Gorgeous Oceanfront Location:
Opal Sands Resort

PRECONFERENCE WORKSHOPS: NOVEMBER 19–20, 2020

• Law For Experts: What You Need to Know to Succeed
• How to Start, Build, and Run a Successful Expert Witness Practice
• How to Excel at Your Expert Witness Deposition

Invaluable Networking with
Faculty & Colleagues

Faculty of Thought Leader Judges,
Trial Attorneys and Experts

19 Interactive Sessions Offering
The Latest Information & Strategies

Gorgeous Oceanfront Location:
Opal Sands Resort

Invaluable Networking with
Faculty & Colleagues

EXPERT WITNESS
TRAINING

How to Deliver Higher Quality Opinions,
Reports, and Testimony

29TH ANNUAL
NATIONAL
CONFERENCE

NOVEMBER 21–22, 2020, CLEARWATER BEACH, FL

Tuition/Discounts: To register please visit www.seak.com or call 508-457-1111. Tuition for each course is $1,295 on or before September 15, 2020, $1,395 September 16, 2020–October 27, 2020; $1,495 after October 27, 2020. Group Discounts: Group discounts are available for two or more persons registering together from the same company. Discount prices depend on the size of the group. Our programs can also be brought onsite to your organization. Please call 508-457-1111. Attendee Discount — SEAK Directory: A special 50% Conference discount is available on all new and renewal standard listings in the SEAK Expert Witness Directory placed by attendees while at the seminar.

Location/Hotel Accommodations: The 2020 SEAK Expert Witness Conference will be held at the Opal Sands Resort, Clearwater Beach, FL. SEAK has secured a special group rate of $224/night. Rooms are limited and this rate expires on October 27, 2020. The Opal Sands Resort offers guests ultra-modern Gulf front accommodations on the Gulf of Mexico, right on Clearwater Beach’s lively promenade. The Opal Sands Resort is located within walking distance of dozens of restaurants and is a 20 miles/30 minutes cab, rideshare or shuttle ride from Tampa International Airport, so we suggest saving money and time by not renting a car. To make your reservations, please call 1-855-335-1087 and refer to the SEAK Group rate and National Expert Witness Conference.

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

Conference Cancellations: Conference cancellations received in writing on or before October 27, 2020 will receive a full refund. Conference cancellations received after October 27, 2020 will receive a full tuition credit.

About SEAK
SEAK, Inc. is the Expert Witness Training Company. We were founded in 1980 and have trained thousands upon thousands of expert witnesses and publish numerous texts and practice aids for expert witnesses. For more information, please visit www.TestifyingTraining.com.

Questions About SEAK’s Clearwater Beach 2020 Expert Witness Training?
If you have any questions about our upcoming SEAK Expert Witness Training feel free to contact SEAK’s President Steven Babitsky at 508-548-9443 or stevenbabitsky@seak.com.

SEAK also offers: EXPERT WITNESS TRAINING SEMINARS ON DVD.

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

To order visit www.seak.com or call 508-457-1111.

TO REGISTER VISIT WWW.SEAK.COM OR CALL 508-457-1111
Frequently Asked Questions

Q.  I am new to expert witnessing. Will this conference be appropriate for me?
A.  Yes, although we also highly recommend that you sign up for our How to Start, Build, and Run a Successful Expert Witness Practice preconference if your schedule permits.

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

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

Q.  How many expert witnesses have attended this training conference?
A.  Over 4,000 since 1990. SEAK has trained many thousands more experts through seminars, on-site training, and 1-1 training.

Q.  Are there any discounts available?
A.  Yes. You can save up to $400 by registering early ($200 for the main conference and $200 for a preconference). Group discounts are also available. Call 508-457-1111. A special 50% Conference discount is available on all new and renewal standard listings in any of the SEAK Directories placed by attendees while at the seminar.

Q.  I can’t make it to the conference, what are my other options?
A.  SEAK Expert witness training is offered 3–4 times a year. For a complete upcoming seminar schedule please visit www.seak.com. We also offer 1-1 training (via video conference or in person). Call 508-457-1111.

Q.  Should I sign up for a preconference or is that information already covered in the main conference?
A.  We highly recommend that you take advantage of the smaller group format preconferences and sign up for one if your schedule permits. The preconferences go into far more depth than what is covered at the main conference and allow you to drill down and perfect your skills. A large percentage of attendees historically also attend a preconference.

Q.  Is this the same conference that was originally scheduled for May?
A.  Yes — we postponed the conference due to the COVID-19 situation and recommendations made by the CDC.

Q. I am having trouble deciding on which preconference to attend. Can you offer any guidance?
A.  Yes, please feel free to call Seminar Leader Attorney Steven Babitsky (508-548-9443) and he will evaluate your situation and make recommendations.

TO REGISTER VISIT WWW.SEAK.COM
OR CALL 508-457-1111
Main Conference Continuing Education Credit Information

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

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

Accountants: Earn 16.5 CPE credits in the field of study of Specialized Knowledge and Applications. SEAK, Inc. is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors through its website: www.nasbaregistry.org. For SEAK, Inc.'s complaint and program cancellation policies please call SEAK, Inc. at 508-457-1111. All attendees should have the education and experience that would qualify them as an expert witness. This is an intermediate group live program. Advanced Preparation: None. This program was created in July 2019. To register, please follow the instructions on page 2.

Appraisers: Credits from The American Society of Appraisers will be applied for on written request at the time of registration.

Arborists: SEAK will apply for Continuing Education hours through The International Society of Arboriculture (ISA) on written request at time of registration.

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

Physicians: SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this live activity for a maximum of 14 AMA PRA Category 1 Credit(s)™. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

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

TO REGISTER VISIT WWW.SEAK.COM OR CALL 508-457-1111
Preconference Workshops: November 19–20, 2020

• Law For Experts: What You Need to Know to Succeed
• How to Start, Build, and Run a Successful Expert Witness Practice
• How to Excel at Your Expert Witness Deposition

MAIN CONFERENCE

Saturday, November 21, 2020

7:00am – 7:30am NETWORKING BREAKFAST
A View from the Bench: The Biggest Mistakes Experts Make and How to Avoid Them
The Honorable Kenneth Fishman
Massachusetts Superior Court
Boston, MA

7:30am – 8:00am有效准备专家证人
Sean Wajert, Esq.
Shook, Hardy & Bacon LLP
Philadelphia, PA

8:00am – 9:00am How to Run an Effective and Efficient Expert Witness Practice
Harvey Jacobs, PhD, CLCP
Richmond, VA

9:00am – 9:10am BREAK AND NETWORKING OPPORTUNITY

9:10am – 10:10am The 25 Ways Counsel Can Cross-Examine You: How to Excel
Francisco “Frank” Ramos, Esq.
Clarke Silverglate
Miami, FL

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

11:10am – 12:10pm How to Prepare for and Excel at Your Deposition
Charles Scott, MD
University of California Davis Medical Center
Sacramento, CA

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

1:10pm – 2:10pm Breakout Session: Choose One
Testifying Tips for Experts: With Video Examples
James J. Mangraviti, Jr., Esq.
SEAK, Inc.
Falmouth, MA

OR

Coming from AAA to Major Leagues: Lessons Learned from Building My Expert Witness Practice
Susan Skolly-Danziger PharmD, MS, CPh, DABAT
Psychiatric Affiliates, PA
Maitland, FL

2:10pm – 2:25pm BREAK AND NETWORKING OPPORTUNITY

2:25pm – 3:25pm Breakout Session: Choose One
How Not to Get Disqualified from Testifying
Dyanna Ballou, Esq.
Rasmussen Dickey Moore LLC
Kansas City, MO

OR

Building Successful Relationships with Large Law Firms: Maintaining Your Integrity
Weston Anson, MBA
CONSOR
La Jolla, CA

3:25pm – 4:00pm BREAK AND NETWORKING OPPORTUNITY

4:00pm – 6:00pm NETWORKING RECEPTION

Sunday, November 22, 2020

7:00am – 7:30am NETWORKING BREAKFAST
A View from the Bench: The Biggest Mistakes Experts Make and How to Avoid Them
The Honorable Kenneth Fishman
Massachusetts Superior Court
Boston, MA

7:30am – 8:00am Effective Preparation of Expert Witnesses
Sean Wajert, Esq.
Shook, Hardy & Bacon LLP
Philadelphia, PA

