shareholder disputes. He has qualified to testify in court as an expert witness in more than 250 matters. Mr. Kaplan has also served as a court appointed expert and accounting referee. Mr. Kaplan has been awarded the Instructor of the Year Award by NACVA on numerous occasions.

12:15 - 1:15

Lunch Provided with Faculty: Networking Opportunity

1:15 - 2:05

Breakout Sessions: Choose One

Trial Demonstration: Cross-Examination of an Expert Witness

By Jeffrey N. Catalano, Esq., and Alison Vredenburg, PhD, CPE

The stipulated facts are as follows:

Plaintiff, Mr. Thomson, underwent surgery on both of his knees. Immediately, post-op, he was prescribed "cold therapy" by his surgeon to be used 24/7. Mr. Thompson brought home the cold therapy unit that he had been using in the hospital and continued around the clock usage. The pads for the cold therapy were wrapped around both of his knees, over his dressings (bandages). After a few days when he went to have his knees re-checked by his surgeon, both knees were black from frostbite with full-thickness tissue damage, requiring skin grafts on both knees. The issues in this case were the manufacturer's hazard management of potential frostbite injuries, including device design, usage, and on-product instructions and warnings. **Questions and Answers.** *Learning Objective: Describe the effective testimony presentation techniques demonstrated in the mock trial.*



Jeffrey N. Catalano, Esq., is a partner and trial lawyer in the Boston firm of Todd & Weld. He received his BA from the University of Scranton and his JD from Boston College Law School. Attorney Catalano was elected to the Board of Governors for the Massachusetts Academy of Trial Attorneys, and was appointed Chairman of Massachusetts Bar Association's Civil Litigation Section Council. Attorney Catalano was recently named a "Massachusetts Super Lawyers Rising Star" in Boston Magazine.



Allison G. Vredenburg, PhD, CPE is principal of Vredenburg and Associates Inc., a California firm which consults in human factors, ergonomics, and safety. Dr. Vredenburg received her BA from the University of California, her MS from the University of Southern California and her PhD from the California School of Professional Psychology. She has published dozens of studies in the areas of human factors, safety and psychology. Dr. Vredenburg has served as an expert witness for hundreds of personal injury and products liability cases. She has testified in Municipal, Superior and Federal District Courts. Prior to consulting, she worked in the aerospace industry, where she developed an emergency preparedness program plan, administered the performance improvement program, and developed and conducted numerous employee training programs.

– OR –



How to Build and Manage a Premier Forensic Consulting Practice

By Ward Brian Zimmerman, PhD, MBA, CSSC, AVA

Mr. Zimmerman will share cost-effective techniques he has used to build a highly successful consulting practice. He will discuss fee setting, billing, time and personal management, quality control, forms, checklists, protocols, and marketing. Mr. Zimmerman will offer practical suggestions on how to maintain your integrity and credibility while at the same time, devising a strategic plan for increased professional exposure and assignments. **Questions and Answers.** *Learning Objective: Describe techniques for how to increase your revenues while maintaining your credibility and integrity.*

Ward Brian Zimmerman, PhD, MBA, CSSC, AVA is the president and CEO of EnterpriZ Economic Consulting LLC in Boone, NC. Dr. Zimmerman received his BA, MBA, and PhD from the University of Kansas. He is an economic expert who specializes in lifetime earning analysis and future financial needs. Dr. Zimmerman has written and lectured extensively about forensic economic issues and is an experienced expert with over 1,000 economic reports in 44 states. He worked on a pro-bono basis for the September 11th Victims Compensation Fund.

2:05 - 2:15

Break and Networking Opportunity

2:15 - 3:05

Breakout Sessions: Choose One

Daubert-proofing your CV-Expertise and Qualifications

By Stephen A. Batzer, PhD, PE



Dr. Batzer will discuss the professional implications of recent court rulings regarding the admissibility of expert testimony. Ways to quickly and effectively increase your technical qualifications are outlined, covering what credentials are important to the various audiences involved in litigation and criminal proceedings. Affidavits in response to *Daubert* challenges are outlined with the crucial matters relevant to the gatekeeper detailed. The differences between expertise and qualifications are given, along with the relevance to the expert witness. Real life examples are given, and the session will conclude with question-and-answers. **Questions and Answers.** *Learning Objective: Describe strategies to withstand legal challenges to your qualifications.*

Stephen A. Batzer, PhD, PE is a Director of the [Engineering Institute LLC](#) located in Farmington, AR. He received his BS and PhD in Mechanical Engineering from Michigan Technological University and his MS in manufacturing systems engineering from the GMI Engineering and Management Institute. Dr. Batzer has written and lectured extensively on forensic engineering issues and is an experienced expert witness. Dr. Batzer is an instructor at [ASM International](#) and is also an adjunct professor, Mechanical Engineering Department at the University of Arkansas. He currently gives expert testimony regarding the crashworthiness of vehicles and is a national figure on the topic of automotive safety.

– OR –

View from the Trenches: Successful Expert Witness Testimony

By Harold J. Friedman, Esq.



Attorney Friedman will discuss the numerous ways experts hurt their testimony and credibility when testifying. He will review acting toward opposing counsel as the enemy, arguing with the judge and counsel, blind advocacy and looking and sounding result oriented. Attorney Friedman will offer practical advice on how to humanize the expert so the jury is receptive to the information the expert is offering. **Questions and Answers.** *Learning Objective: List techniques to present more effective expert testimony.*

Harold J. Friedman, Esq. is a partner and trial attorney in the Portland, Maine law firm of Friedman, Gaythwaite Wolf & Leavitt. He has extensive experience in all aspects of civil litigation, with an emphasis on tort cases involving catastrophic injuries. Attorney Friedman is a fellow of the International Academy of Trial Lawyers, and a member of the Product Liability Advisory Council and the International Association of Insurance Defense Counsel. He is also a former Director of the Defense Research Institute as well as the Vice Chairman of the Products Liability Committee of the Defense Research Institute. Attorney Friedman is a past President of the Northern New England Defense Counsel Association, past Chairperson of the Federal Practice Section of the Maine State Bar Association, and was on the Steering Committee of the Federal Court Advisory Panel. A former instructor at the University of Maine Law School on trial techniques, he is also an active lecturer on litigation topics in Maine, nationally, and internationally. He tries cases nationwide.

3:05 - 3:15

Break and Networking Opportunity

3:15 - 4:15

Breakout Sessions: Choose One

Marketing and Building a Premier Forensic/Expert Witness Practice: What Works

By Michael G. Kaplan, MBA, CPA, CVA, CFFA



Mr. Kaplan will review the techniques used to network and build a steady stream of referrals. He will discuss tracking of results, speaking, writing, reputation, quality work, advertising, the internet, and building word of mouth. He will demonstrate how specific types of cases can help build your firm's reputation and exposure. Mr. Kaplan will offer practical suggestions for cost-effectively building a premier forensic/expert witness practice. **Questions and Answers.** *Learning Objective: Discuss the benefits and drawbacks of numerous techniques to expand your expert witness practice.*

– OR –

Conference Program: Thursday, June 21, 2007

Knocking Expert Witnesses Out of the Box: What Experts Need to Know

By John C. McMeekin II, Esq.



Attorney McMeekin will discuss the multiple and diverse strategies attorneys will employ to preclude or limit expert witnesses from testifying. Attorney McMeekin will review the procedures used to preclude expert testimony and the implications for experts who have their proposed testimony excluded. He will explain how the relevant experience, methodology, and protocol of the expert may be used to prevent or support her testimony. Attorney McMeekin will offer practical advice to experts on what they can do to prepare for their opinions to be challenged. **Questions and Answers.** *Learning Objective: Summarize multiple strategies attorneys will employ to preclude or limit expert testimony and describe what experts can do to prepare for such challenges.*

John C. McMeekin II, Esq. is a Partner of Rawle & Henderson LLP in the Philadelphia office, the Nation's oldest law offices. He concentrates his law practice in the areas of environmental, toxic and mass torts, products and professional liability and insurance coverage litigation. He represents clients in the United States and abroad as National Coordinating Counsel and local trial counsel in the defense of long-term latent injury and defect, chemical exposure and product liability cases. He received his BA from Bucknell University and his JD, *magna cum laude* from the University of Baltimore School of Law. Attorney McMeekin has written, lectured and litigated extensively on expert witness issues. He was recognized as a Pennsylvania "Super Lawyer" by Philadelphia Magazine in 2005 & 2006. He was also recognized as a Top 40 under 40 attorney in Pennsylvania by the Legal Intelligencer.

4:15 - 5:30 **Reception: Networking Opportunity**

Conference Program: Friday June 22, 2007

7:00 - 8:00 **Continental Breakfast Provided: Networking Opportunity**

8:00 - 9:00 **A View from the Bench**

By Justice Patricia Ann Hurst



Justice Hurst will review some of the common mistakes expert witnesses make when testifying including: failing to effectively communicate the facts and science behind the opinion; acting as an advocate and trading barbs and doing combat with opposing counsel; failing to maintain a professional demeanor; and refusing to concede minor and obvious points. Drawing upon years of exit interviews with jurors, she will provide valuable information about what jurors expect and appreciate and what turns jurors off. Justice Hurst will offer practical suggestions for maintaining your credibility and integrity without self-destructing. **Questions and Answers.** *Learning Objective: List the common mistakes experts make and describe ways to avoid these mistakes.*

Honorable Patricia A. Hurst is a senior trial justice with the State of Rhode Island Superior Court. She was appointed to the Bench in 1990 and, since then, her assignments have included presiding over complex civil jury trials and civil discovery proceedings. By special assignment of the Presiding Justice of the State of Rhode Island Superior Court, Justice Hurst has managed and tried multi-party and complex litigation including cases involving multifaceted constitutional issues, intricate legal and factual questions, and evidence of a highly technical and scientific nature. Justice Hurst also pioneered the use of modern jury techniques in the Rhode Island state trial court including the use of preliminary charges, juror note taking, and other innovations. She also was awarded the state trial lawyers' association Judicial Merit Award in September 2001, and received certificates of special recognition and accomplishment from the Congress of the United States of America House of Representatives and Senate and from the Governor of the State of Rhode Island.

9:00 - 10:00 **Dealing with Difficult Attorneys**

By Thomas G. Gutheil, MD



Dr. Gutheil will discuss and demonstrate with examples how to effectively deal with difficult attorneys including those who are: contract changing, withholding, seducing and coercing, and use phantom expert's last minute blues, screaming and emotional and oppressive techniques. He will demonstrate how to use gentle and appropriate humor to defuse potentially embarrassing and difficult confrontations. **Questions and Answers.** *Learning Objective: Describe how to effectively deal with difficult attorneys.*

Thomas G. Gutheil, MD is Professor of Psychiatry at the Harvard Medical School. Dr. Gutheil has been associated with the Massachusetts Mental Health Center, Boston, for more than a third of a century

and has served as a staff member there for 31 years. A nationally known teacher, lecturer, author and consultant on medicolegal issues, risk management and malpractice prevention, Dr. Gutheil is the first Professor of Psychiatry in the history of the Harvard Medical School to be board certified in both general and forensic psychiatry. Dr. Gutheil is a graduate of Harvard College and Harvard Medical School. He is currently Assistant Director of Medical Student Training and Co-Director of the Program in Psychiatry and the Law, Mass. Mental Health Center. He is also former Visiting Lecturer, Harvard Law School; Lecturer in Psychiatry, Tufts Medical School; President, Law & Psychiatry Resource Center; Special Consultant to the Risk Management Foundation of the Harvard Medical Institutions; and Affiliate Member, Boston Psychoanalytic Society & Institute. As a twice-board certified Forensic Psychiatrist, he has served as consultant or expert witness on cases in forty states.

