

# SEAK

The Expert Witness Training Company

*Virtual!*



# EXPERT WITNESS TRAINING

## How to Be an Effective Expert Witness

December 2-4, 2020 (Live via Zoom)

## How to Write a Bulletproof Expert Witness Report

December 8-10, 2020 (Live via Zoom)

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

Stream On-Demand

# Registration/Virtual Learning

## Registration For December Zoom Classes

**Tuition/Discounts:** To register, please visit [www.seak.com](http://www.seak.com) or call 508-457-1111.

Tuition is \$1295 on or before October 31, 2020, \$1395 November 1, 2020–November 20, 2020, and \$1495 after November 20, 2020. Your tuition includes 14 hours of interactive learning and a detailed conference manual (hardbound and pdf). Group discounts are available for two or more persons registering together from the same organization. Discount prices depend on the size of the group. Our programs can also be brought onsite to your organization either virtually or in-person. Please call 508-457-1111 for more information. **A special 50% Conference discount is available on all new and renewal standard listings in the SEAK Expert Witness Directory placed by attendees during the seminars.**

**Cancellations:** Conference cancellations received in writing on or prior to November 20, 2020 will receive a full tuition refund. Persons cancelling after November 20, 2020 will receive a full tuition credit.

## About SEAK Virtual Expert Witness Training:

The COVID-19 pandemic has forced postponement or cancellation of SEAK's live in-person training for the time-being. In response, SEAK has developed online and streaming on-demand expert witness training to serve our clients.

## Live via Zoom Expert Witness Training:

We are pleased to present our live online expert witness training classes this December. **These classes will be taught via Zoom and will be as interactive and practical as SEAK's in-person live classes.** Our faculty will be fielding (and asking) many questions, conducting demonstrations and working collaboratively with our attendees to do what it takes to "move the needle." **Each attendee will be provided with both an electronic and hard copy of the course manual.** We have chosen to put on the classes for 5 hours each day over a three-day period—starting each day at 12:00 pm eastern and ending each day at 5:00 pm eastern. This will make it easier for all time zones to participate and will break up everyone's screen time. **These classes will not be recorded or available for later streaming.** Recording by attendees is strictly prohibited (we want everyone to speak their mind and take part in demonstrations and discussions).

## On-Demand Streaming Expert Witness Training:

**SEAK is pleased to now offer a large suite of on demand streaming expert witness training classes.** Each course can be streamed as often as you wish for one year and comes with a 30 day money back guarantee. Our content includes many of our pre-recorded live expert witness training seminars as well as an all new webinar version of SEAK's most popular expert witness course, "**How to Start, Build, and Run a Successful Expert Witness Practice**" course (see pages 10-12).

To stream, visit [www.seak.com](http://www.seak.com)

# Let SEAK show you how to excel and succeed as an expert witness.

Please join us from the comfort of your own home:

- 1. How to be an Effective Expert Witness**  
SEAK's most popular testifying training. **You will learn how to be vastly more effective at both deposition and trial (live via Zoom December 2-4, 2020).**
- 2. How to Write a Bulletproof Expert Witness Report**  
SEAK's signature report-writing class. **This interactive workshop teaches you how to draft superior reports (live via Zoom December 8-10, 2020).**
- 3. How to Start, Build, and Run a Successful Expert Witness Practice**  
SEAK's most popular expert witness training program. **You will be ready to start accepting cases immediately upon completing this course (stream on demand).**



The Expert Witness Training Company

## About SEAK, Inc.

**SEAK, Inc. is The Expert Witness Training Company.** We have trained thousands upon thousands of expert witnesses and publish numerous texts and practice aids for expert witnesses. SEAK's Expert Witness Directory is the #1 rated Expert Witness Directory. For more information, please visit [www.TestifyingTraining.com](http://www.TestifyingTraining.com) and [www.seakexperts.com](http://www.seakexperts.com).

### Questions About SEAK's Virtual 2020 Expert Witness Training?

If you have any questions about our upcoming SEAK Expert Witness Training feel free to contact SEAK's Principal James J. Mangraviti Jr., Esq at 978-276-1234 or [Jim@seak.com](mailto:Jim@seak.com).

# How to Be an Effective Expert Witness

DECEMBER 2-4, 2020 (Live via Zoom)

**Executive Summary:** **The #1 way to grow an expert witness practice is to build the reputation of being an effective witness.** This is a hands-on, fast-moving interactive workshop covering deposition, direct examination, and cross-examination skills. Attendees will learn how to become markedly more effective and significantly more valuable expert witnesses. Instruction will utilize four methods: lecture, questions & answers, videos of experts actually testifying in real cases, and mock trial demonstrations using student volunteers. The mock trial demonstrations are based upon a C.V. and sample report submitted in advance by volunteer attendees. Attendees will have an opportunity to participate in demonstrations and to receive constructive feedback as to how to improve their performance. In addition, each attendee will be provided with a content rich seminar manual. **This is SEAK's most popular testifying training seminar.**