8:00am – 9:00am BREAK AND NETWORKING OPPORTUNITY

9:00am – 10:00am How to Run an Effective and Efficient Expert Witness Practice
Harvey Jacobs, PhD, CLCP
Richmond, VA

10:10am – 11:10am The 25 Ways Counsel Can Cross-Examine You: How to Excel
Francisco “Frank” Ramos, Esq.
Clarke Silverglate
Miami, FL

11:10am – 12:10pm BREAK AND NETWORKING OPPORTUNITY

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

1:10pm – 2:10pm Breakout Session: Choose One
Getting Retained After the Initial Contact by Counsel
Stephen Malouf, Esq.
Malouf & Nockels
Dallas, TX

OR

How to Excel at Your Direct Examination:
Working With Counsel
Steven Babitsky, Esq.
SEAK, Inc.
Falmouth, MA

2:10pm – 2:25pm BREAK AND NETWORKING OPPORTUNITY

2:25pm – 3:25pm Breakout Session: Choose One
How Not to Get Disqualified from Testifying
Dyanna Ballou, Esq.
Rasmussen Dickey Moore LLC
Kansas City, MO

OR

Building Successful Relationships with Large Law Firms: Maintaining Your Integrity
Weston Anson, MBA
CONSOR
La Jolla, CA

3:25pm – 4:00pm BREAK AND NETWORKING OPPORTUNITY

4:00pm – 6:00pm NETWORKING RECEPTION

TO REGISTER VISIT
WWW.SEEK.COM OR
CALL 508-457-1111

November 19–22, 2020, Clearwater Beach, FL

Conference Program: Saturday, November 21, 2020

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

8:00am – 9:00am  A View from the Bench: How Experts Can Improve Their Credibility with the Judge and Jury

The Honorable Victoria A. Roberts

Judge Roberts will explain why some experts are more credible than others. She will discuss how the expert's candor, demeanor, language, presentation skills, and the content of their testimony impact their credibility and effectiveness. Judge Roberts will share feedback from jurors and offer practical suggestions for experts.

The Honorable Victoria A. Roberts was commissioned by President William Jefferson Clinton on June 29, 1998 to serve as a United States District Judge for the Eastern District of Michigan. Prior to that, Judge Roberts was in private practice and served as the managing partner of the Detroit law firm of Goodman, Eden, Millender & Bedrosian. At the Goodman firm, Judge Roberts' primary areas of practice were personal injury cases, with an emphasis on general negligence, product liability, housing discrimination and medical malpractice. She also served as an Assistant United States Attorney in the Eastern District of Michigan. Judge Roberts has served as a faculty member for numerous legal education seminars, both in the United States and abroad.

9:00am – 10:00am  How to Prepare for and Excel at Trial

Charles E. “Ted” Bain, BEng, MD, CCFP (EM)

Dr. Bain will explain best practices for preparing for trial including mastering the record, last minute challenges, and developments. He will discuss scheduling, large case loads, and the effective use of demonstratives. Dr. Bain will offer practical suggestions for how to prepare for and excel at trial.

Charles E. “Ted” Bain, BEng, MD, CCFP (EM) is an accident reconstruction, impact biomechanical, and medical expert at BRC. Dr. Bain joined BRC in 2003 after a 19 year clinical medicine career in Emergency Medicine and Family Medicine. Prior to his medical career he was a pilot in the Royal Canadian Air Force. Since joining BRC, he has been retained in more than 2500 cases and has testified in more than 160 trials in 26 states, including Florida, Texas, Louisiana, New York, and Colorado. Dr. Bain has degrees in Medicine and Engineering and his consulting practice focuses on biomechanical analyses in cases involving motor vehicle (automobiles, tractor-trailers, motorcycles and ATVs) collisions, industrial incidents, amusement park rides, railroad incidents, workplace injuries, elevator incidents and slips and falls.

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

10:10am – 11:10am  How to Increase Your Credibility, Persuasiveness, Likeability, and Effectiveness When Testifying

Rick Fuentes, PhD

Dr. Fuentes will explain and demonstrate with video, what jurors are looking for from expert witnesses. He will discuss communication, presentation, how jurors “see” experts, the era of empowerment, teaching, and connecting with the jury. Dr. Fuentes will offer practical advice on the steps experts can take to increase their credibility, persuasiveness, and effectiveness.

Rick Fuentes, PhD is a founding partner of R&D Strategic Solutions, LLC. He has specialized in jury behavior and decision-making and the evaluation of complex evidence for over 30 years. Dr. Fuentes has a Master's Degree in Counseling Psychology from the University of Georgia, and a Master's Degree and Ph.D. in Applied Psychology from Texas A&M University. He has worked with trial teams on hundreds of civil and criminal cases involving issues of tort, contracts, anti-trust, intellectual property, product liability, and professional malpractice.

11:10am – 12:10pm  How to Excel at Your Direct Examination: Working With Counsel

Stephen Malouf, Esq.

Attorney Malouf will explain why an excellent direct examination is crucial. He will discuss and demonstrate the use of a conversational tone, story, theme, everyday examples, visuals, and technology to assist experts to convey complex information in a memorable persuasive way. Attorney Malouf will offer practical suggestions on how to work with counsel to achieve powerful direct testimony.

Stephen E. Malouf, Esq. is a highly experienced Texas trial lawyer who specialized in commercial and personal injury litigation. Attorney Malouf received his B.A degree in Political Philosophy from The University of Dallas and his J.D. from St. Mary's University School of Law. He is a member and Life-Fellow of the American Board of Trial Advocates and Texas Bar Foundation and a Fellow of the American Bar Foundation and the Dallas Bar Foundation. He has been selected a “Texas Super Lawyer” by Texas Monthly Magazine and recognized as one of the “Best Lawyers in Dallas” by D-Magazine. His cases have included representation of 17 families killed in the Air France Concorde crash and vehicular design defect litigation against automobile manufacturers and oil and gas clients.

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

1:10pm – 2:10pm  Breakout Session: Choose One

Getting Retained After the Initial Contact by Counsel

Steven Babitsky, Esq.

How experts deal with an initial contact by counsel often determines whether they will be retained. In this session, Attorney Babitsky will explain why many experts are not retained after the initial contact. He will review what attorneys are looking for, preparation, giving counsel a “taste”, asking the right questions, and the biggest mistakes to avoid. Attorney Babitsky will offer practical suggestions on how to impress counsel and get retained after an initial inquiry.

TO REGISTER VISIT WWW.SEAK.COM OR CALL 508-457-1111
Conference Program: Saturday, November 21, 2020

Mr. Beaton will explain and demonstrate, with examples, how to write an excellent expert witness report which will be the basis of your direct examination. He will discuss the essentials that need to be included in your report, what should be avoided, and how to anticipate and deal with anticipated cross-examination. Mr. Beaton will offer practical suggestions for writing the excellent expert witness report.

Mr. Anson will discuss how to foster and build long-term relationships with large firms. He will explain getting your first assignment, building and reinforcing awareness with firm attorneys, and attracting repeat business. Mr. Anson will discuss the challenges large firms can represent including “assistance” with report writing, multiple attorney input, ethics, and expectations of counsel. Mr. Anson will provide practical advice on building relationships with large law firms.

“Informative and effective. I picked up a wealth of techniques that will change my business practices.”

“Excellent. Lots of great speakers with relevant content and valuable experience”

“This conference, your teaching, was the best conference I have attended in my entire professional career. I did hear from a number of participants that they come back multiple times to your course and I can see why. There is just so much valuable content.”

TO REGISTER VISIT WWW.SEAK.COM OR CALL 508-457-1111
Nadine Nasser Donovan, Esq., is SEAK's Lead Onsite Trainer and is leading the SEAK Women Expert Witness Initiative. She has trained countless experts via SEAK’s scheduled courses, customized on-site expert witness training programs, and one-on-one consulting. Nadine is the co-author of the SEAK texts, How to Be an Effective Expert Witness at Deposition and Trial: The SEAK Guide to Testifying as an Expert Witness; How to Write an Expert Witness Report and How to Be a Successful Expert Witness: SEAK’s A-Z Guide to Expert Witnessing. She is licensed to practice law in New York, Massachusetts, and Rhode Island. In addition, Nadine is a Legal Writing Instructor at Boston University School of Law. Nadine also serves as a Dispute Resolution Arbitrator for the Financial Industry Regulatory Authority. Nadine previously practiced litigation for 23 years. She spent 18 years in the defense of medical professionals in medical malpractice actions and before medical licensing boards. Nadine started off her legal career in New York City, first as a prosecutor in Queens, and then as counsel for the City of New York. Nadine received her J.D. cum laude from Boston College Law School. She graduated from Fordham University summa cum laude with a B.A. in French Literature. She can be contacted at 617-791-4282 or nadine@seak.com.