10:00 - 10:15

Break and Networking Opportunity

10:15 - 11:15

Preparing for Your Deposition and Trial: What Every Expert Should Do

By Daniel I. Small, Esq.

Attorney Small will explain the importance of expert witness preparation and will demonstrate the disasters that result from ill-prepared experts. He will discuss the difference between preparation and coaching, and will show how to level the playing field for expert witnesses. Attorney Small will offer suggestions on how experts should be prepared by retaining counsel and offer practical advice on how experts can "go the extra mile" while preparing by themselves. **Questions and Answers.** *Learning Objective: Describe how to better prepare to testify.*



Attorney Daniel I. Small is a partner and trial attorney in the Miami office of Duane Morris. He received his BA from Harvard College and his JD from Harvard Law School. Attorney Small practices in the area of litigation, focusing on witness preparation, securities litigation, government investigations, healthcare litigation, white collar criminal law and complex civil litigation. He has extensive jury trial and other litigation experience. Prior to entering private practice, he was a prosecutor for the U.S. Department of Justice, during which time he tried RICO, corruption, financial and regulatory cases. Attorney Small has written several books on litigation for the ABA, including *Preparing Witnesses* and *Going To Trial*, that are used in CLE programs throughout the country and was Lecturer on Law at Harvard Law School. He is a frequent television, radio and newspaper commentator.

11:15 - 12:15

Using Cross-Examination as an Opportunity: Techniques for Experts

By David S. Davis, PhD

Dr. Davis will discuss how certain easy to use techniques can be employed in cross-examination so that the cross can be used as an additional tool to further communicate the primary "takeaways" of expert testimony. He will explain that many experts see cross examination as a process to get through without making mistakes or exposing vulnerabilities in their testimony. Lawyers further reinforce this perspective by telling experts that they will be able to "clean up" for the witness during re-direct. In fact, done properly, cross examination can be seen as an additional opportunity to communicate key messages to fact-finders. Dr. Davis will demonstrate how experts can practice the use of easy to learn techniques to deal with "difficult" questions and be prepared to deal with questions that they believe may expose vulnerabilities in their testimony. He will offer expert witness practical suggestions on developing "home bases," taking control of the cross, using techniques like "admit/deny," "letting go of the rope," "sorting through the junk mail," "standing your ground" and sending the right message while under attack. **Questions and Answers.** *Learning Objective: Identify techniques to use cross-examination to further communicate "takeaways" to the fact finder.*



David S. Davis, PhD is a founder of and principal in RandD Strategic Solutions. Dr. Davis specializes in the development of trial strategy and tactics; jury selection and voir dire; shadow juries; witness preparation; order of evidence; opening/closing statements; the development of themes and arguments; demonstrative evidence preparation; teaching persuasive techniques; the estimation of case outcome, including damage awards; and the evaluation of outcomes of different trial approaches. Dr. Davis is a frequent speaker at law firms, bar association meetings, and other legal functions. He has been frequently quoted by many publications, including the *New York Times*, *Los Angeles Times*, *Wall Street Journal*, and *Washington Post*. Dr. Davis is the co-author of *Jury Persuasion: Psychological Strategies and Trial Techniques* as well as many published articles on the psychology of jury persuasion.

12:15 - 1:15

Lunch Provided with Faculty: Networking Opportunity

1:15 - 2:05

Breakout Sessions: Choose One**It's OK Not to Be Perfect: Increasing Your Credibility**By **Barry A. Cohen, Esq.**

Attorney Cohen will utilize media clips from trials and depositions to demonstrate how to increase your credibility as an expert witness. He will discuss: the ability to say “I Don't Know,” making concessions appropriately, fighting the correct battles, likeability, being genuine, self-image and not having to be the smartest person in the room. Attorney Cohen will use examples from several of his high profile cases to help experts understand how to connect with jurors and make them want to believe. **Questions and Answers.** *Learning Objective: List multiple methods to connect with and persuade jurors.*

Barry A. Cohen, Esq. is the senior partner at Cohen, Jayson & Foster, P.A., in Tampa, Florida, a boutique litigation firm that is engaged in white-collar criminal defense, complex commercial cases, product liability and medical malpractice. A lawyer's lawyer, Cohen is perhaps most well known and respected for the commitment, tenacity and resourcefulness that he brings to bear on behalf of his clients. According to The Tampa Tribune, “the most telling indication of Barry's courtroom reputation is this: When judges and lawyers need an attorney, it is Barry they often hire.” Over the years, Cohen has represented numerous judges and public officials on a variety of civil and criminal matters. He won the nation's largest verdict in 1995 in a wrongful death lawsuit in the sum of \$500 million on behalf of the parents of a young boy who inhaled toxic fumes from improperly disposed chemicals. In addition, Cohen and his firm exposed the injustices perpetrated by the U.S. Government and the Hillsborough County Sheriff's Office in the case against Steven and Marlene Aisenberg, whose baby daughter Sabrina vanished in 1997. An AV rated lawyer, Barry A. Cohen is listed in *The Best Lawyers in America* for the years 1985 through 2005, and in Martindale-Hubbell's Bar Register of Preeminent Lawyers.

– OR –

The Use of Expert Witnesses in Arbitration and MediationBy **Michael B. Lee, Esq.**

Attorney Lee will discuss the role of expert witnesses in arbitration, mediation and other dispute resolution proceedings. He will review how these forums may differ for experts including: maximizing shortened expert presentations, working with relaxed or abbreviated rules of evidence and procedure, and possibly dealing with “Daubert” attacks on the expert and his or her qualifications and methodology. Attorney Lee will explain how the finality of the proceeding (advisory or binding) will impact the proceeding and will offer practical suggestions for experts getting involved in arbitration and mediation. **Questions and Answers.** *Learning Objective: Discuss how expert testimony should best be presented during alternative dispute resolution procedures.*

Attorney Michael B. Lee is a partner and trial attorney at the Houston, TX law firm of Beirne, Maynard & Parsons. He is an experienced first chair trial lawyer with thirty years of practice in state and federal courts in Texas and elsewhere throughout the United States. In addition, he has been involved as a litigation team leader in a number of complex, multi-party cases, including Multi-District Litigation under special procedural rules adopted for these types of cases. Attorney Lee served in the United States Army (Intelligence) from 1968 to 1970 as a prisoner of war interrogator, and, in 1979, he was elected to honorary life membership in the Texas Rangers Hall of Fame. Attorney Lee has a particular expertise in arbitration and mediation and is co-author of “Arbitration Showdown.”

2:05 - 2:15

Break and Networking Opportunity

2:15 - 3:05

Breakout Sessions: Choose One**Advanced Deposition Skills for Expert Witnesses**By **David A. Sonenshein, Esq.**

Professor Sonenshein will discuss how to respond to the most challenging questions experts face at deposition. He will explain how the changing rules on expert reports impact expert witnesses at deposition. Professor Sonenshein will review how to best deal with both retaining and opposing counsel particularly in light of the lack of privilege between the testifying expert and the counsel who retained the expert. He will demonstrate how the changing rules on testifying on the “ultimate issue” effect expert witness deposition testimony. **Questions and Answers.** *Learning Objective: Describe strategies to better perform during depositions.*

David A. Sonenshein is Professor of Law at the Temple University School of Law. He received his B.A. from Cornell University and his J.D. from New York University. Professor Sonenshein is a prolific author and lecturer on Deposition Practice, Trial Advocacy and Evidence (including Expert Witnesses) for the national Institute for Trial Advocacy, the Federal Judicial Center (where he trains federal judges in the law of Evidence), the United States Department of Justice, and major law firms throughout the United States. Professor Sonenshein has received Temple's George P. Williams Award as the Outstanding Professor in 1992, 1996, 2000, 2003, and 2006 and he has received ALI-ABA's Francis Rawle Award for his Outstanding Contribution to Continuing Legal Education.

- OR -

Writing the Expert Report

By Jeffrey D. Zwirn, CPP, CFPS, CFE, DABFET, CHS-III, SET



Mr. Zwirn will explain the protocol he uses before he writes his reports including mastering and verifying the facts, utilization of investigative interviews and report preparation. He will discuss the importance of using objective references, materials, standards and publications to support an opinion. Mr. Zwirn will discuss formatting, computer aides, proofreading, drafts, and the finalization of writing scientific expert reports. **Questions and Answers.** *Learning Objective: Describe a protocol for producing high quality expert reports.*

Jeffrey D. Zwirn, CPP, CFPS, CFE, DABFET, CHS-III, SET is a security and alarm expert and President of IDS Research and Development, Inc., in Teaneck, New Jersey. Mr. Zwirn has developed, designed, serviced, installed, and monitored thousands of access control, fire alarm, and security systems for commercial, industrial, and residential clients. Mr. Zwirn has served as an instructor for the NYPD Police Training Academy, International Security Conference, ASIS, museum library, and cultural property protection committee and many other associations and organizations. Mr. Zwirn has developed training curriculum and written alarm and security test examinations for the New York City Police Department and the Joint Terrorist Task Force. Mr. Zwirn is also a member of UL and NFPA technical committees. Mr. Zwirn has been involved in hundreds of cases over the last 26 years including the Revelle murder case.

3:05 - 3:15

Break and Networking Opportunity

3:15 - 4:15

Breakout Sessions: Choose One

Advanced Expert Techniques

By Alison Vredenburg, PhD, CPE



Dr. Vredenburg will discuss how to optimize relationships with retaining counsel and even opposing counsel (who might be your next client). She will explain how to avoid expert abuse from your client and opposing counsel. Dr. Vredenburg will discuss how an experienced expert effectively diagnoses difficult questions and situations and will demonstrate how to deal with them effectively. **Questions and Answers.** *Learning Objective: List advanced techniques to be a better and more successful expert witness.* (Time will be set aside at the end of this talk to complete course evaluations.)

Allison G. Vredenburg, PhD, CPE is principal of Vredenburg and Associates Inc., a California firm which consults in human factors, ergonomics, and safety. Dr. Vredenburg received her BA from the University of California, her MS from the University of Southern California and her PhD from the California School of Professional Psychology. She has published dozens of studies in the areas of human factors, safety and psychology. Dr. Vredenburg has served as an expert witness for hundreds of personal injury and products liability cases. She has testified in Municipal, Superior and Federal District Courts. Prior to consulting, she worked in the aerospace industry, where she developed an emergency preparedness program plan, administered the performance improvement program, and developed and conducted numerous employee training programs.

- OR -

Bulletproofing Your Fee Schedules and Agreements

By James J. Mangraviti, Jr., Esq.



Attorney Mangraviti will review the common problems experts face as expert witnesses and provide examples with sample language of how experts are addressing these problems in their fee schedules and agreements. These problems covered will include: conflicting the expert out of the case, non-payment of fees, late payment of fees, last minute cancellations, travel and other expenses not being promptly reimbursed, scheduling conflicts, and getting stuck in a case. Complete sample fee agreements and schedules will be provided. **Questions and Answers.** *Learning Objective: Describe techniques to improve an expert's fee schedules and agreements.* (Time will be set aside at the end of this talk to complete course evaluations.)

James J. Mangraviti, Jr., Esq., has trained hundreds of expert witnesses across the United States and Canada. He is a former litigator with experience in defense and plaintiff personal injury law and insurance law. He currently serves as Vice President and General Counsel of SEAK, Inc. Attorney Mangraviti received his BA degree in mathematics *summa cum laude* from Boston College and his JD degree *cum laude* from Boston College Law School. His publications include the texts *Cross-Examination: The Comprehensive Guide for Experts*, *National Guide to Expert Witness Fees and Billing Procedures*, *Writing and Defending Your IME Report*, *How to Excel During Cross-Examination: Techniques for Experts That Work*, *How to Excel During Depositions: Techniques for Experts That Work*, *The Comprehensive Forensic Services Manual: The Essential Resources for All Experts*, *Writing and Defending Your Expert Report: The Step-by-Step Guide with Models*, and *How to Become a Dangerous Expert Witness: Advanced Techniques and Strategies*.