OR

How to Become a “Go To” Consultant and Expert Witness

Kenneth Trump, MPA

Mr. Trump will explain and demonstrate, with examples how to position yourself to become a “go to” consultant and expert witness. He will discuss gaining valuable insight, experience, and credibility as a consultant and the relationship to expert witness practice. Mr. Trump will review doing high quality work, media relations, carving out your niche, when and how to say no to assignments, and how to attract high level work. He will offer practical suggestions for becoming a “go to” consultant and expert witness.

How to Run an Effective and Efficient Expert Witness Practice

Harvey E. Jacobs, PhD, CLCP

Dr. Jacobs will offer best practices and protocols for running an expert witness practice. He will discuss retention agreements, case intake, fees, billing, collection, vetting counsel, scheduling, depositions, and trial preparation. Dr. Jacobs will offer practical suggestions for running a successful and portable expert witness practice you can be proud of.

6:30am – 7:00am
NETWORKING BREAKFAST

7:00am – 8:00am
Effective Preparation of Expert Witnesses

Sean Wajert, Esq.

Attorney Wajert will provide a systematic approach to successfully preparing expert witnesses to give effective deposition and trial testimony. He will discuss honoring in on key issues, qualifications, methodologies, and expressing opinions in an articulate and defensible manner. Attorney Wajert will offer practical suggestions for motivating retaining counsel to spend the time and effort to properly prepare them for their deposition and trial testimony.

9:00am – 9:10am
BREAK AND NETWORKING OPPORTUNITY

How to Run an Effective and Efficient Expert Witness Practice

Harvey E. Jacobs, PhD, CLCP

Dr. Jacobs will offer best practices and protocols for running an expert witness practice. He will discuss retention agreements, case intake, fees, billing, collection, vetting counsel, scheduling, depositions, and trial preparation. Dr. Jacobs will offer practical suggestions for running a successful and portable expert witness practice you can be proud of.

TO REGISTER VISIT WWW.SEAK.COM OR CALL 508-457-1111
Brain Injury Association of America draft national treatment guidelines for adults with TBI. He is an experienced expert witness.

The 25 Ways Counsel Can Cross-Examine You: How to Excel
Frank Ramos, Esq.

Attorney Ramos will discuss the importance and power of cross-examination to lawyers and expert witnesses. He will review the 25 tips, rules, and commandments of cross-examination. Attorney Ramos will offer suggestions on how experts can prepare for and excel at cross-examination.

Frank Ramos, Esq. is the Managing Partner of Clarke Silverglate, where he practices in the areas of commercial litigation, drug, and medical device, products liability and catastrophic personal injury. He is AV rated by Martindale-Hubbell and is listed in Best Lawyers in America for his defense work in product liability matters. Frank has been with Clarke Silverglate for virtually his entire career. He has tried to verdict personal injury, medical malpractice, product liability, and inverse condemnation cases. As a certified mediator, Frank has resolved numerous matters through alternative dispute resolution. Attorney Ramos is the author of Teaching Cross-Examination.

BREAK AND NETWORKING OPPORTUNITY

How to Prepare for and Excel Your Deposition
Charles Scott, MD

Dr. Scott with explain his protocol for preparing for his depositions from the receipt of the notice to completion. He will review note writing, what to bring, active listening, “gotcha” questions, setting boundaries, and dealing with challenging lawyers trying to get you to lose your cool. Dr. Scott will offer video examples of how to excel at your deposition while maintaining a high level of professionalism.

Charles Scott, MD is Chief, Division of Psychiatry and the Law, Forensic Psychiatry Fellowship Training Director, and Professor of Clinical Psychiatry at the University of California, Davis Medical Center in Sacramento, California. He is Board Certified in Forensic Psychiatry, General Psychiatry, Child and Adolescent Psychiatry, and Addiction Psychiatry. Dr. Scott is a Past-President of the American Academy of Psychiatry and the Law (AAPL) and is also Past-President of the Association of Directors of Forensic Psychiatry Fellowships. Dr. Scott is one of four national AAPL Forensic Psychiatry Review Course Faculty instructors and in 2008 received the AAPL award as the most outstanding forensic psychiatry fellowship program instructor in the United States. He is an experienced expert witness in both civil and criminal matters.

LUNCH (PROVIDED WITH FACULTY)

Testifying Tips for Experts: With Video Examples
James J. Mangraviti, Jr., Esq.

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

Kelly J. Wilbur, Esq., joined SEAK in 2020 as Assistant Vice President/Associate Consultant. Prior to joining SEAK, she practiced for five years as a litigator. She specialized in personal injury defense and tried several cases in Massachusetts. Kelly received her J.D., cum laude, from the University of Massachusetts School of Law in 2015 and graduated from St. Mary’s College of Maryland with a B.A. in Political Science. Kelly has experience preparing experts for deposition and trial testimony. She can be reached at 781-491-6802 or kelly@seak.com.

OR

Coming from AAA to Major Leagues: Lessons Learned from Building My Expert Witness Practice
Susan Skolly-Danziger PharmD, MS, CPh, DABAT

Dr. Skolly-Danziger will explain the lessons learned from mistakes made building her expert witness practice. She will discuss case selection, financial consideration, underfunded counsel, setting the boundaries of your expertise, effectively working with counsel, high profile cases, and building and maintaining your credibility and reputation. Dr. Skolly-Danziger will offer practical suggestions on how to prevent avoidable mistakes.

Susan Skolly-Danziger PharmD, MS, CPh, DABAT is an experienced expert witness in the areas of forensic and clinical toxicology and pharmacology. Dr. Susan M. Skolly-Danziger received her Bachelor of Science Degree in Pharmaceutical Sciences from the University of Iowa and Doctor of Pharmacy Degree (PharmD) from Nova Southeastern University. She holds two Master of Science Degrees, one in Forensic Toxicology and a Master of Science Degree in Forensic Drug Chemistry. Dr. Skolly also provides standard of care reviews of behalf of the Florida Department of Health. These reviews concern matters in toxicology and pharmacy. Dr. Skolly enjoys applying scientific concepts in both civil and criminal matters.

“Excellent speakers and lecture content”
“incredibly valuable”
2:20pm – 2:35pm  
BREAK AND NETWORKING OPPORTUNITY

2:35pm – 3:35pm  
BREAKOUT SESSION: CHOOSE ONE

How to Exceed the Expectations of Counsel
Matthew Powell, Esq.

Matthew Powell will share valuable tips to help you become invaluable to the attorneys you are working with. Matt will demonstrate organizational skills to keep you and counsel on the same page to avoid conflicts and difficulties from clear engagement agreements, to defined scope of work to be done, and the expectations to be met by everyone. Attorney Matt Powell will offer practical suggestions on how experts can assist counsel, solve problems and avoid creating new ones.

Matthew Powell, Esq., found his passion as a plaintiff trial lawyer and is Board Certified as a Civil Trial Lawyer by the Florida Bar and the National Board of Trial Advocacy. Matt has lectured internationally on expert witness presentation and preparation. He first practiced law with a prominent insurance defense firm in Tallahassee, Florida. The firm represented over 20 insurance companies. After learning these methods and techniques, he decided to stop representing insurance companies. He left the insurance defense law firm and opened his own law firm in Tampa in 1988.

OR

Making the Complex Understandable: What Works For Experts
Matt Calman, MBA

Mr. Calman will discuss and demonstrate with examples how to translate and explain complex scientific concepts, data and principles in an interesting and understandable way for juries, judges and the retaining attorney. He will explain and demonstrate the effective use of simple graphic illustrations, power points, other demonstratives and analogies to put concepts, explanations and calculations into context in way easily understood. Mr. Calman will offer practical suggestions on how to educate and work with retaining counsel to help make complex information come to life in the courtroom.