Registration is limited. Register Today! To register, please see page 2.

Expert Report Writing Workshop

Four Points by Sheraton Hyannis Resort, Hyannis, Cape Cod, Massachusetts

Tuesday, June 19, 2007

Executive Summary An expert's report is one of the most important services provided to retaining counsel. A well-written report is immensely helpful to retaining counsel and may well lead to future referrals and the ability to charge premium fees. A poorly written report can and will be used to impeach the expert in the case at hand and future cases for years to come. *Expert Report Writing Workshop* is a lively, hands-on program that features numerous interactive writing exercises and mock trial demonstrations. It will teach you how to write more valuable and more defensible reports and how to avoid the most common pitfalls involved in expert report writing. Attendees will learn how to structure their reports so as to be resistant to cross examination. Ample time will be set aside for questions and answers.

Faculty: **Nadine Nasser Donovan, Esq.**, is a former trial lawyer with extensive litigation experience. She is currently of counsel to the Boston-based firm of Martin, Magnuson, McCarthy & Kenney. Her practice area includes the defense of medical professionals in medical malpractice actions and before medical licensing boards. In addition, Ms. Donovan is a Legal Writing Instructor at Boston University School of Law. She previously practiced litigation in New York City, first as a prosecutor in Queens, and then as counsel for the City of New York. 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.



Registration Information: The \$395 tuition includes a continental breakfast, breaks, lunch with faculty, a detailed manual which can be retained as a bookshelf reference, and a dynamic learning experience. To register, please use the form on page 2.

Here's what past attendees have to say about SEAK's Report Writing Workshop:

*"Well structured and great examples"
"Every bit as good as I had hoped for!"*

"Extremely effective"

"Very practical, open to answering questions"

"Kept everything anchored to the main objective"

"Good information combined with and applied to practical experiences"

"Very helpful"

"Excellent program, well executed"

"Great job of pointing out weaknesses in the reports and line of questioning, nice educational strategy"

"Great, engaging, and informative"

"Awesome, I appreciate seamless transition between attorney and lecturer"

Continuing Education Credits: Note: If your specialty does not appear below and you desire credits, please contact Karen Babitsky (781-261-9972 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:

The ACTAR Continuing Education Unit has approved this program for 7.0 CEUs.

Accountants:

Earn 7.5 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, 150 Fourth Avenue North, Suite 700, Nashville, TN, 37219-2417. Web site: www.nasba.org For SEAK, Inc.'s complaint and program cancellation policies please call SEAK, Inc. at 508-457-1111. There are no prerequisites for this introductory/intermediate group-live program.

Appraisers:

The American Society of Appraisers will accept 6.0 continuing education hours for this program.

Attorneys:

Credit varies by state. Continuing legal education credits for attorneys will only be applied for if requested in writing when sending in the registration form for the conference. Please contact Karen Babitsky (781-261-9972, Karen@seak.com) with any questions.

Engineers:

SEAK, Inc. has been reviewed and approved as an Authorized Provider by the International Association for Continuing Education and Training (IACET), 1620 I Street, NW, Suite 615, Washington, DC 20006. SEAK, Inc. will award .62 CEUs to participants who successfully complete this program.

Nurses:

6.2 Contact Hours.

This continuing nursing education activity was approved by the Ohio Nurses Association (OBN-001-91) an accredited approver by the American Nurses Credentialing Center's Commission on Accreditation.

ONA assigned #13,147. Approval valid through October 26, 2008.

Physicians:

SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this educational activity for a maximum of 6.25 AMA PRA Category 1™ Credits. Physicians should only claim credit commensurate with the extent of their participation in the activity.

Psychologists:

6.25 CE Credits. SEAK, Inc. is approved by the American Psychological Association to sponsor continuing education for psychologists. SEAK, Inc. maintains responsibility for this program and its content. To receive credit each psychologist must attend the entire program, sign in before the program, sign out after the program and return a completed evaluation form. Partial credit is not permitted. There are no prerequisites for this introductory/intermediate group-live program.

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

Expert Report Writing Workshop

Four Points by Sheraton Hyannis Resort, Hyannis, Cape Cod, Massachusetts

Tuesday, June 19, 2007

8:00 - 8:30 **Continental Breakfast**

8:30 - 9:00 **Introduction:** Students will learn when to write their expert report and more importantly when not to write an expert report. The law governing the discoverability and admissibility of expert reports will be explained. The specific reasons why a well-written report is of crucial importance will be explained. **Questions and Answers.** *Learning Objective: Discuss the rules governing expert reports, discuss when to write an expert report and explain the law governing expert reports.*

9:00 - 9:30 **Legal Requirements of Expert Reports:** Students will learn the legally mandated content requirements for Rule 26 Reports for cases in federal court and reports used to oppose or support motions for summary judgment (Rule 56 motions). **Questions and Answers.** *Learning Objective: List the legal requirements for expert reports.*

9:30 - 10:00 **Formatting:** Students will learn the optimum ways to format an expert report and how this can assist them during cross-examination. The importance of proper formatting will be emphasized, with a specific discussion of cover pages, fonts, topic headings, paragraph breaks and lengths, spacing, and page numbering. A mock trial demonstration will emphasize the importance of proper formatting. Model reports with superior formatting will be provided. **Questions and Answers.** *Learning Objective: Describe an optimally formatted expert report.*

10:00 - 10:30 **Documents and Authority/Research Reviewed:** Through a combination of a didactic presentation, interactive writing exercises, and mock trial demonstrations, students will learn the best way to document in an expert report the documents and research upon which the expert's opinion was based and the importance of doing this in a proper manner. What should and should not be included will be discussed. **Questions and Answers.** *Learning Objective: Describe how to best document in an expert report the documents, authority and research reviewed.*

10:30 - 10:45 **Break (Networking Opportunity)**

10:45 - 11:15 **Qualifications of the Expert:** The expert's stating of his own qualifications in an expert report is an area where avoidable mistakes with severe consequences are all too often made. Through didactic presentations, interactive writing exercises and a mock trial demonstration, students will learn the importance of accurately and objectively stating one's qualifications and the common errors that experts often make in this area. **Questions and Answers.** *Learning Objective: Explain how to avoid common errors associated with documenting an expert's qualifications.*

11:15 - 11:45 **Properly Expressing Your Opinion:** The purpose of an expert report is the expression of the expert's opinion. This opinion should be expressed in a clear, confident and supportable manner. Through didactic presentations, interactive writing exercises and a mock trial demonstration, students will learn how to properly express an opinion and the reasoning for that opinion in an expert report and the common pitfalls to avoid in this area. **Questions and Answers.** *Learning Objective: Explain how to best document an expert's opinion.*

11:45 - 12:00 **Catching Mistakes Before They Catch You:** Through didactic presentations and a mock trial demonstration experts will learn the importance of proofreading their report and how to catch and correct the most commonly made errors in expert reports. **Questions and Answers.** *Learning Objective: Describe how to proof an expert report so as to prevent mistakes.*

12:00 - 1:15 **Lunch (Provided With Faculty)**

1:15 - 2:45 **Drafting a Powerful, Defensible Report:** Through didactic presentations, interactive writing exercises and a mock trial demonstration, students will learn 20 proven techniques to make their expert report more powerful, persuasive, and defensible. Specific techniques explained will include: avoidance of absolute words, staying within the expert's true area of expertise, red flag words to avoid in expert reports, common damaging superfluous language that should not appear in expert reports, the avoidance of hedge words and over a dozen more specific techniques. **Questions and Answers.** *Learning Objective: List techniques to draft powerful, defensible expert reports.*

2:45 - 3:00 **Break (Networking Opportunity)**

3:00 - 4:00 **Defending Your Report During Cross Examination:** Through didactic presentations and mock trial demonstrations students will learn the 25 most effective tactics counsel uses to attack an expert through his report and, more importantly, specific advice on how to defend against each and every one of these tactics. **Questions and Answers.** *Learning Objective: Explain how to defeat opposing counsel's cross-examination tactics.*

4:00 - 4:30 **Takeaways, Conclusion and Evaluation:** Concluding remarks will be preceded by an attendee and faculty generated numbered list of action steps and takeaways from the covered material that attendees can use to draft more persuasive and defensible expert reports. **Questions and Answers.** *List action steps to draft more persuasive and defensible expert reports.*

Registration is limited. Register Today! To register, please see page 2.

How to Become a Dangerous Expert Witness

Four Points by Sheraton Hyannis Resort, Hyannis, Cape Cod, Massachusetts

Tuesday, June 19, 2007

Executive Summary Dangerous experts are the most sought after and valuable of all experts. Dangerous experts are those experts who are highly resistant to attack, who know how to defeat counsel's tactics, are skilled at persuading a jury, and who recognize when to seize the moment and turn the tables on opposing counsel. This course will teach its attendees how to become dangerous expert witnesses.

How to Become a Dangerous Expert Witness is an **advanced**, fast-paced, interactive workshop **designed for experienced experts who have already had some formal expert witness training**. It is taught by an experienced faculty and features concise didactic presentations coupled with numerous interactive, hands-on exercises. There will also be ample time set aside in each segment for questions and answers. Each registration includes a continental breakfast and lunch with faculty, a workshop manual not available anywhere else and a unique, memorable, educational experience.

Registration Information: To register, please use the form on page 2. Tuition is \$395. Tuition includes a continental breakfast, lunch with faculty and a detailed workshop manual.

Faculty: **James J. Mangraviti, Jr., Esq.**, has trained hundreds of expert witnesses across the United States and Canada. He is a former litigator with experience in defense and plaintiff personal injury law and insurance law. He currently serves as Vice President and General Counsel of SEAK, Inc. 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. His publications include the texts *Cross-Examination: The Comprehensive Guide for Experts*, *National Guide to Expert Witness Fees and Billing Procedures*, *Writing and Defending Your IME Report*, *How to Excel During Cross-Examination: Techniques for Experts That Work*, *How to Excel During Depositions: Techniques for Experts That Work*, *The Comprehensive Forensic Services Manual: The Essential Resources for All Experts*, *Writing and Defending Your Expert Report: The Step-by-Step Guide with Models*, and *How to Become a Dangerous Expert Witness: Advanced Techniques and Strategies*.



Here's what past attendees have to say about How to Become a Dangerous Expert Witness:

"A class act"
"Excellent examples"
"Extremely helpful"
"High caliber group of attendees"
"I learned a ton"
"Very pointed"
"My expectations are exceeded"
"One of the best I've attended"
"Outstanding"
"Top Notch - as always"

Continuing Education Credits: Note: If your specialty does not appear below and you desire credits, please contact Karen Babitsky (781-261-9972 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:

The ACTAR Continuing Education Unit has approved this program for 7.0 CEUs.

Accountants:

Earn 8.0 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, 150 Fourth Avenue North, Suite 700, Nashville, TN, 37219-2417. Web site: www.nasba.org For SEAK, Inc.'s complaint and program cancellation policies please call SEAK, Inc. at 508-457-1111. Prior expert witness training is a prerequisites for this advanced group-live program.

Appraisers:

The American Society of Appraisers will accept 7.0 continuing education hours for this program.

Attorneys:

Credit varies by state. Continuing legal education credits for attorneys will only be applied for if requested in writing when sending in the registration form for the conference. Please contact Karen Babitsky (781-261-9972, Karen@seak.com) with any questions.

Engineers:

SEAK, Inc. has been reviewed and approved as an Authorized Provider by the International Association for Continuing Education and Training (IACET), 1620 I Street, NW, Suite 615, Washington, DC 20006. SEAK, Inc. will award .7 CEUs to participants who successfully complete this program.