Mr. Calman, MBA has applied emerging technology to banking since the 1980’s. He was a pioneer at Bank of America in business transformation and led the Gateway Innovation Lab, where future solutions were explored and prototyped. He led R&D for mobile check deposits, mobile wallets, augmented reality, biometrics, and many more solutions before they were well-understood. He was a Research Affiliate at the MIT Media Lab and ran the Center for Future Banking. At Microsoft, he was a director of the Innovation Outreach Program, uniting innovation leaders from dozens of Fortune 100 companies. He is a named inventor on 96 issued U.S. patents and has supported both Plaintiff and Defense teams as an Expert Witness before Federal Courts, the AAA and the PTAB.

“Thanks for a great conference in a perfect location. As always, very informative and well organized.”
“Thoroughly enjoyed this conference very interesting and informative, I will be back!!!”
“A hearty “thank you” to you and the team for another amazing conference. This is my 3rd year and an already great event seems to continue to improve.”
“You are such a high-class act … … … not only the presenters and presentation but now even a thank you note! I will be bringing my entire office of physiatrists and support team to Falmouth MA (effective testimony).”
“Congratulations on another successful conference! It is impressive that, given the limited number of topics, you keep the meetings fresh with new speakers and new ideas. It was a fun experience, and I look forward to many more stimulating SEAK experiences.”
“Thank you Steve and Jim! As usual, you delivered a memorable and rich learning opportunity. I enjoyed the content, the location, and the networking immensely. Keep up the fantastic work!”
“You guys do such a fantastic job that any comments on improving would be Monday morning quarterbacking GREAT JOB! Thank you.”
“Jim, I gave myself a $100 raise after the conference to $600 per hour and the lawyer from VA that called me Monday after the conference sounded very happy to hire me! Thanks for the raise!”
“Very helpful, informative. Wonderful speakers”
“Very good, lots of useful information”
“Well-crafted for relevance and a stellar cast of presenters with a focus on practical knowledge”
“This is exactly what I needed”
“Very good seminar — many excellent speakers”
“First and foremost, as a first year attendee I have to tell you the conference was AMAZING! I walked away with more real-world, directly applicable information than I thought was possible in a weekend. SEAK is an amazing organization and a fantastic resource.”
“Very smart presenters”
“Very well organized. High level of professionalism”
“Impressive-true leaders in the field”
“Extremely beneficial”
“The SEAK conference on a scale from 1–10 was an 11. Thank you to you and your team and the professionals who spoke!”
Executive Summary: Law for Experts: What You Need To Know To Succeed "connects the dots" and shows experts how a practical understanding of law, procedure and legal terminology will make them markedly more effective and successful. This is a lively and intense interactive course. We have carefully condensed a huge body of knowledge into a very manageable program, thus allowing experts to learn what they need to know about the legal system. Experts will learn how to think and speak like the lawyers who retain them. Common "legalese" will be made comprehensible and experts will learn the procedural and substantive laws which impact them and govern legal disputes including: civil procedure, discovery, trial practice, causes of action, affirmative defenses, evidence, contracts, negligence, Daubert/Frye and the legal rules and concepts most relevant to expert witness.  

Attendees will learn:

- What retaining lawyers need to prove, how they need to prove it and how experts fit into the process
- How to think and speak like a lawyer and how to understand "legalese"
- How to identify the high value cases which allow you to charge premium fees
- The scope and limits of discovery and your options to fight back against unreasonable discovery requests and abuse
- How lawyers exclude expert testimony and what you can do to prevent being excluded
- What lawyers can and cannot ask you at deposition and trial, and why
- The law of negligence, contracts, and damages, which are the areas of civil law that most commonly use expert testimony
- The ins and outs of how a lawsuit works and the ethical and other rules the attorneys must follow
- The anatomy of a civil trial
- The rules associated with depositions including fees, length, scope, instructions not to answer, etc.
- Issues that give rise to expert witness liability and risk management strategies for experts

Attendees will learn:

- Concepts most relevant to expert witnessing.
- Legal and the legal rules and practice, causes of action, affirmative defenses, evidence, contracts, negligence, procedural and substantive laws which impact them and govern legal disputes including: civil procedure, discovery, trial practice, causes of action, affirmative defenses, evidence, contracts, negligence, Daubert/Frye and the legal rules and concepts most relevant to expert witness testimony.
- How to think and speak like the lawyers who retain them.
- Common "legalese" will be made comprehensible.
- Experts will learn how to think and speak like the lawyers who retain them.
- Theology of a civil trial.
- The rules associated with depositions including fees, length, scope, instructions not to answer, etc.
- Issues that give rise to expert witness liability and risk management strategies for experts.

Executive Summary: Law for Experts: What You Need To Know To Succeed

This was a fantastic, top-notch seminar. "More helpful than any other training I've ever received, I think due in large part that it was so engaging and packed with great examples."
29th Annual National Expert Witness Conference

LAW FOR EXPERTS: WHAT YOU NEED TO KNOW TO SUCCEED

DAY ONE: Thursday, November 19, 2020

7:30–8:00am REGISTRATION & CONTINENTAL BREAKFAST WITH FACULTY
8:00–9:30am Fundamentals of the American Legal System

Attendees will learn how the legal system they are supporting really works. Faculty will discuss the relationship between state and federal constitutional law, statutory and administrative law, state and local law, and common law. Attendees will also learn how appeals work and how administrative law disputes are adjudicated. Experts will also gain a working understanding of preemption, binding authority, persuasive authority, and how to distinguish case law. Questions & Answers. Learning Objective: Explain how the American legal system works.

9:30–10:15am Thinking Like a Lawyer, Part I—Elements of a Cause of Action

Attendees will learn how to "think like a lawyer" by breaking down a potential cause of action into its component elements. The faculty will explain how important it is for experts to understand how he/she fits into retaining lawyer's case and which elements of a cause of action the expert is and is not opining on. Questions & Answers. Learning Objective: Describe how to break a cause of action into its component elements.

10:15–10:30am BREAK AND NETWORKING OPPORTUNITY

10:30–11:15am Thinking Like a Lawyer, Part II—Affirmative Defenses

Experts are often retained for cases alleging negligence. In addition, experts can be subjected to claims for negligence stemming from their work as an expert or other professional and personal activities. In this section, attendees will learn the four elements of negligence, the expert's role in proving, defending, and mitigating negligence claims, and why attorneys in negligence cases often need the opinions of several expert witnesses. Questions & Answers. Learning Objective: Describe how attorneys use affirmative defenses to defend against causes of actions.

11:15–12:00pm The Law of Negligence

12:00–12:45pm LUNCH PROVIDED WITH FACULTY

12:45–1:35pm Damages, Valuing Cases, and the Economics of a Lawsuit

Proving or defeating a claim of damages is critical to the success of a case, and lawyers often call upon expert witnesses to assist in this regard. In this section, attendees will learn the types of permissible damages allowed under tort and contract law, including compensatory damages, medical and emotional damages, economic damages, expectation damages, consequential damages, future damages (including future lost wages and future lost earnings and sales projections), and punitive damages. Attendees will also learn how a lawyer uses the measure of damages to value cases. We will discuss how attendees can add value to these cases and recognize and seek out the highest value cases such that they can charge a premium amount for their expert services and take the time necessary to do their highest-level work. Questions & Answers. Learning Objective: Explain the elements of negligence and the expert's role in proving/disposing of this type of claim.

1:35–2:15pm Anatomy of a Lawsuit

Attendees will learn what actually happens behind the scenes in a lawsuit and why it happens. This insight is extremely helpful to the expert witness in understanding counsel’s expectations, as well as the timing, context, and meaning of the expert witness participation in the case. Included will be a discussion of complaints, answers, affirmative defenses, discovery motions, summary judgment, motions to dismiss, remedies, and appeals. Questions & Answers. Learning Objective: Explain the different stages of a lawsuit.

2:15–3:00pm Liability Insurance

Insurance has a huge effect on how many types of litigation are conducted and resolved. Expert witnesses need a working knowledge of how liability insurance works in the context of a lawsuit. Such knowledge will assist the expert in his work as an expert witness, and also in his own personal and professional risk management. Specific topics covered in this section include how to read and understand an insurance policy, the meaning of key clauses in liability insurance contracts, the duty to indemnify, the control of the defense, cooperation clauses, bad faith actions, exclusions, policy limits, and the key differences between occurrence and claims made policies. Questions & Answers. Learning Objective: Analyze how to read and understand a liability insurance policy.