Nurses:

7.0 Contact Hours.

This continuing nursing education activity was approved by the Ohio Nurses Association (OBN-001-91) an accredited approver by the American Nurses Credentialing Center's Commission on Accreditation.

ONA assigned #13,148. Approval valid through October 26, 2008.

Physicians:

SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this educational activity for a maximum of 7.0 AMA PRA Category 1™ Credits. Physicians should only claim credit commensurate with the extent of their participation in the activity.

Psychologists:

7.0 CE Credits. SEAK, Inc. is approved by the American Psychological Association to sponsor continuing education for psychologists. SEAK, Inc. maintains responsibility for this program and its content. To receive credit each psychologist must attend the entire program, sign in before the program, sign out after the program and return a completed evaluation form. Partial credit is not permitted. Prior expert witness training is a prerequisites for this advanced group-live program.

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

How to Become a Dangerous Expert Witness

Four Points by Sheraton Hyannis Resort, Hyannis, Cape Cod, Massachusetts

Tuesday, June 19, 2007

7:30 - 8:00 Registration & Continental Breakfast

8:00 - 9:15 Bullet-Proofing Yourself: In order to become dangerous, an expert must deny opposing counsel ammunition to attack the expert's credentials and credibility. This segment will identify a check list of potential areas of attack that experts may be subject to regarding their credentials and credibility including: problem language on CVs, skeletons in the closet, past testimony, controversial associations, missing credentials, etc. The faculty will provide specific advice on how to insulate yourself as much as possible from these attacks before you ever take the stand. **Questions and Answers.** *Learning Objective: List techniques to insulate yourself from potential attacks by opposing counsel.*

9:15 - 10:00 Bullet-Proofing Your Opinions: Dangerous expert witnesses express opinions that hold up under the most rigorous scrutiny and cross-examination. This segment will identify the most common ways in which opposing counsel is able to poke holes in an expert's opinion and provide specific action steps to bullet-proof your opinion including, learning how and when to say "no" to retaining counsel, buttressing your opinions with research, conducting a thorough investigation, staying within your true area of expertise, case selection, etc. **Questions and Answers.** *Learning Objective: Describe how to make your opinions more resistant to cross-examination.*

10:00 - 10:15 Break and Networking Opportunity

10:15 - 11:15 Defeating Opposing Counsel's Deposition Tactics: Most cases are won and lost in the discovery phase. The expert's deposition is a crucial component of discovery. The rules under which a deposition is conducted are much different than the rules that apply at trial. For example, there is no judge present at a deposition and the grounds for objection are far more limited at deposition than at trial. In this segment, experts will learn advanced techniques for defeating 25 of opposing counsel's tactics used to trick and trap an expert at depositions. Many of these tactics and defenses will be demonstrated with student participation. **Questions and Answers.** *Learning Objective: Discuss how to defeat opposing counsel's deposition tactics.*

11:15 - 12:00 Hitting a Home Run During Your Direct Examination: Experts typically obsess about cross-examination and worry (and prepare) far less than they should for direct examination. Dangerous experts understand that their direct examination testimony is probably more important in most cases than their cross-examination testimony. In this section, a concise lecture on advanced direct examination strategies for experts will be followed by short interactive demonstrations where student experts are asked to provide direct testimony and this testimony is critiqued by the group and judged on understandability, persuasiveness, style, and the all important "intangibles." **Questions and Answers.** *Learning Objective: List techniques to present more persuasive direct testimony.*

12:00 - 1:00 Lunch (Provided with Faculty)

1:00 - 2:00 Defeating Opposing Counsel's Cross-Examination Tactics: Experts can expect opposing counsel to use numerous tactics, fair and unfair, to attempt to twist and spin the facts and attack and degrade the expert. Dangerous experts are prepared to defeat opposing counsel's cross-examination tactics. In this segment, experts will learn advanced techniques for defeating 25 of opposing counsel's cross-examination tactics. Many of these tactics and defenses will be demonstrated with student participation. **Questions and Answers.** *Learning Objective: Explain how to defeat opposing counsel's cross-examination tactics.*

2:00 - 3:15 Truthfully and Artfully Answering Trick and Difficult Questions: Good experts often do very well while testifying except for one or two trick or difficult questions which they are unprepared to answer and stumble on. Dangerous experts have mastered the techniques for identifying and responding to trick and difficult questions. In this segment, experts will learn advanced techniques for identifying and responding to trick and difficult questions. These techniques will then be demonstrated and students tested and critiqued on their skills as the instructor asks numerous difficult trick and difficult questions to class members. **Questions and Answers.** *Learning Objective: Describe truthful and artful responses to trick and difficult questions.*

3:15 - 3:30 Break and Networking Opportunity

3:30 - 4:15 Sticking the Knife In: The most dangerous of all experts are those experts who are able to turn the tables on opposing counsel 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 several techniques on how and when seize the opportunity to turn the tables on opposing counsel. Each of these techniques will be demonstrated by brief interactive cross-examination demonstrations using students in the class. **Questions and Answers.** *Learning Objective: Explain how to turn the tables on opposing counsel.*

4:15 - 4:30 Takeaways, Conclusion and Evaluation: The instructor will take any final questions and solicit from the group a concise set of practical "bullet point" takeaways based on what was learned in this workshop. *Learning Objective: List techniques to be a more effective expert witness.*

The Biggest Mistakes Experts Make: And How to Avoid Them

Four Points by Sheraton Hyannis Resort, Hyannis, Cape Cod, Massachusetts

Tuesday, June 19, 2007

NEW!

Executive Summary

The vast majority of problems and difficulties that experts get themselves into are avoidable. This fast paced, interactive workshop will reveal the countless hidden traps and pitfalls experts face and provide practical advice on how to avoid each of them. This course will feature numerous hands-on mock trial demonstrations based upon materials pre-submitted by volunteer attendees. This is an intermediate level program and there are no prerequisites. It is designed for any person who currently serves as an expert witness or is considering entering this field.

Faculty



Steven Babitsky, Esq., is the President of SEAK, Inc. He was a personal injury trial attorney for twenty years and is the former managing partner of the firm Kistin, Babitsky, Latimer & Beitman. Mr. Babitsky is a prolific writer on expert witness issues and is the co-author of the texts *Cross-Examination: The Comprehensive Guide for Experts*, *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 Comprehensive Forensic Services Manual: The Essential Resources for All Experts*, *2004 National Guide To Expert Witness Fees and Billing Procedures* and *How to Excel During Depositions: Techniques for Experts That Work*. Attorney Babitsky is the co-developer and trainer for the "Testifying Skills Workshop" seminar, the seminar leader for SEAK's Annual National Expert Witness Conference (now in its 16th year), and the scriptwriter for the videos "The Most Difficult Questions For Experts: With Answers," and "The Expert Deposition: How to Be an Effective and Ethical Expert," "Cross-Examination: How to Be an Effective and Ethical Expert Witness," and "Winning over the Jury: Techniques for Experts That Work." Mr. Babitsky has trained thousands of expert witnesses.

Registration Information

The \$395 tuition includes a continental breakfast, breaks, lunch with faculty, a detailed workshop manual and a dynamic, content-rich learning experience. To register, please use the form on page 2.

Continuing Education Credits:

Note: If your specialty does not appear below and you desire credits, please contact Karen Babitsky (781-261-9972 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:

The ACTAR Continuing Education Unit has approved this program for 6.0 CEUs.

Accountants:

Earn 7.5 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, 150 Fourth Avenue North, Suite 700, Nashville, TN, 37219-2417. Web site: www.nasba.org For SEAK, Inc.'s complaint and program cancellation policies please call SEAK, Inc. at 508-457-1111. There are no prerequisites for this intermediate group-live program.

Appraisers:

The American Society of Appraisers will accept 6.0 continuing education hours for this program.

Attorneys:

Credit varies by state. Continuing legal education credits for attorneys will only be applied for if requested in writing when sending in the registration form for the conference. Please contact Karen Babitsky (781-261-9972, Karen@seak.com) with any questions.

Engineers:

SEAK, Inc. has been reviewed and approved as an Authorized Provider by the International Association for Continuing Education and Training (IACET), 1620 I Street, NW, Suite 615, Washington, DC 20006. SEAK, Inc. will award .65 CEUs to participants who successfully complete this program.

Nurses:

6.5 Contact Hours.

This continuing nursing education activity was approved by the Ohio Nurses Association (OBN-001-91) an accredited approver by the American Nurses Credentialing Center's Commission on Accreditation.

ONA assigned #13,152. Approval valid through October 26, 2008.

Physicians:

SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this educational activity for a maximum of 6.5 AMA PRA Category 1™ Credits. Physicians should only claim credit commensurate with the extent of their participation in the activity.

Psychologists:

6.5 CE Credits. SEAK, Inc. is approved by the American Psychological Association to sponsor continuing education for psychologists. SEAK, Inc. maintains responsibility for this program and its content. To receive credit each psychologist must attend the entire program, sign in before the program, sign out after the program and return a completed evaluation form. Partial credit is not permitted. There are no prerequisites for this intermediate group-live program.

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



The Biggest Mistakes Experts Make: And How to Avoid Them

Four Points by Sheraton Hyannis Resort, Hyannis, Cape Cod, Massachusetts
Tuesday, June 19, 2007

- 8:00 – 8:30** **Registration and Continental Breakfast**
- 8:30 – 9:15** **Web Pages:** Many experts have web pages. A web page can be a tremendous asset to an expert, but experts make many common costly mistakes when creating and maintaining their web page. In this segment the faculty will review the most common and devastating mistakes regarding expert web pages and offer suggestions on how each of these mistakes can and should be avoided. The faculty will also critique the web pages of attendees and conduct mock trial demonstrations to show how devastating web page errors can be. **Questions and Answers.** *Learning Objective: List several techniques to construct more bullet-proof web pages.*
- 9:15 – 10:00** **CVs:** As a document used to both promote your expertise and by opposing counsel to attack you, your curriculum vitae is crucially important. The faculty will describe the biggest mistakes experts make regarding CVs and will offer practical advice on how these mistakes could have and should have been avoided. Many of the mistakes will be demonstrated with mock trial demonstrations of attendees based upon their pre-submitted CVs. **Questions and Answers.** *Learning Objective: Explain how to correct problem areas in your curriculum vitae.*
- 10:00 – 10:15** **Break and Networking Opportunity**
- 10:15 – 11:00** **Researching, Investigating & Forming Opinions:** The more solid the process of forming an opinion, the more believable and valuable that opinion will be. Experts commonly make numerous mistakes when forming their opinions. The faculty will explain each of these mistakes and how to avoid them. Included will be memorable mock trial demonstrations based upon pre-submitted reports from attendees which demonstrate the effect such mistakes can have on an expert's credibility. **Questions and Answers.** *Learning Objective: Describe how to produce more defensible expert opinions.*
- 11:00 - 11:30** **Report Writing:** An expert's report becomes part of her "permanent record" and has critical importance to the case at hand and the expert's credibility going forward. A well-written report can help a case settle favorably and boost the expert's reputation. A poorly written report will have negative consequences for the case at hand and the expert witness. Along with reviewing the biggest mistakes made in this area and how to avoid them, the faculty will demonstrate some of these mistakes with mock trial demonstrations. **Questions and Answers.** *Learning Objective: Identify ways to avoid costly mistakes in report writing.*
- 11:30 – 12:00** **Depositions:** Since most cases settle before trial, experts are far more likely to testify at deposition than they are at trial. An expert's performance at deposition will be an important factor in the settlement value of the case. In this section the faculty will describe the biggest mistakes expert make at deposition and provide suggestions for avoiding these mistakes. **Questions and Answers.** *Learning Objective: Describe how to recognize and avert mistakes at depositions.*
- 12:00 - 1:00** **Lunch (Provided with Faculty)**
- 1:00 – 1:30** **Direct Testimony:** Direct testimony is the time where the expert must persuade the judge or jury to both understand and believe her opinion. Direct testimony is fraught with potential mistakes that the faculty will catalog and offer advice on how to avoid. Some of these mistakes will be demonstrated by mock trial testimony and video clips of actual experts testifying. **Questions and Answers.** *Learning Objective: List techniques to deliver more persuasive and believable direct testimony.*
- 1:30 – 2:00** **Cross Examination:** A large part of cross-examination from opposing counsel's perspective is trying to get the expert to make a mistake. In this portion of the course the faculty will provide a checklist of common mistakes along with ideas on how to avoid each of them. Some of these mistakes will be demonstrated by mock trial testimony and video clips of actual experts testifying. **Questions and Answers.** *Learning Objective: Describe methods to recognize and avert mistakes during cross-examination.*
- 2:00 – 2:45** **Marketing:** Experts often make marketing mistakes which result in less effective marketing and/or a needless diminution of the expert's credibility. In this segment that faculty will list the biggest marketing mistakes experts make, offer suggestions on how to avoid them and demonstrate with mock trial demonstrations the difficulties that marketing mistakes can cause on the witness stand. **Questions and Answers.** *Learning Objective: Identify numerous techniques to more effectively market your expert witness practice.*
- 2:45 - 3:00** **Break and Networking Opportunity**
- 3:00 - 3:45** **Practice Management:** The financial success of an expert's practice is often dependant on how well the expert conducts the administrative portion of his practice such as office management, document retention, fee setting, communications, billings, collections, etc. In this segment the faculty will describe the biggest mistakes experts make in practice management and offer solutions on how to avoid these mistakes. **Questions and Answers.** *Learning Objective: Explain how to improve your practice management procedures.*
- 3:45 – 4:15** **Risk Management:** Experts unfortunately sometimes get themselves into trouble - criminally, civilly and professionally. In this segment the faculty will review the common mistakes experts make which get themselves into trouble and will offer suggestions on how to avoid each of these mistakes. **Questions and Answers.** *Learning Objective: Discuss several ways to avoid potential liability associated with expert witness work.*
- 4:15 – 4:30** **Takeaways, Conclusion and Evaluation:** The faculty will address any final questions and elicit from the audience a bullet-proof list of what specifically they will be doing differently in light of what was learned at the course. *Learning Objective: List concrete actions you will be taking to improve your expert witness practice.*

Advanced Cross Examination Workshop

Four Points by Sheraton Hyannis Resort, Hyannis, Cape Cod, Massachusetts

Wednesday, June 20, 2007

Executive Summary This is an advanced course. It is designed for those experts who have already had training in the subject of testifying skills and those experts who already have had significant testifying experience. The purpose of *Advanced Cross-Examination Workshop* is to help attendees become the rarest and most valuable of all experts, namely an expert who opposing counsel is worried about cross-examining. *Advanced Cross-Examination Workshop* is a hands-on, interactive program which features didactic presentations, numerous memorable cross-examination demonstrations using volunteer attendees and detailed critiques of these demonstrations. Specific advice will be provided on how to achieve superior performance during cross examination. Attendees will have the opportunity to have all their cross-examination questions answered.

Faculty: **Steven Babitsky, Esq.**, is the President of SEAK, Inc. He was a personal injury trial attorney for twenty years and is the former managing partner of the firm Kistin, Babitsky, Latimer & Beitman. Mr. Babitsky is a prolific writer on expert witness issues and is the co-author of the texts *Cross-Examination: The Comprehensive Guide for Experts, 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 Comprehensive Forensic Services Manual: The Essential Resources for All Experts, 2004 National Guide To Expert Witness Fees and Billing Procedures* and *How to Excel During Depositions: Techniques for Experts That Work*. Attorney Babitsky is the co-developer and trainer for the "Testifying Skills Workshop" seminar, the seminar leader for SEAK's Annual National Expert Witness Conference (now in its 16th year), and the scriptwriter for the videos "The Most Difficult Questions For Experts: With Answers," and "The Expert Deposition: How to Be an Effective and Ethical Expert," "Cross-Examination: How to Be an Effective and Ethical Expert Witness," and "Winning over the Jury: Techniques for Experts That Work." Mr. Babitsky has trained thousands of expert witnesses.



Registration Information: The \$395 tuition includes a continental breakfast, breaks, lunch with faculty, a detailed workshop manual and a dynamic, content-rich learning experience. To register, please use the form on page 2.

Here's what past attendees have to say about the Advanced Cross Examination Workshop:

"Nice to look 'behind the curtain' and see how trial attorneys think"

"Excellent course"

"Keep up the great work"

"Great job in presenting the material"

"Terrific and a lot of fun too"

"Excellent information, well presented"

"Concise, direct, helpful"

"Very enjoyable learning experience"

Continuing Education Credits: Note: If your specialty does not appear below and you desire credits, please contact Karen Babitsky (781-261-9972 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:

The ACTAR Continuing Education Unit has approved this program for 7.0 CEUs.

Accountants:

Earn 8.0 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, 150 Fourth Avenue North, Suite 700, Nashville, TN, 37219-2417. Web site: www.nasba.org For SEAK, Inc.'s complaint and program cancellation policies please call SEAK, Inc. at 508-457-1111. Prior expert witness training or significant testifying experience are prerequisites for this advanced group-live program.

Appraisers:

The American Society of Appraisers will accept 6.0 continuing education hours for this program.

Attorneys:

Credit varies by state. Continuing legal education credits for attorneys will only be applied for if requested in writing when sending in the registration form for the conference. Please contact Karen Babitsky (781-261-9972, Karen@seak.com) with any questions.

Engineers:

SEAK, Inc. has been reviewed and approved as an Authorized Provider by the International Association for Continuing Education and Training (IACET), 1620 I Street, NW, Suite 615, Washington, DC 20006. SEAK, Inc. will award .7 CEUs to participants who successfully complete this program.

Nurses:

7.0 Contact Hours.

This continuing nursing education activity was approved by the Ohio Nurses Association (OBN-001-91) an accredited approver by the American Nurses Credentialing Center's Commission on Accreditation.

ONA assigned # 13,145. Approval valid through October 26, 2008.

Physicians:

SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this educational activity for a maximum of 7.0 AMA PRA Category 1TM Credits. Physicians should only claim credit commensurate with the extent of their participation in the activity.

Psychologists:

7.0 CE Credits. SEAK, Inc. is approved by the American Psychological Association to sponsor continuing education for psychologists. SEAK, Inc. maintains responsibility for this program and its content. To receive credit each psychologist must attend the entire program, sign in before the program, sign out after the program and return a completed evaluation form. Partial credit is not permitted. Prior expert witness training or significant testifying experience are prerequisites for this advanced group-live program.

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

Advanced Cross Examination Workshop

Four Points by Sheraton Hyannis Resort, Hyannis, Cape Cod, Massachusetts

Wednesday, June 20, 2007

7:30 - 8:00 Registration & Continental Breakfast

8:00 - 9:00 Trial Demonstration

Students will witness an initial demonstration of cross-examination of an attendee. The performance of the expert attendee will be critiqued and specific recommendations for improvement will be provided. **Questions and Answers.** *Learning Objective: List methods for improving an expert's performance during cross-examination.*

9:00 - 9:45 How Trial Attorneys Prepare for Cross-Examination of An Expert

Students will be provided with an insider's view as the faculty disclose the secrets of how they and other trial attorneys prepare to cross-examine experts. Included will be a detailed disclosure of how the attorney conducts his research and investigation of the expert, how he decides which questions to ask, which questions not to ask and how to ask each question, and how the attorney's cross-examination strategy and tactics are settled upon. **Questions and Answers.** *Learning Objective: Discuss how trial attorneys prepare to cross-examine experts.*

9:45 - 10:45 Juror Reaction To Cross-Examination of Experts

The faculty will explain how jurors react to cross examination of experts. Specific recommendations on how to best impress a jury during cross examination will be provided. A mock cross-examination demonstration of an attendee will be conducted and this will be critiqued with emphasis on the issue of how the cross-examination would have likely played before a jury. Specific recommendations on how the expert could have performed better in front of the jury will be provided **Questions and Answers.** *Learning Objective: Identify techniques that can be used to make a positive impression on the jury during cross-examination.*

10:45 - 11:00 Break and Networking Opportunity

11:00 - 12:00 Preparing For Your Cross-Examination

Superior performance during cross examination is usually far less a result of inspiration and far more a result of thorough preparation. The faculty will provide detailed, specific advice, strategies and techniques regarding how to best prepare for cross-examination and will review the likely areas of inquiry that experts will face during cross-examination. A mock cross-examination demonstration of an attendee will be conducted and this demonstration will be critiqued with emphasis on the issue of how specific preparation steps would have likely improved the expert's performance. **Questions and Answers.** *Learning Objective: List numerous strategies to best prepare for cross-examination.*

12:00 - 1:00 Lunch (Provided with Faculty)

1:00 - 2:00 Cross-Examination: Your C.V.

Attendees will learn how counsel will attempt to challenge their qualifications during cross-examinations. Artful responses that meet these challenges will be suggested. Volunteer attendees will be cross-examined on their pre-submitted CVs. **Questions and Answers.** *Learning Objective: Explain how to defend against cross-examination attacks based on an expert CV.*

2:00 - 2:45 Advanced Cross-Examination Techniques

The faculty will explain specific techniques experts can utilize in order to raise their performance during cross-examination to the highest level. Mock cross-examination demonstrations of attendees will be utilized and these will be critiqued with emphasis on what techniques were effectively used by the expert and what techniques could and should have been used to make the expert much more effective. **Questions and Answers.** *Learning Objective: Describe numerous techniques to excel during cross-examination.*

2:45 - 3:00 Break and Networking Opportunity

3:00 - 3:45 Defeating Counsel's Cross Examination Tactics

Through didactic presentations and mock trial demonstrations students will learn from the faculty the most challenging tactics counsel uses to assault an expert during cross examination and, more importantly, specific advice on how to defend against each and every one of these tactics. **Questions and Answers.** *Learning Objective: Explain how to defend against opposing counsel's cross-examination tactics.*

3:45 - 4:15 Tough Questions and Tougher Answers

Experts attending will be inundated with a memorable, rapid fire fusillade of dozens of difficult and insidious trick questions from the faculty. Each expert's response to these questions will be analyzed and critiqued with specific suggestions given on the most artful way to answer the question and, for many, how to turn counsel's own trick question against him. **Questions and Answers.** *Learning Objective: Describe the process for preparing truthful and artful responses to trick and difficult cross-examination questions.*

4:15 - 4:30 Takeaways, Conclusion and Evaluation

The faculty will address any final questions and elicit from the audience a bullet-proof list of what specifically they will be doing differently in light of what was learned at the course. **Questions and Answers.** *Learning Objective: List concrete actions you will be taking to improve your performance during cross-examination.*

How to Start and Build a Successful Expert Witness Practice

Four Points by Sheraton Hyannis Resort, Hyannis, Cape Cod, Massachusetts

Wednesday, June 20, 2007

Executive Summary: *How to Start and Build a Successful Expert Witness Practice* is an intensive **introductory** workshop that is designed to show prospective and novice expert witnesses exactly what will be expected of them and how to start and build a successful expert witness practice. This course is **specifically designed for prospective and novice expert witnesses and requires no advanced knowledge or training.**

Attendees will learn from experienced faculty in a step-by-step fashion how to start and build a successful expert witness practice. A continental breakfast, lunch with faculty and a detailed workshop manual not available anywhere else will be provided to all attendees.

Registration Information: To register, please use the form on page 2. Tuition is \$395. Tuition includes a continental breakfast, lunch with faculty and a detailed conference manual.