3:00–3:15pm BREAK AND NETWORKING OPPORTUNITY

3:15–4:15pm The Law of Contracts

Expert witnesses are often retained in cases involving contractual rights or issues. In this section experts will learn the law of contract formation, breach, defenses, and important contract clauses that materially affect the rights of parties. Experts will also learn how lawyers use experts to prove the existence of legally recognized contract defenses and damages, which contracts needs to be in writing, and how courts interpret oral, implied, express, and written contracts. Questions & Answers. Learning Objective: Describe the elements of a contract and defenses to contracts.

4:15–5:00pm The Discovery Process and Avoiding Discovery Abuse

The discovery process typically eats up most of the time and money in a lawsuit. In this section, attendees will learn the legally permissible rules that govern the scope of discovery. Attendees will also learn the various methods attorneys use within this process to maximize their advantage, including interrogatories, requests for production of documents, depositions, subpoenas, duces tecum, physical examinations, and requests for admissions. Included will be a discussion of specific discovery scenarios that make experts vulnerable to potential attorney abuse of this process and how experts can “fight back”. Questions & Answers. Learning Objective: Explain how the discovery process works and how attorneys use the process to investigate and prove their case.

TO REGISTER VISIT WWW.SEAK.COM OR CALL 508-457-1111
DAY TWO: Friday, November 20, 2020

6:30–7:00am CONTINENTAL BREAKFAST WITH FACULTY

7:00–7:45am Legal Requirements for Expert Witness Report Writing

Attendees will learn what is legally required for expert witness report writing, including expressing expert opinions clearly, confidently, and with supporting rationale. The discussion will also include preparing Rule 26 reports for federal court, and the specific legal rules that govern what must be included in those expert witness reports. Questions & Answers. Learning Objective: Explain the rules governing expert witness report writing.

7:45–8:30am The Law of Depositions: In Depth

In this section, attendees will learn the ins and outs of the law of depositions, including the types of question they can be expected to face, the role of retaining counsel, what attorney stipulations and objections mean, who is likely to attend their deposition, the rules governing reading and signing, when expert depositions can and cannot occur, the permissible length of depositions, the rules regarding payment of the expert’s fee, how to deal with abusive questioning, and the special considerations that exist during video depositions. Questions & Answers. Learning Objective: Identify the legal requirements of a properly written expert report.

8:30–8:45am BREAK AND NETWORKING OPPORTUNITY

8:45–10:00am Daubert and the 700 Series of Rules Dealing With Expert Witnesses

Attendees will learn the laws that govern how and why a person is qualified to testify as an expert witness, the strategies attorneys use to prevent expert witnesses from testifying at trial, including the use of Daubert/Frye motions, and additional expert testimony rules that govern both the types of facts and data that experts can rely upon in forming their opinion, as well as the types of opinions that experts should and should not offer. Questions & Answers. Learning Objective: Describe the legal rules that govern the content and basis for an expert’s opinions.

10:00–10:15am BREAK AND NETWORKING OPPORTUNITY

10:15–11:00am What Happens At a Civil Trial

This section covers the key aspects of a civil trial, including the role of the judge, jury, fact witnesses and expert witnesses, as well as the legal maneuvers attorneys make during the trial which affect the presentation of expert testimony. Questions & Answers. Learning Objective: Explain the different stages of a civil trial and the role of the different participants in the trial.

11:00–12:00pm What Can and Cannot Be Asked of an Expert Witness At Trial

Attendees will learn the role that the rules of evidence play in the presentation of evidence. Attendees will also learn how evidence rules such as relevance and unfair prejudice can limit what the jury hears even if the expert thinks the evidence is relevant. Attendees will further learn how these rules affect the kinds of questions attorneys can ask expert witnesses during direct and cross-examination. Questions & Answers. Learning Objective: Identify how the rules of evidence affect the presentation of evidence at trial.

12:00–12:45pm LUNCH PROVIDED WITH FACULTY

12:45–1:15pm The Hearsay Rule And How It Affects Expert Testimony

Attendees will learn the key aspects of the hearsay rule, how attorneys invoke the rule, and why hearsay rules do not apply at deposition but do apply at trial. Attendees will further learn how expert witnesses must keep these rules in mind when forming their opinions, expressing their opinions, determining what facts or statements on which they rely on and can base their opinions, and testifying at deposition and trial. Questions & Answers. Learning Objective: Explain the legal definition of hearsay and how hearsay is used at deposition and trial.

1:15–1:45pm Jury Trials: What Experts Need To Know

This section will cover the rules governing the jury’s role in the case, and the specific legal rules, best practices and courtroom etiquette that govern an expert’s interaction with the jury. Questions & Answers. Learning Objective: Describe the legal rules governing the jury’s role in a civil trial.

1:45–2:30pm Expert Witness Liability and Risk Management

Attendees will learn the traps for the unwary which can subject experts to criminal, civil and professional liability. Practical suggestions to avoid liability and manage risk will be provided. Questions & Answers. Learning Objective: Identify the factors which can expose expert witnesses to civil, criminal, and professional liability along with risk management techniques to avoid or minimize this exposure.

“I have found the specific topic training thru SEAK to be golden. SEAK really helps shorten the learning curve.”

“Exceptional seminar. I attend continuing ed seminars regularly and this seminar was beyond all of those. It seemed that every word was productive.”

“Thank you for such awesome training. I learned so much. A friend recommended the training and I’m so glad I came. See you next time.”

“I thought the Conference was excellent – well-run and a huge amount of useful info — great speakers.”

“The conference you directed was absolutely the best conference I have been to in many years, with a huge amount of practical, take-home information. Please feel free to use me as a reference, or if you need a testimonial, I’m very happy to provide one.”

“Instruction not available from other sources.”
29th Annual National Expert Witness Conference

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

Thursday–Friday, November 19–20, 2020

Executive Summary: Excellent and ethical legal consultants can easily double their income by devoting one day a week to expert witnessing. Time spent by experts on such matters is commonly billed out at $250–$500 or more per hour. How to Start, Build and Run a Successful Expert Witness Practice is an intensive, content rich workshop that is designed to show you how to start, build, and run a successful expert witness practice. This course is appropriate for professionals with all levels of legal-consulting experience including prospective and novice expert witnesses. Attendees will learn from an experienced faculty in a step-by-step fashion how to start, build, and run a successful and ethical expert witness practice. This is SEAK’s most popular expert witness training program.

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

Registration Information/Discounts: To register, visit www.seak.com or call 508-457-1111. Tuition is $1,295 on or before September 15, 2020; $1,395 September 16–October 27, 2020; $1,495 after October 27, 2020. Your tuition includes continental breakfast and lunch with faculty each day and a detailed conference manual. Group discounts are available for two or more persons registering from the same organization. Discount prices depend on the size of the group. Our programs can also be brought onsite to your organization. Please call 508-457-1111. A special 50% Conference discount is available on all new and renewal standard listings in the SEAK Expert Witness Directory placed by attendees while at the seminar.

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

Accident Reconstructionists: SEAK will apply for credits through ACTAR upon written request at the time of registration.
Accountants: Earn 16.5 CPE credits in the field of study of Specialized Knowledge and Applications. SEAK, Inc. is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors through its website: www.nasbaregistry.org. For SEAK’s complaint and program cancellation policies please call SEAK, Inc. at 508-457-1111. All attendees should have the education and experience that would qualify them as an expert witness. This is an intermediate group-live program. Advanced Preparation: None. This course was reviewed in July 2019. To register, please follow the instructions above. Appraisers: Credits from The American Society of Appraisers will be applied for on written request at the time of registration. Arborists: SEAK will apply for Continuing Education hours through The International Society of Arboriculture (ISA) on written request at time of registration. Attorneys: Credit varies by state. Continuing legal education credits for attorneys will be applied for if requested in writing at the time of registration. Engineers: 14 PDHs. The acceptance of this course is dependent upon your state(s) of registration. The vast majority of states do not require preapproval of either courses or course sponsors. Life Care Planners: SEAK will apply for credits through the Commission on Health Care Certification (CHCC) upon written request at the time of registration. Physicians: SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this live activity for a maximum of 14 AMA PRA Category 1 Credit(s)™. Physicians should claim only the credit commensurate with the extent of their participation in the activity. NOTE: SEAK does not accept commercial support for its programs and does not use faculty members with conflicts of interest.

Faculty:

James J. Mangraviti, Jr., Esq., has trained thousands of expert witnesses through seminars, conferences, corporate training, training for professional societies, one-on-one training/mentoring, and training for governmental agencies including the FBI, IRS, NYPD, SEC, Secret Service, and Department of Defense. He currently serves as Principal of The Expert Witness Training Company SEAK, Inc. (www.testifyingtraining.com). Jim is the co-author of thirty books, including: How to Be an Effective Expert Witness at Deposition and Trial; How to Be a Successful Expert Witness: SEAK’s A-Z Guide to Expert Witnessing; and How to Write an Expert Witness Report. Jim can be reached at 978-276-1234 or jim@seak.com.

Chip Darius, OHST, CIT, CSHO, is an OSHA / Safety Consultant and Trainer with many years’ experience serving clients in general industry, construction, utilities and emergency services. In addition to his consulting and training business, Mr. Darius is an Instructor for the OSHA Training Institute Region 1 Education Center, where he has been teaching courses on OSHA regulations for nearly two decades. Mr. Darius is a well experienced Forensic Expert Witness and Litigation Consultant in catastrophic injury, fatality and personal injury matters. He has experience in both plaintiff and defense cases, in state and federal matters. He has significant testimony experience in depositions and at trials. Mr. Darius has conducted training at international, national, regional, state and local conferences and seminars. He earned BS and MA degrees from the University of Connecticut. Mr. Darius has also been a certified Emergency Medical Technician for 40 years.

TO REGISTER VISIT WWW.SEAK.COM OR CALL 508-457-1111
Day One: Thursday, November 19, 2020

7:30–8:00 Registration and Continental Breakfast

8:00–8:30 The Role of Expert Witnesses in Civil Litigation
Attendees will learn the proper role of expert witnesses in civil litigation. Included is an explanation of Federal Rule of Evidence 702 and the types of specific assignments experts can expect from retaining counsel including forensic consulting, report writing, and where necessary, testifying at deposition or trial. Questions & Answers

8:30–9:30 What Successful Expert Witnesses Have in Common
Faculty and the attendees will analyze what some of the nation’s “go to” experts have in common and how they got to their position of prominence. Videotaped interviews of the experts will be reviewed. Lessons for the attendees will be drawn from these examples. Questions & Answers

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

10:30–10:45 Break and Networking Opportunity

10:45–12:00 Pulling Together a CV Appropriate for Expert Witness Work
Anyone considering starting an expert witness practice needs to maintain a CV. Attendees will learn the importance of an accurate, up-to-date CV, what should and should not be on a CV, and how mistakes in preparing CVs can damage or destroy an expert’s credibility. Sample CVs will be provided. Questions & Answers

12:00–12:45 Lunch Provided with Faculty

12:45–1:45 Bulletproofing Yourself – Your Qualifications, Marketing Activities, Website, Image & Reputation
A mock trial demonstration followed by bottom line bullet point advice with numerous examples on how to avoid potentially devastating problems in an expert’s qualifications, marketing activities, website, image and reputation. Questions & Answers

1:45–2:15 Bulletproofing Your Opinions – Passing the Daubert Tests, Your Methodology
An in-depth discussion of the legal requirements of Daubert and FRE 702 as they relate to how an expert forms and expresses his/her opinion(s) and the admissibility of the opinions. Numerous examples will be discussed. The lecture continues with practical advice on how to avoid being caught in a Daubert nightmare and how to use the Daubert criteria as a roadmap to bolster the persuasiveness of any opinion. Questions & Answers

2:15–3:00 Bulletproofing Your Opinions – Research, Investigation, Chart Review and Examination
An expert witness’s opinion will only be as strong as the facts, research and investigation upon which it is based. Attendees will learn how to conduct an investigation, perform research and collect data in a manner that bolsters an expert’s opinion. Questions & Answers

3:00–3:15 Break and Networking Opportunity

3:15–3:45 Bulletproofing Your Opinions – Managing the Potentially Damaging Influence of Retaining Counsel
Expert Witnesses often severely damage or destroy the persuasiveness of their opinions by allowing retaining counsel to influence (or appear to influence) their investigation, assumptions, and opinions. In this segment attendees will learn how to insulate their opinions from the appearance of being under the influence of retaining counsel, for example through the information the expert witness relies upon, the modification of draft and preliminary opinions, and through the communications between the expert witness and retaining counsel. Questions & Answers

3:45–4:00 Bulletproofing Your Opinions – Rebuttals and Commenting On Other Experts
Commenting on another expert’s opinions is an area that gets many experts into unnecessary difficulty. In this segment experts will learn the right way and wrong way to comment on another expert's opinions. Questions & Answers

4:00–5:00 Best Practices in Forensic Office Management
Attendees will learn a myriad of techniques that will help them run an efficient and successful litigation support consulting practice. These include optimum new case intake procedures, billing systems, document receipt and retention policies, support staff training and instruction, file maintenance, trial scheduling, procedures for keeping your CV up-to-date, how to account for all time spent on the case, responsibilities and boundaries, security and confidentiality protocols and developing and using forms, templates and checklists. Questions & Answers

“The information provided during this conference was incredible. This was certainly an investment in my practice and not an expense for it.”

“Informative, inspiring and fun. I learned what I need to get started and be successful.”

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

“Very impressed with level of expertise of Jim & Chip.”

“A useful combination of stories from the front lines & practical advice.”

“Jim — Thank you for two great days! I learned new issues, which to assist my work and business. You and Chip did a fantastic job with the material/presentation.”

To register visit www.seak.com or call 508-457-1111

November 19–22, 2020, Clearwater Beach, FL

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

Opal Sands Resort, Clearwater Beach, FL
DAY TWO: Friday, November 20, 2020

6:30–7:00  CONTINENTAL BREAKFAST

7:00–8:00  Best Practices in Dealing with Counsel
A frank discussion of how to best deal with retaining and opposing counsel. Included is an explanation of the importance of maintaining boundaries, how to best communicate with retaining counsel, the importance of not giving away your theories or reviewing any confidential information until you have been retained, how to deal with non-responsive or incompetent lawyers, how to deal with failure to prepare you for deposition or trial, being pushed beyond your true area of expertise, how to handle “rush” requests for reports and opinions and how to avoid problems before they materialize. Questions & Answers

8:00–9:00  Best Practices in Report Writing
Faculty will review the most efficient methods for dealing with requests for preliminary, draft, and other written reports. Best practices for responding to input from counsel, formatting, editing, controls over release of the report, signing, and proofreading will be provided. There will also be an in-depth discussion on the use and misuse of computer templates to assist in report writing. A sample expert witness report will be provided. Questions & Answers

9:00–9:15  BREAK AND NETWORKING OPPORTUNITY

9:15–10:00  Deposition Best Practices
Attendees will be provided with an in-depth look at scheduling, billing, postponements, cancellations, errata sheets, and retention/destruction of deposition transcripts. A list of expected areas of inquiry will be provided. Questions & Answers

10:00–10:45  Trial Best Practices
Attendees will learn more than twenty techniques to help them prepare for trial. These techniques deal with issues which include dress, logistics, travel, scheduling, payment, and visual aids. Questions & Answers

10:45–11:00  BREAK AND NETWORKING OPPORTUNITY

11:00–12:00  Best Practices in Fee Setting, Fee Schedules & Agreements, Billings and Collections
Experts will learn how to correctly value their time and set their fee. They will be taught the importance of not undercharging and how to determine exactly what their time is worth. Also included is a detailed discussion of the amount and frequency of retainers, whether retainers should be non-refundable, cancellation fees, expense reimbursement and proven techniques to improve collections of expert witness and consulting fees. Attendees will be provided with sample expert witness retention contract language that addresses 15 common problems faced by expert witnesses. Questions & Answers

12:00–12:45  LUNCH (PROVIDED WITH FACULTY)

12:45–1:45  Advanced Marketing Techniques for Building an Expert Witness Practice
Faculty and attendees will engage in a frank discussion and analysis of the utility of: search engine optimization, social media, networking, writing articles, speaking, directory listings, fees, advertising, referral services/brokers and 24-7 marketing. Questions & Answers

1:45–2:15  Ethics and Risk Management
Experts will learn how to deal with common ethical problems and will learn the potential civil and professional liability of experts. Numerous specific risk management techniques for experts will be explained including avoidance, maintaining the appropriate insurance coverages, due diligence, confidentiality protocols, anti-spoliation procedures, avoiding conflicts and the overriding importance of being 100% honest. Questions & Answers

2:15–2:30  Conclusion and Takeaways
Concluding remarks will be preceded by an attendee and faculty generated numbered list of action steps and takeaways from the covered material that attendees will be taking home to their practices to start, build and run a better and more successful expert witness practice. Questions & Answers

“Thank you, Jim. You [and Chip] were both enjoyable and informative. I especially appreciate the feedback on my first written report.”