Faculty: **Terrance Baker, MD**, is an attending emergency room physician at Good Samaritan Hospital and forensic expert in Baltimore, Maryland. He received his BS and MS from Johns Hopkins University and his MD from the George Washington University School of Medicine. Dr. Baker is board certified in Family Practice, Geriatrics, and Emergency Medicine. Dr. Baker is a former medical examiner of the city of Newport News, Virginia. Dr. Baker has served as a forensic medical expert for trial attorneys, defense attorneys, judges, district attorneys, and public defenders throughout the United States. Dr. Baker has also served as a forensic medical expert for the South Carolina Board of Medical Examiners, the joint Underwriters Association, and the Carolina Peer Review Organization. Dr. Baker has written and lectured extensively on expert witness issues.



Here's what past attendees have to say about How to Start and Build a Successful Expert Witness Practice:

"Very well organized"

"Excellent"

"Very worthwhile"

"Very good-Dr. Baker very passionate and knowledgeable"

"Very useful"

"Great"

"Great resources/ref. manual"

"Dr. Baker was great"

"Great personal history"

Continuing Education Credits:

Note: If your specialty does not appear below and you desire credits, please contact Karen Babitsky (781-261-9972 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:

The ACTAR Continuing Education Unit has approved this program for 5.0 CEUs.

Accountants:

Earn 8.0 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, 150 Fourth Avenue North, Suite 700, Nashville, TN, 37219-2417. Web site: www.nasba.org For SEAK, Inc.'s complaint and program cancellation policies please call SEAK, Inc. at 508-457-1111. There are no prerequisites for this introductory group-live program.

Appraisers:

The American Society of Appraisers will accept 7.0 continuing education hours for this program.

Attorneys:

Credit varies by state. Continuing legal education credits for attorneys will only be applied for if requested in writing when sending in the registration form for the conference. Please contact Karen Babitsky (781-261-9972, Karen@seak.com) with any questions.

Engineers:

SEAK, Inc. has been reviewed and approved as an Authorized Provider by the International Association for Continuing Education and Training (IACET), 1620 I Street, NW, Suite 615, Washington, DC 20006. SEAK, Inc. will award .7 CEUs to participants who successfully complete this program.

Nurses:

7.0 Contact Hours.

This continuing nursing education activity was approved by the Ohio Nurses Association (OBN-001-91) an accredited approver by the American Nurses Credentialing Center's Commission on Accreditation.

ONA assigned #13,149. Approval valid through October 26, 2008.

Physicians:

SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this educational activity for a maximum of 7.0 AMA PRA Category 1™ Credits. Physicians should only claim credit commensurate with the extent of their participation in the activity.

Psychologists:

7.0 CE Credits. SEAK, Inc. is approved by the American Psychological Association to sponsor continuing education for psychologists. SEAK, Inc. maintains responsibility for this program and its content. To receive credit each psychologist must attend the entire program, sign in before the program, sign out after the program and return a completed evaluation form. Partial credit is not permitted. There are no prerequisites for this introductory group-live program.

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

How to Start and Build a Successful Expert Witness Practice

Four Points by Sheraton Hyannis Resort, Hyannis, Cape Cod, Massachusetts
Wednesday, June 20, 2007

7:30 - 8:00 **Registration and Continental Breakfast**

8:00 - 8:45 **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, what specific qualities attorneys are looking for when selecting expert witnesses, 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.**
Learning Objective: Explain the role of expert witnesses in civil litigation.

8:45 - 9:15 **Fine Tuning Your Area of Expertise and the Geographic Area You Would Like to Practice in:** In order to start and build a successful expert witness practice, experts need to define what specific areas they feel qualified to opine on and decide the geographic boundaries of their practice. Attendees will learn the importance of staying within their true area of expertise, how to craft a positive image and the pros and cons of statewide, regional and national forensic practices. **Questions and Answers.** *Learning Objective: Discuss your true area(s) of expertise.*

9:15 - 10:00 **Pulling Together a Curriculum Vitae Appropriate for Expert Witness**

Work: Anyone considering starting an expert witness practice needs to maintain a C.V. Attendees will learn the importance of an accurate, up-to-date C.V., what should and should not be on a C.V., and how mistakes in preparing C.V.s can damage or destroy an expert's credibility **Questions and Answers.** *Learning Objective: Describe how to draft a CV appropriate for expert witness work.*

10:00 - 10:15 **Break and Networking Opportunity**

10:15 - 11:15 **Spreading the Word—Marketing Your New Expert Witness Practice:** In this segment, the faculty will show attendees numerous techniques to cost effectively market an expert witness practice and get high quality cases. Included, will be a frank discussion of what works and what doesn't work. Techniques discussed include networking, word of mouth, 24/7 marketing, internet marketing, directories, advertising, writing, speaking and expert witness referral agencies. **Questions and Answers.** *Learning Objective: List numerous techniques to market your expert witness practice.*

11:15 - 12:00 **Maintaining Your Integrity, Credibility, & Ethics:** An expert's integrity, credibility and ethics are his or her most valuable assets. In this section experts will learn how to deal with common problem situations and maintain their credibility and reputation. Included is an explanation of how to deal with short time lines, missing documents, inadequate information, being pushed outside of your true area of expertise, abusive questioning, amendments to your reports and other common problem situations experts face. **Questions and Answers.** *Learning Objective: Explain how to deal with common ethical problems.*

12:00 - 1:00 **Provided Lunch With Faculty**

1:00 - 2:00 **Essentials of Expert Witness Report Writing:** Anyone wishing to start a successful expert witness practice must be prepared to draft a written report summarizing their investigation, findings and opinions. Such reports are often requested by counsel and may be legally required depending upon the jurisdiction in question. In this section attendees will learn why counsel may need a written report, what he or she is looking for in the report and what should and should not be included in expert reports. **Questions and Answers.** *Learning Objective: Describe how to properly draft an expert report.*

2:00 - 3:00 **Excelling While Testifying:** Successful experts are those who are persuasive during direct examination and who stand up during cross-examination and at deposition. Excelling while testifying requires preparation and skill. In this section, attendees will learn the qualities and specific testifying skills and techniques that attorneys are looking for from experts. **Questions and Answers.** *Learning Objective: Describe essential testifying skills.*

3:00 - 3:15 **Break and Networking Opportunity**

3:15 - 4:15 **Essentials of Expert Witness Practice Management:** In this section attendees will learn the nuts and bolts of expert witness practice management. Included will be a discussion of how much to charge, what to charge for, how and when to collect your fee, how to prepare a basic retention agreement, and expert witness risk management. Sample forms will be provided to attendees. **Questions and Answers.** *Learning Objective: List practice management techniques that will help improve an expert's bottom line.*

4:15 - 4:30 **Takeaways, Conclusion and Evaluation:** The faculty will answer any and all outstanding questions. The faculty and attendees will then work together to develop a "bullet-point" list of the most important concepts, techniques and action steps learned in this workshop. **Questions and Answers.** *Learning Objective: List the most important concepts, techniques and action steps learned in the program.*

Registration is limited. Register Today! To register, please see page 2.

Testifying Skills Workshop

Four Points by Sheraton Hyannis Resort, Hyannis, Cape Cod, Massachusetts

Wednesday, June 20, 2007

Executive Summary An expert's value ultimately depends on his or her ability to excel when testifying. *Testifying Skills Workshop* is a hands-on interactive program which has been designed to show experts exactly what to do, and what not to do when testifying. It features concise didactic presentations combined with numerous mock trial and deposition demonstrations using volunteer attendees. The fact patterns, CVs, difficult questions, and reports used in the demonstrations will be submitted in advance by attendees. There will be ample time for questions and answers.

Faculty: **The Honorable Paul A. Chernoff** is an Associate Justice of the Massachusetts Superior Court. Judge Chernoff received his J.D. from George Washington University School of Law. Judge Chernoff, prior to his appointment to the bench, was a member of the Public Defender Service, District of Columbia and chair of the Massachusetts Parole Board. Judge Chernoff has received the 1997 Judicial Achievement Award from the Massachusetts Academy of Trial Attorneys and the 1998 Massachusetts Judges Conference Superior Court Judicial Excellence Award. Judge Chernoff is on the faculty for the National Judicial College and the Massachusetts Continuing Education Board, and is an adjunct faculty member of Boston College Law School.



Geoffrey J. Shapiro, Esquire is a graduate of the University of California at Berkeley and Boston College Law School. Attorney Shapiro is a trial attorney with the Cleveland, Ohio law firm of Shapiro, Shapiro and Shapiro Co., L.P.A. where he has one of the most active trial practices in Northeast Ohio. He specializes in workers' compensation personal injury, and insurance bad faith cases primarily representing plaintiffs. Attorney Shapiro began his legal career in California where he specialized in litigation representing defendants and insurers in personal injury defense and insurance coverage cases. He is admitted to practice in the courts of California and Ohio.

Registration Information: The \$395 tuition includes a continental breakfast, breaks, lunch with faculty, workshop manual, and a unique and practical hands-on learning experience. We expect this workshop to sell out early. To register, please use the form on page 2.

Here's what past attendees have to say about Testifying Skills Workshop:

"Faculty excellent"

"Very informative, enjoyed the fast pace"

"First workshop on subject attended, it was very informative"

"Well organized and informative"

"Hard hitting questions and how to avoid embarrassing situations"

"Liked 2 different presenters, both a delight to listen to, both very knowledgeable and dynamic."

"The judge was particularly helpful"

"Passion and energy of presentation was excellent"

"As a professional speaker, I can attest that Geoff definitely has a speaking/presentation talent"

"Excellent program"

Continuing Education Credits:

Note: If your specialty does not appear below and you desire credits, please contact Karen Babitsky (781-261-9972 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:

The ACTAR Continuing Education Unit has approved this program for 7.0 CEUs.

Accountants:

Earn 8.0 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, 150 Fourth Avenue North, Suite 700, Nashville, TN, 37219-2417. Web site: www.nasba.org For SEAK, Inc.'s complaint and program cancellation policies please call SEAK, Inc. at 508-457-1111. There are no prerequisites for this intermediate group-live program.

Appraisers:

The American Society of Appraisers will accept 7.0 continuing education hours for this program.

Attorneys:

Credit varies by state. Continuing legal education credits for attorneys will only be applied for if requested in writing when sending in the registration form for the conference. Please contact Karen Babitsky (781-261-9972, Karen@seak.com) with any questions.

Engineers:

SEAK, Inc. has been reviewed and approved as an Authorized Provider by the International Association for Continuing Education and Training (IACET), 1620 I Street, NW, Suite 615, Washington, DC 20006. SEAK, Inc. will award .67 CEUs to participants who successfully complete this program.

Nurses:

6.7 Contact Hours.

This continuing nursing education activity was approved by the Ohio Nurses Association (OBN-001-91) an accredited approver by the American Nurses Credentialing Center's Commission on Accreditation.

ONA assigned #13,151. Approval valid through October 26, 2008.

Physicians:

SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this educational activity for a maximum of 6.7 AMA PRA Category 1™ Credits. Physicians should only claim credit commensurate with the extent of their participation in the activity.

Psychologists:

6.7 CE Credits. SEAK, Inc. is approved by the American Psychological Association to sponsor continuing education for psychologists. SEAK, Inc. maintains responsibility for this program and its content. To receive credit each psychologist must attend the entire program, sign in before the program, sign out after the program and return a completed evaluation form. Partial credit is not permitted. There are no prerequisites for this intermediate group-live program.