“The most practical seminars that I’ve attended”

“Loaded with powerful information”

“Very enlightening. A big eye opener.”

TO REGISTER VISIT WWW.SEAK.COM OR CALL 508-457-1111
How to Excel at Your Expert Witness Deposition

Opal Sands Resort, Clearwater Beach, FL
Thursday-Friday, November 19-20, 2020

Executive Summary: How to Excel at Your Expert Witness Deposition is SEAK’s most intensive deposition training seminar. It is designed to help expert witnesses to markedly improve their deposition skills. How to Excel at Your Expert Witness Deposition is fast moving and content rich. The course is taught using five methodologies: lecture, interactive exercises, videos of experts testifying in real cases, mock deposition demonstrations, and Questions & Answers. This is a hands on course. All attendees will have the opportunity to practice their deposition skills through in class exercises and to receive feedback from the faculty.

After completing this interactive training you will be able to:
- Demonstrate improved active listening skills.
- Deliver powerful, bullet point responses.
- Answer questions truthfully while leaving yourself some flexibility.
- Employ numerous proven strategies to excel at deposition.
- Recognize and defeat opposing counsel’s tactics.
- Excel at answering trick questions.

Articulately answer questions regarding your qualifications, fees, biases, opinions, methodology, and report.
- Effectively deal with skeletons in your closet.
- Better handle abusive questioning.
- Prepare an individualized protocol to excel at expert witness depositions.

Registration Information/Discounts: To register, visit www.seak.com or call 508-457-1111. Tuition is $1,295 on or before September 15, 2020, $1,295 September 16, 2020-October 27, 2020; $1,495 after October 27, 2020. Your tuition includes continental breakfast and lunch with faculty each day and a detailed conference manual. Group discounts are available for two or more persons registering from the same organization. Discount prices depend on the size of the group. Our programs can also be brought onsite to your organization. Please call 508-457-1111. A special 50% Conference discount is available on all new and renewal standard listings in the SEAK Expert Witness Directory placed by attendees while at the seminar.

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

Accident Reconstructionists: SEAK will apply for credits through ACTAR upon written request at the time of registration. Accountants: Earn 16.5 CPE credits in the field of study of Specialized Knowledge and Applications. SEAK, Inc. is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors through its website: www.nasbaregistry.org. For SEAK’s complaint and program cancellation policies please call SEAK, Inc. at 508-457-1111. All attendees should have the education and experience that would qualify them as an expert witness. This is an advanced group-live program. Advanced Preparation: None. This program was reviewed and revised in May 2019. To register, please follow the instructions below.

Appraisers: Credits from The American Society of Appraisers will be applied for on written request at the time of registration. Arborists: SEAK will apply for Continuing Education hours through The International Society of Arboriculture (ISA) on written request at time of registration. Attorneys: Credit varies by state. Continuing legal education credits for attorneys will be applied for if requested in writing at the time of registration. Engineers: 14 PDHs. The acceptance of this course is dependent upon your state(s) of registration. The vast majority of states do not require preapproval of either courses or course sponsors. Life Care Planners: SEAK will apply for credits through The Commission on Health Care Certification (CHCC) upon written request at the time of registration. Physicians: SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this live activity for a maximum of 14 AMA PRA Category 1 Credit(s)™. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

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

FACULTY:

Steven Babitsky, Esq. is the President and founder of SEAK, Inc., the Expert Witness Training Company. He was a personal injury trial attorney for twenty years and is the former managing partner of the firm Kistin, Babitsky, Latimer & Beitman. Steve has helped expert witnesses and their attorneys prepare to testify in a broad range of cases, including antitrust, patent, medical malpractice, wrongful death, computer forensics, and many others. He has trained the Federal Bureau of Investigation and the Federal Aviation Administration, and he has worked with numerous forensic and financial companies including Fortune 500 companies. He is the co-author of the text How to Be an Effective Expert Witness at Deposition and Trial: The SEAK Guide to Testifying as an Expert Witness. Steve trains hundreds of experts every year. He may be contacted at 508-548-9443 or stevenbabitsky@seak.com.

Kelly J. Wilbur, Esq. joined SEAK in 2020 as Assistant Vice President/Associate Consultant. Prior to joining SEAK, she practiced for five years as a litigator. She specialized in personal injury defense and tried several cases in Massachusetts. Kelly received her J.D., cum laude, from the University of Massachusetts School of Law in 2015 and graduated from St. Mary’s College of Maryland with a B.A. in Political Science. Kelly has experience preparing experts for deposition and trial testimony. She can be reached at 781-491-6802 or kelly@seak.com.
How to Excel at Your Expert Witness Deposition  
Opal Sands Resort, Clearwater Beach, FL  
Day One (Thursday, November 19, 2020)

7:30–8:00  Registration and Continental Breakfast with Faculty

PART I: LAW, STRATEGY & SKILLS  
8:00–8:45  Law and Procedure  
Attendees will learn the key legal principles and rules which govern depositions including what questions can be asked, the legal basis and limits of “fishing expeditions;” applicability and limits of claims of privilege, meaning and effect of “off the record,” meaning and effect of “the standard stipulations,” discoverability of expert-retaining counsel communication, time limits, limitations on questioning because of abusive intent, harassment, or undue burden, admissibility of deposition questions at trial, reading and signing, and protective orders. Questions & Answers Learning Objective: Explain the law and procedure governing expert witness depositions.

8:45–9:30  Understanding Opposing Counsel’s Strategies and Goals  
Excelling at deposition requires an appreciation of opposing counsel’s likely strategies. Attendees will learn why opposing counsel will likely open ended questions and may interrogate the witness in a non-confrontational manner designed to keep the witness talking. Attendees will also learn the numerous likely goals of retaining counsel and will be provided with suggestions for dealing with each of these. These likely goals include learning the expert’s opinions, learning the expert’s qualifications, locking down the expert, sizing up the expert as a witness, probing for bias, discovering the expert’s factual assumptions, gathering as much information as possible, using the expert to help his own case, intimidating the expert, learning what the expert did, and setting the stage to later get the expert or the expert’s opinion excluded. In addition, the faculty will discuss the strategies of retaining counsel at deposition including objections and questioning of their own expert. Questions & Answers Learning Objective: List the strategies and goals of opposing counsel.

9:30–10:15  How to Improve Your Active Listening Skills  
Excelling at deposition requires superior active listening skills. Deponents should be able to recognize and recall every word of a question and should be able to repeat back questions asked of them verbatim. In this segment attendees will be shown how to improve their active listening skills using techniques such as picturing the question as if it were written on a white board. The group will conduct interactive exercises to assess, practice and improve their active listening skills. Questions & Answers Learning Objective: List techniques for recognizing and truthfully and artfully answering lock down questions.

10:15–10:30  Break (Networking Opportunity)

10:30–11:15  How to Leave Yourself Wiggle Room  
A fundamental technique for truthfully and artfully answering deposition questions is to do so in a manner, where appropriate, that does not leave the witness 100% boxed in and locked down. In this segment attendees will learn how to recognize and truthfully respond to lock down questions in a way that leaves the expert some flexibility, but does not make the expert sound evasive or defensive. The group will conduct interactive exercises to assess, practice, and improve their responses to lock down questions. Questions & Answers Learning Objective: List techniques for recognizing and truthfully and artfully answering lock down questions.

11:15–12:00  Deposition Strategies for Expert Witnesses  
Attendees will learn forty-seven techniques for excelling at their deposition. These include telling the whole truth, listening carefully to objections, insisting on finishing answers, not exaggerating, speculating, or guessing, avoiding arguing, not showing weakness, following a question answering protocol, staying calm, avoiding absolute words, avoiding rambling by putting a period on the answer, recognition of unintelligible questions, breaking counsel’s momentum, staying in your sandbox, using time limits to your advantage, and encouraging opposing counsel to lose his cool. Many of these techniques will be demonstrated by short videos and interactive exercises. Questions & Answers Learning Objective: List techniques for excelling at your deposition.

12:00–12:45  Lunch (Provided with Faculty)

12:45–1:30  Deposition Strategies for Expert Witnesses (Continued)

PART II: CORE AREAS OF INQUIRY  
1:30–2:30  Qualifications  
Expert witnesses should expect probing questions regarding why specifically they are qualified to opine in the case. Failure to excel in this area can lead to the expert being excluded from testifying – which can be a career ending event. Attendees will learn techniques for answering expected questions about their qualifications. Issues covered include articulating relevant experience and education and how these apply to the case at hand, dealing with missing or sub optimum levels of experience or credentials, CV issues, “have you ever done?” questions, number of similar cases, and including objections and questioning of their own expert. Questions & Answers Learning Objective: Describe techniques for answering qualifications questions.

2:30–3:15  Bias and Fees  
The more opposing counsel can establish an expert as being biased, the less believable that expert will be. Attendees will learn techniques for answering expected questions about their bias and fees. Issues covered include fee questions, plaintiff v. defendant issues, long held beliefs, billings to date, bills, prior writings, prior testimony, association with outside groups, political beliefs, opinion always the same in every case, influence of retaining counsel, and percentage of income questions. Many of these lines of inquiry will be demonstrated by short videos and will be practiced by the attendees through interactive exercises. Questions & Answers Learning Objective: Describe techniques for answering bias and fees questions.

3:15–3:30  Break (Networking Opportunity)

3:30–5:00  Opinions  
Expert witnesses are retained to provide opinions and must be able to articulate these opinions persuasively at deposition. Attendees will learn techniques for answering expected questions about their opinions. Issues covered include what the expert will and will not be testifying to, degree of flexibility in opinions, areas of agreement with opposing expert, new/additional opinions, degree of certainty, and rationale for opinions. Many of these lines of inquiry will be demonstrated by short videos and will be practiced by the attendees through interactive exercises. Questions & Answers Learning Objective: Explain methods for answering bias and fees questions.

“Learning Objective: Describe strategies for responding to questions about your opinions.

“This was my 3rd SEAK seminar, it’s incredible.

“Every expert needs this course.”

“I learned too much to list. I learned enough by 9:30 the first day that would have prevented my disaster at my first depo several months ago.”

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Day Two (Friday, November 20, 2020)

6:30–7:00  Continental Breakfast with Faculty

7:00–7:45  Methodology  Opposing counsel may use the deposition to set the expert witness up for a later motion to exclude under Daubert. If the expert is so excluded this can often be a career ending occurrence. Attendees will learn techniques for answering expected questions about their methodology. Issues covered include how the expert’s theory was tested, where the theory was subjected to peer review and publication, known or potential error rate, standards and controls, general acceptance in field, evidence of level of care, why extrapolation was justified, alternative explanations, and basis of research. Many of these lines of inquiry will be demonstrated by short videos and will be practiced by the attendees through interactive exercises.

7:45–8:15  Your Expert Witness Report  In many if not most cases an expert witness will have submitted a written report prior to deposition. The expert witness’s report will often raise numerous potential issues at deposition. Attendees will learn techniques for answering expected questions about their reports. Issues covered include who helped write the report, drafts/preliminary reports, research, footnotes or lack thereof, and mistakes/typos. Many of these lines of inquiry will be demonstrated by short videos and will be practiced by the attendees through interactive exercises. Questions & Answers Learning Objective: Describe strategies for answering questions about your report.

8:15–9:00  Facts/Bases of Opinions  An expert witness’s opinions are only as strong as what these opinions are based on. Expert witnesses can expect to be questioned closely regarding the bases of their opinions. Attendees will learn techniques for answering expected questions about the basis of their opinions. Issues covered include key facts of the case, assumptions, documentation, existence and extent of firsthand inspection, what was not done, cherry picking, interviews, veracity judgments, investigation, reliance on staff and/or other experts, timeline, and hypothetical questions. Many of these lines of inquiry will be demonstrated by short videos and will be practiced by the attendees through interactive exercises. Questions & Answers Learning Objective: List the key facts that you will likely be asked about at deposition.

9:00–9:15  Break (Networking Opportunity)

9:15–9:45  Opposing Expert  An expert witness can expect numerous questions concerning the opposing expert and the opposing expert’s opinions. Attendees will learn techniques for answering expected questions about opposing experts. Issues covered include qualifications, methodology, areas of agreement, and reasons for disagreement. Many of these lines of inquiry will be demonstrated by short videos and will be practiced by the attendees through interactive exercises. Questions & Answers Learning Objective: List techniques for responding to questions about opposing expert and opposing expert’s opinions.

10:15–10:45  Dealing with Skeletons in Your Closet  Some experts are concerned about being asked about things in their past that they rather not talk about. In many cases questions in this area may be inappropriate. In further instances, questions about skeletons in the closet may be permissible at deposition, but would probably not be admissible at trial. In this segment the faculty will explain what is and is not likely to be a problem and how to deal with common issues such as being sued, disciplinary problems, being terminated, failing tests, mediocre or worse grades, health issues, private life, divorces, bankruptcy, arrests, convictions, etc. Each attendee will be afforded the opportunity to anonymously submit to the faculty for review, comment, and advice which issues may they may be concerned with in their own backgrounds. Questions & Answers Learning Objective: Describe techniques for dealing with skeletons in your closet.

10:45–11:00  Break (Networking Opportunity)

11:00–11:30  Abusive Questioning  Experts may at some point experience questioning that is abusive and beyond the scope of what is legally permissible. Faculty will review the legal rules dealing with abusive questioning and provide practical advice for determining what is and is not abuse and how to deal with abusive questioning. Questions & Answers Learning Objective: Describe strategies for dealing with abusive questioning.

11:30–12:00  Video Depositions  More and more expert witness depositions are recorded on video. These video depositions present additional challenges for the expert. In this segment the faculty will provide suggestions for excelling during a deposition that is recorded on video. Demonstrations will be conducted to provide feedback to how attendees look while being deposed. In addition, the attendees will be shown video clips of actual depositions to exemplify the issues that can occur with video depositions. Questions & Answers Learning Objective: Describe strategies for excelling during video depositions.

12:00–12:45  Lunch (Provided with Faculty)

12:45–1:30  TACTICS AND DEFENSES

12:45–1:30  Recognizing and Defeating Opposing Counsel’s Deposition Tactics  The faculty will explain numerous tactics that opposing counsel may use against the expert. Many of these tactics will be demonstrated by showing videos of actual depositions or by interactive exercises using volunteer attendees. The faculty will provide suggestions for dealing with each of the tactics. Tactics covered include going for the jugular off the bat, wearing the deponent down, intimidation, fishing for contradictions, catchalls, magic words, hypotheticals, mischaracterizations, and authoritative treatises. Questions & Answers Learning Objective: Identify opposing counsel’s deposition tactics and explain strategies for defeating each tactic.

1:30–2:00  Trick and Difficult Questions  The faculty will demonstrate, utilizing questions submitted by the attendees, numerous trick and difficult questions. The goal is to practice the techniques learned in the class such as active listening, refusal to be 100% locked down, and defeating counsel’s tactics. The answers provided by volunteer attendees will be critiqued and the answers provided by volunteer attendees will be critiqued and the answers provided by volunteer attendees will be critiqued.

1:30–2:00  Expert Witness Deposition Preparation Protocol  Success at deposition is far more a function of preparation, rather than inspiration. In this segment the faculty will provide suggestions for how to develop a protocol for proper preparations. Issues covered include, identifying issues of potential vulnerability, what to ask retaining counsel to do to prepare you, dealing with deposition by volunteer attendees to prepare you, dealing with deposition by volunteer attendees to prepare you, dealing with deposition by volunteer attendees to prepare you, dealing with deposition by volunteer attendees to prepare you, dealing with deposition by volunteer attendees to prepare you, dealing with deposition by volunteer attendees to prepare you, dealing with deposition by volunteer attendees to prepare you, dealing with deposition by volunteer attendees to prepare you, dealing with deposition by volunteer attendees to prepare you, dealing with deposition by volunteer attendees to prepare you. The answers provided by volunteer attendees will be critiqued and the answers provided by volunteer attendees will be critiqued.

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This DVD program reveals the 50 most challenging trick and difficult questions an expert will face during cross-examination. Attorney Jim Mangraviti explains the tactical reasons a cross-examiner may ask each question. Courtroom demonstrations present truthful, artful answers which will prevent the cross-examiner from unfairly twisting your testimony and misleading the jury. Price: $95.00 | 47 minutes

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