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

Testifying Skills Workshop

Four Points by Sheraton Hyannis Resort, Hyannis, Cape Cod, Massachusetts

Wednesday, June 20, 2007

7:00 - 8:00

Registration & Continental Breakfast

8:00 - 9:30

Depositions: Special Techniques

Attendees will learn the special techniques which should be used when testifying at transcribed and videotaped depositions. Included is an explanation of what questions experts are likely to be asked at deposition, why they are likely to be asked those questions, the rules the attorneys must play by at deposition, and how the expert deposition fits into both side's case. **Deposition Demonstrations and Questions and Answers.** *Learning Objective: List techniques to perform better during depositions.*

9:30 - 9:45

Break and Networking Opportunity

9:45 - 11:00

Direct Examination: Persuading The Jury

Attendees will learn how to best connect with and persuade a jury. Techniques explained and demonstrated include, speaking in laymen's terms, acting as a teacher, using proper body language and demeanor, and how and when to use demonstrative evidence. **Direct Examination Demonstrations and Questions and Answers.** *Learning Objective: Explain how to best connect with and persuade a jury.*

11:00 - 12:00

Cross-Examination: Bending, But Not Breaking

Attendees will learn how to stand up to even the most withering of cross-examinations. Faculty will explain the goals of counsel during cross-examination and the trick questions and trial tactics that are commonly used. Techniques for deflecting counsel's attacks and excelling during cross-examination will be provided. **Cross-Examination Demonstrations and Questions and Answers.** *Learning Objective: Discuss how to optimally perform during cross-examination.*

12:00 - 1:15

Lunch (Provided with Faculty)

1:15 - 2:15

Cross-Examination: Your C.V.

Attendees will learn how counsel will attempt to challenge their qualifications during cross-examinations. Artful responses that meet these challenges will be suggested. Volunteer attendees will be cross-examined on their pre-submitted CVs. **Cross-Examination Demonstrations and Questions and Answers.** *Learning Objective: Discuss the common lines of attack regarding an expert CV and how to blunt these lines of attack.*

2:15 - 3:00

Cross-Examination: Your Report

Attendees will learn how experienced counsel will attempt to pick apart their expert report. Advanced techniques to blunt counsel's pointed questions will be provided and demonstrated. Volunteer attendees will be cross-examined on their pre-submitted reports. **Cross-Examination Demonstrations and Questions and Answers.** *Learning Objective: Discuss the common lines of attack regarding an expert report and how to blunt these lines of attack.*

3:00 - 3:15

Break and Networking Opportunity

3:15 - 4:00

Trick and Difficult Questions

Attendees will identify the most difficult questions they can be asked as an expert. Artful replies to these questions will be discussed and demonstrated. **Cross-Examination Demonstrations and Questions and Answers.** *Learning Objective: List the common trick and difficult questions experts are asked.*

4:00 - 4:30

Takeaways, Conclusion and Evaluation

Learning Objective: List the most important concepts, techniques and action steps learned in the program.



Registration is limited. Register Today! To register, please see page 2.

Persuasion Skills Workshop For Experts

Four Points by Sheraton Hyannis Resort, Hyannis, Cape Cod, Massachusetts

Wednesday, June 20, 2007

Executive Summary

Persuasion Skills Workshop for Experts teaches experts the fine art of persuading judges and juries. To be effective, an expert witness needs technical competence combined with the ability to persuade the judge, jury or other fact finder. **This is an advanced course designed for experienced experts who have already had some formal expert witness training.** *Persuasion Skills Workshop for Experts* will utilize numerous hands on demonstrations to exemplify and reinforce the persuasion skills and techniques taught in the course. Attendees will learn many of the same advanced techniques that successful trial lawyers use to persuade and convince. There will be significant time set aside for questions and answers.

Faculty



James J. Mangraviti, Jr., Esq., has trained hundreds of expert witnesses across the United States and Canada. He is a former litigator with experience in defense and plaintiff personal injury law and insurance law. He currently serves as Vice President and General Counsel of SEAK, Inc. 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. His publications include the texts *Cross-Examination: The Comprehensive Guide for Experts*, *National Guide to Expert Witness Fees and Billing Procedures*, *Writing and Defending Your IME Report*, *How to Excel During Cross-Examination: Techniques for Experts That Work*, *How to Excel During Depositions: Techniques for Experts That Work*, *The Comprehensive Forensic Services Manual: The Essential Resources for All Experts*, *Writing and Defending Your Expert Report: The Step-by-Step Guide with Models*, and *How to Become a Dangerous Expert Witness: Advanced Techniques and Strategies*.

Registration Information

To register, please use the form on page 2. Tuition (\$395) includes a continental breakfast, lunch with faculty, and a detailed conference manual.

Here's what past attendees have to say about Persuasion Skills Workshop for Experts:

"Excellent. Very informative. Taught skills that I will definitely use"

"Top notch as always – many pearls – every section very informative"

"Great practical information"

"High quality – typical SEAK"

"Really drew all attendees into the presentation to share concerns and experiences"

"Continue with the good work. Audio was very good. Good humor. Maintained my attention all day"

"Great job. I liked it when you put the participant on the spot forcing them to evaluate their approach – I think that method of teaching was effective"

"Excellent communicator"

"Very informed and organized"

Continuing Education Credits:

Note: If your specialty does not appear below and you desire credits, please contact Karen Babitsky (781-261-9972 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.

Account Reconstructionists:

The ACTAR Continuing Education Unit has approved this program for 7.0 CEUs.

Accountants:

Earn 8.0 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, 150 Fourth Avenue North, Suite 700, Nashville, TN, 37219-2417. Web site: www.nasba.org For SEAK, Inc.'s complaint and program cancellation policies please call SEAK, Inc. at 508-457-1111. Prior expert witness training or significant testifying experience are prerequisites for this advanced group-live program.

Appraisers:

The American Society of Appraisers will accept 7.0 continuing education hours for this program.

Attorneys:

Credit varies by state. Continuing legal education credits for attorneys will only be applied for if requested in writing when sending in the registration form for the conference. Please contact Karen Babitsky (781-261-9972, Karen@seak.com) with any questions.

Engineers:

SEAK, Inc. has been reviewed and approved as an Authorized Provider by the International Association for Continuing Education and Training (IACET), 1620 I Street, NW, Suite 615, Washington, DC 20006. SEAK, Inc. will award .67 CEUs to participants who successfully complete this program.

Nurses:

6.7 Contact Hours.

This continuing nursing education activity was approved by the Ohio Nurses Association (OBN-001-91) an accredited approver by the American Nurses Credentialing Center's Commission on Accreditation.

ONA assigned #13,150. Approval valid through October 26, 2008.

Physicians:

SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this educational activity for a maximum of 6.7 AMA PRA Category 1™ Credits. Physicians should only claim credit commensurate with the extent of their participation in the activity.

Psychologists:

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Persuasion Skills Workshop For Experts

Four Points by Sheraton Hyannis Resort, Hyannis, Cape Cod, Massachusetts

Wednesday, June 20, 2007

8:30 – 9:30 Executive Summary of Persuasion Techniques for Expert Witnesses: An opening mock trial demonstration followed by an explanation of the goals of the course and the interactive teaching methods the course will employ, i.e. a combination of didactic lectures, questions and answers, exercises, and mock trial demonstrations. The instructor will preview and explain the numerous persuasion skills techniques that will be taught and practiced in the course. **Questions and Answers.** *Learning Objective: Describe techniques to present more persuasive expert testimony.*

9:30 – 10:30 Preparation: An expert's ability to persuade is to a very large degree predicated on how and how much the expert prepares. In this segment, the instructor will explain the critical importance of proper preparation as it relates to persuasion, provide numerous examples and review a detailed check list of how experts should prepare, both by themselves and with retaining counsel. **Questions and Answers.** *Learning Objective: Explain how to best prepare to deliver expert testimony.*

10:30 – 10:45 Break and Networking Opportunity

10:45 – 11:15 How to Best Put Forth Your Qualifications: Experts must be able to put forth their own qualifications in such a way that balances getting their qualifications in front of the jury against the risk of overwhelming and boring the jury and appearing pompous. In this segment, the instructor will explain how to strike the correct balance, which qualifications to highlight, and how to show the jury that your qualifications are particularly relevant to the issues in the case at hand. The instructor will demonstrate a non-traditional approach to presenting qualifications and will further demonstrate with attendees how they can best put forth their qualifications. **Questions and Answers.** *Learning Objective: List techniques for how to best put forth your qualifications.*

11:15 - 11:30 Commenting on the Opposing Expert and His/Her Opinion: Experts in a case are almost always faced with a colleague working for other parties preferring differing opinions. In this segment the instructor will explain and demonstrate the optimum ways for commenting on and discrediting the opposing expert's opinion while avoiding disrespect for the expert himself and avoid appearing to be an advocate. **Questions and Answers.** *Learning Objective: Describe techniques for how to comment on an opposing expert's report without appearing to be an advocate.*

11:30 – 12:00 Developing a Harmonious Interaction with Retaining Counsel: The most effective direct examinations are characterized by a smooth and balanced interaction between the expert and retaining counsel. In this segment the instructor will explain and demonstrate how to develop an optimum interaction such that the expert's testimony appears spontaneous and not rehearsed, is succinct and substantive, avoids long narratives, where the expert is not lead and where the expert is able to read retaining counsel for signals as to when to elaborate and when to move on. **Questions and Answers.** *Learning Objective: Discuss how to maintain a smooth and balanced interaction between the expert and retaining counsel.*

12:00 - 1:00 Lunch (Provided with Faculty)

1:00 – 2:00 Creating and Using Powerful, Memorable Language and Analogies: A cornerstone of persuasiveness is the ability to use powerful and memorable language. Powerful language allows the expert to be understood and memorable language allows the expert's testimony to be easily recalled by the jury and easily referred to by retaining counsel during summation. A crucial tool in using powerful, memorable language is creating and using analogies to help explain your technical expert testimony. In this segment the instructor will explain the techniques for developing powerful, memorable language and analogies and will work with attendees through exercises so that they can develop new, powerful, memorable language and analogies that they can use in future cases. **Questions and Answers.** *Learning Objective: List techniques for developing powerful memorable language and analogies.*

2:00 – 3:00 Optimizing Your "Teaching" Skills: The most persuasive experts utilize the communication and persuasion techniques employed by superb teachers. In this segment the instructor will explain and exemplify the ten "teaching" techniques that experts can use to make themselves more persuasive. The instructor will also conduct exercises and demonstrations with the attendees allowing them to further develop and improve their own teaching skills. **Questions and Answers.** *Learning Objective: List teaching methods that can be used to improve the persuasiveness of your expert testimony.*

3:00 - 3:15 Break and Networking Opportunity

3:15 - 3:30 Reading and Bonding with the Jury: The most persuasive experts are able to tweak their testimony to the particular jury in question, build bonds with the jury and even react midstream to the jurors' reaction to their expert testimony. In this segment the instructor will explain how to read, build bonds with and better persuade the jury. **Questions and Answers.** *Learning Objective: Describe ways to read, build bonds with and better persuade the jury.*

3:30 – 4:00 Dealing with Problem Areas and Weaknesses: No expert's opinions, qualifications and credibility are 100% bulletproof. Weaknesses and problem areas will always exist to a greater or lesser extent. The time to first (and most effectively) deal with and defuse such problem areas is during direct examination, not cross. In this segment the instructor will explain the importance of dealing with such problems head on during direct examination and how to best do so. The techniques for dealing with problems will also be demonstrated with volunteer attendees. **Questions and Answers.** *Learning Objective: Describe strategies to deal with a defuse problem areas during direct examination.*

4:00 – 4:30 The Biggest Mistakes Experts Make that Can Turn Off Judge and Jury: Effective experts must avoid verbal and non-verbal conduct that is likely to diminish their persuasiveness. In this segment the instructor will explain and exemplify the biggest mistakes experts make which can turn off a jury including a review of 25 indicators of deceptiveness. **Questions and Answers.** *Learning Objective: Describe the biggest mistakes experts make that can turn off judge and jury.*

4:30 – 4:45 Takeaways, Conclusion and Evaluation: The instructor will answer any and all outstanding questions. The instructor and attendees will then work together to develop a "bullet-point" list of the most important concepts, techniques and action steps learned in this workshop. **Questions and Answers.** *Learning Objective: List the most important concepts, techniques and action steps learned in the program.*

Advanced Deposition Skills for Experts

Four Points by Sheraton Hyannis Resort, Hyannis, Cape Cod, Massachusetts

Wednesday, June 20, 2007

Executive Summary Expert witnesses are 15-20 times more likely to have to testify at deposition than at trial. *Advanced Deposition Skills for Experts* teaches experts how to excel during their depositions. The workshop is presented in an interactive fashion and features numerous demonstrations. This is an **advanced course designed for experienced experts** who would like to raise their deposition skills to the next level.

Faculty



Nadine Nasser Donovan, Esq., is a former trial lawyer with extensive litigation experience. She is currently of counsel to the Boston-based firm of Martin, Magnuson, McCarthy & Kenney. Her practice area includes the defense of medical professionals in medical malpractice actions and before medical licensing boards. In addition, Ms. Donovan is a Legal Writing Instructor at Boston University School of Law. She previously practiced litigation in New York City, first as a prosecutor in Queens, and then as counsel for the City of New York. 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.

Registration Information The \$395 tuition includes a continental breakfast, breaks, lunch with faculty, workshop manual, and a unique and practical hands-on learning experience. We expect this workshop to sell out early. To register, please use the form on page 2.

Here's what past attendees have to say about Advanced Deposition Skills for Experts:



"Outstanding"
"Very worth while"
"Excellent as always"
"Well organized, touched on all important issues given time frame"
"A fun and informative day. Lots of participation and Q & A added a lot"
"Balance between lecture, role play, interaction and video was very good"

Continuing Education Credits:

Note: If your specialty does not appear below and you desire credits, please contact Karen Babitsky (781-261-9972 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:

The ACTAR Continuing Education Unit has approved this program for 7.0 CEUs.

Accountants:

Earn 7.5 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, 150 Fourth Avenue North, Suite 700, Nashville, TN, 37219-2417. Web site: www.nasba.org For SEAK, Inc.'s complaint and program cancellation policies please call SEAK, Inc. at 508-457-1111. Prior expert witness training or significant testifying experience are prerequisites for this advanced group-live program.

Appraisers:

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Attorneys:

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Engineers:

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Nurses:

6.5 Contact Hours.

This continuing nursing education activity was approved by the Ohio Nurses Association (OBN-001-91) an accredited approver by the American Nurses Credentialing Center's Commission on Accreditation.

ONA assigned #13,146. Approval valid through October 26, 2008.

Physicians:

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Advanced Deposition Skills for Experts

Four Points by Sheraton Hyannis Resort, Hyannis, Cape Cod, Massachusetts

Wednesday, June 20, 2007

8:30 - 9:00 Executive Summary & Initial Demonstration

Brief introductory remarks will be followed by an initial demonstration of an expert deposition utilizing a volunteer attendee. **Questions and Answers.** *Learning Objective: Explain why deposition skills are essential for expert witnesses.*

9:00 - 9:30 Understanding the Strategies and Goals of Opposing Counsel

Faculty will review the goals of opposing counsel at depositions. Attendees will also learn the alternative strategies opposing counsel will utilize at depositions to achieve her goals. Demonstrations will drive key points home. **Questions and Answers.** *Learning Objective: Discuss the strategies and goals of opposing counsel at deposition.*

9:30 - 10:15 Preparing for Your Expert Deposition

Experienced experts understand the significance of their deposition and how opposing counsel will likely be highly prepared to question them. Faculty will provide a detailed checklist of the specific steps that need to be taken to properly prepare for an expert deposition. Attendees will also learn how to help ensure that retaining counsel thoroughly prepares them for their deposition. Faculty will review the specific items experts need to be prepared to explain at their deposition. **Questions and Answers.** *Learning Objective: Describe how to properly prepare for an expert deposition.*

10:15 - 10:30 Break and Networking Opportunity

10:30 - 11:00 Deposition Strategies for Experts

Faculty will discuss the alternative strategies experts may follow at deposition. Faculty will explain how the best strategy to follow depends on many factors including the size of the case, type of case, who the attorneys are, and whether or not retaining counsel believes the case is likely to settle before trial. **Questions and Answers.** *Learning Objective: Discuss the alternative strategies experts may follow at deposition.*

11:00 - 12:00 Understanding and Defeating Counsel's Deposition Tactics:

Experts who are aware of, able to recognize, and effectively deal with the myriad of opposing counsel's tactics are highly successful at their depositions. These experts help increase the value of the case and are highly sought after. The faculty will explain, analyze, and review many deposition tactics and will offer specific techniques for defeating each. Demonstrations utilizing volunteer attendees will help illustrate the tactics and defenses. **Questions and Answers.** *Learning Objective: Explain opposing counsel's deposition tactics and how to defeat each tactic.*

12:00 - 1:00 Lunch (Provided with Faculty)

1:00 - 1:30 Videotape Depositions – Special Techniques

The number of videotape depositions taken are increasingly rapidly. In this segment the faculty will discuss advanced techniques for excelling at your videotape deposition. Attendees will view samples of effective and ineffective videotape deposition testimony. **Questions and Answers.** *Learning Objective: Explain techniques for excelling at videotape depositions.*

1:30 - 2:45 Advanced Deposition Tactics for Experts

The best experts are not only able to effectively respond to opposing counsel's tactics, they are able to use their own tactics to help present truthful and effective testimony. This segment will describe numerous techniques experts can use to make sure that opposing counsel does not unfairly lock them in, does not take their testimony out of context and does not distort the truth. Demonstrations utilizing volunteer attendees will help illustrate many of these techniques. **Questions and Answers.** *Learning Objective: Describe techniques the expert can use at depositions.*

2:45 - 3:00 Break and Networking Opportunity

3:00 - 4:00 Pulling it all Together: Truthfully and Artfully Answering Trick and Difficult Questions at Deposition

In this segment the attendees will be able to practice the skills taught in the course by responding to numerous trick and difficult deposition questions. For each question the faculty and attendees will analyze what tactic opposing counsel is most likely employing, how that tactic can be defeated and various truthful and artful answers to the question. **Questions and Answers.** *Learning Objective: Discuss methods for responding to trick and difficult questions at depositions.*

4:00 - 4:15 Attendee Specific Trick & Difficult Questions

During this segment attendees will be allowed to submit to the faculty and his or her attendee-peers difficult and trick questions. The faculty and attendees will provide suggestions on truthful and artful ways to answer these questions. **Questions and Answers.** *Learning Objective: Explain how to respond truthfully but artfully to trick and difficult questions at depositions.*

4:15 - 4:30 Takeaways, Conclusion and Evaluation

Faculty will take any final questions and solicit from the attendees a concise set of "bullet point" takeaways based on what was learned in this workshop. **Questions and Answers.** *Learning Objective: List the most important concepts, techniques and action steps learned in the program.*

Here's a list of disciplines from those attending last year's SEAK Expert Witness Conference:

Arboriculture
 Accident Reconstruction
 Accounting
 Actuarial
 Addiction
 Allergy
 Architecture & Construction
 Aviation
 Biochemistry
 Business Damages
 Business Valuation
 Business Valuation & Divorce
 Business Valuation, Complex Litigation
 Business Valuation, Litigation Support
 Cardiothoracic Surgery
 Cardiovascular Medicine & Surgery
 Certified Life Care Planner
 Catastrophic Case Management & Life Care Planning
 Certified Industrial Hygienist
 Certified Public Accountant
 Chemical Consultant
 Chemicals
 Chemistry Environmental
 Civil Engineering
 Civil Structural Engineering
 Civil, Structural Building Envelope
 Civil/Structural Eng. & Const.
 Collision Damage Analysis-Law Speed
 Compulsive Gambling Treatment & Research, Training
 Construction
 Construction Claims, Scheduling & Construction Mgmt
 Construction Contracts Cost & CPM Scheduling
 Construction Defect/Product Defect Lit.
 Construction Safety
 Cost Allocation
 Counterfeit
 Critical Care Infusion Therapy
 Dealer Network Planning
 Design Professional Standard of Care, Building Forensics
 DNA Analyst
 Document Examination
 Electric Data Discovery & Information Security
 Electrical Engineering
 Emergency Dept. Nursing
 Emergency Medicine
 Emergency Medicine and Toxicology
 Energy/Oil & Gas
 Engineering
 Environmental Health & Exposure Assessment
 Ergonomics
 Executive Compensation

Expert Witness in Roofing and Waterproofing
 Exposure Analysis
 Family Medicine
 Family Practice
 Fenestration Expert
 Financial Risk
 Financial Services Litigation
 Fire Investigation & Fire Life Safety
 Fire Protection Engineering
 Forensic Biology & Crime Scene Reconstruction
 Forensic Engineering
 Forensic Gambling Consultant
 Forensic Nursing
 Gastroenterology
 General Surgery
 Geriatric Surgery
 Geriatric Psychiatry
 Hand & Shoulders
 Haz. Waste, Remediation Engineering, Env. Occup. Health
 Hotel & Restaurant
 Hotels & Hospitality
 Human Factors/Ergonomics
 Hydrogeology
 Industrial Engineer
 Industrial Hygiene, Risk Assessment
 Industrial Hygiene, Risk Management
 Industrial Machinery & Complex Manufacturing Issues
 Insurance
 Insurance Coverage
 Insurance/Reinsurance
 Intellectual Property
 Internal Medicine
 Investigation/Criminal Justice
 Labor Law, Fair Labor Standards Act, Compensation Plans
 Law Enforcement Policy, Procedures & Practices
 Legal Investigator
 Legal Nurse Consultant
 Life Care Planner, Medicare Set-Aside
 Life Care Planner, Occupational Therapist
 Life Care Planning
 Litigation
 Litigation Support
 Litigation, Valuation, MTA
 Litigation Support, Business Valuations
 Long Term Care
 Long Term Care Law
 Long Term Care, Nursing Homes
 Lost Profits, Shareholders Disputes
 Marketing Occupational Health & Safety
 Maternal Fetal Medicine
 Mechanical Engineering
 Medicare Medicaid, Fraud Analysis

Metallurgy, Failure Analysis
 Neuro Psychiatry
 Neurology
 Neurology & Trauma / Disability Medicine
 Neurology, Medical-Legal
 Neuropsychology
 Nursing/Emergency/Medical Surgical
 OB/GYN
 Obstetrics and Gynecology
 Occupational Safety & Health
 Occupational & Environmental Medicine/Orthopedics
 Occupational Safety & Health
 Oil & Gas Contract Damages, Intellectual Property
 Oil & Gas Digging Wells-Contract Usage, Personal Injuries
 Ophthalmology
 Oral & Maxillofacial Surgery
 Orthopedic Surgery
 Orthopedic Spine
 Orthopedics
 Otolaryngology
 Pain Management
 Pediatric Emergency Medicine
 Pediatrics
 Pharmacology & Toxicology
 Pharmacy, Standard of Care, Drug-Related Issues
 Physician Practice Litigation
 Plastics/Textile/Rubber Science
 Premises Liability
 Psychiatry
 Psychology
 Railroad Operations Consultants
 Real Estate Appraisal
 Real Estate Manager
 Real Estate, Dispute Resolution
 Roof Crash
 Safety Engineering
 Safety & Risk Management
 Sexual Assault
 Sexual Assault Nurse Examiner
 Special Education, Child Psychology
 Substances & Floor Covering Failures
 Technical & Business Management
 Therapeutic Optometrist
 Traffic Accident Reconstruction
 Traffic Engineering/Highway Design
 Tree Forensics/Tree Appraisals
 Trucking Industry
 Underground Facility Damage
 Valuation & Damages
 Valuation & Forensic Services
 Valuation and M&A
 Vocational Expert, Life Care Planner
 Violence & Sexual Offenses



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