**Learning Objectives:** At the conclusion of this workshop, you should be able to:

- Discuss the strategies and goals of opposing counsel at deposition and during cross-examination
- Describe how to properly prepare for deposition and trial
- Explain opposing counsel's deposition and cross examination tactics and how to defeat each tactic
- Discuss methods for responding to trick and difficult questions at deposition and trial
- List teaching methods that can be used to improve the persuasiveness of your expert testimony
- List techniques for developing powerful, memorable language and analogies
- Describe how to best insulate yourself from attacks by opposing counsel

*"The interactions with the students really made a difference in the experience. It also energized me to up my game to the next level."*

*"Jim, I'm glad I never had to encounter you as an opposing attorney, but this experience has made me more prepared for just that."*

*"I really enjoyed watching all the videos of expert (and other) testimony. It helped put a point on the discussion."*

*"Judge Lawson and Mr. Mangraviti were fantastic; who knew lawyers could be funny!"*

*"Made a tremendous impact on my ability to perform as an expert."*

**TUITION/DISCOUNTS:** To register, please visit [www.seak.com](http://www.seak.com) or call 508-457-1111. Tuition is \$1,295 on or before October 31, 2020; \$1,395 November 1, 2020–November 20, 2020 and \$1,495 after November 20, 2020. Your tuition includes a detailed conference manual (both PDF and hard bound). Group discounts are available for two or more persons registering together from the same employer. Discount prices depend on the size of the group. Our programs can also be brought onsite to your organization either virtually or in-person. 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.**

**Cancellations:** Conference cancellations received in writing on or before November 20, 2020 will receive a full refund. Conference cancellations received after November 20, 2020 will receive a full tuition credit.

**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](mailto: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:** State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. SEAK will provide each attendee with a certificate of attendance. **Appraisers:** Credits from The American Society of Appraisers will be applied for on written request at the 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. **Chiropractors:** Credits are unfortunately not available. **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. **Nurses:** Unfortunately contact hours are not available. **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)<sup>™</sup>. Physicians should claim only the credit commensurate with the extent of their participation in the activity. **Psychologists:** Unfortunately continuing education credits are not available for psychologists. **NOTE: SEAK does not accept commercial support for its programs and does not use faculty members with conflicts of interest.**

## Distinguished Faculty:



**The Honorable David Lawson** is a United States District Court Judge for the Eastern District of Michigan. He was formerly a member of the Detroit law firm of Clark Hill, PLC (Birmingham office). He received his BA degree *magna cum laude* from the University of Notre Dame, and his JD *magna cum laude* from Wayne State University. Judge Lawson is a former Special Assistant Attorney General and Special Prosecutor, and is currently on the faculty of the Michigan Judicial Institute. Prior to taking the bench his practice included both civil and criminal trial litigation, and he was actively involved in the trial of medical malpractice, negligence, and product liability cases. Judge Lawson has written and lectured extensively on scientific evidence and trial techniques.



**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](http://www.testifyingtraining.com)). He is the co-author of thirty-one 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](mailto: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](mailto:kelly@seak.com).**

**TO REGISTER VISIT [WWW.SEAK.COM](http://WWW.SEAK.COM) OR CALL 508-457-1111**

**HOW TO BE AN EFFECTIVE EXPERT WITNESS****DAY 1 - WEDNESDAY, DECEMBER 2, 2020 (Live via Zoom)****SECTION 1: DEPOSITION SKILLS****12:00–12:30 PM EST Deposition Law and Procedure**

You will learn what counsel can and can not ask, the extent of privilege protections, what objections may and may not be made, how to recognize and deal with abusive attorney behavior and whether you should read and sign the deposition transcript. **Questions & Answers.**

**12:30–1:00 PM EST Understanding the Strategies and Goals of Opposing Counsel**

You will learn the general and specific goals of deposing counsel and how counsel will prepare to depose you. **Questions & Answers.**

**1:00–2:00 PM EST Preparing for Your Deposition**

You will learn how to prepare for your deposition, both alone and with retaining counsel. You will be provided with a detailed list of the likely areas of inquiry in an expert deposition. **Questions & Answers.**

**2:00–2:10 PM EST BREAK****2:10–3:30 PM EST Deposition Strategies for Experts**

You will learn a 4 step methodology for answering deposition questions. In addition, you will learn numerous strategies to truthfully and artfully answer deposition questions. **Questions & Answers.**

**3:30–3:40 PM EST BREAK****3:40–5:00 PM EST Deposition Strategies for Experts (continued)****DAY 2 - THURSDAY, DECEMBER 3, 2020 (Live via Zoom)****12:00–2:30 PM EST Deposition Strategies for Experts (continued)****2:30–2:40 PM EST BREAK****2:40–3:10 PM EST Understanding and Defeating Counsel's Deposition Tactics**

You will learn over two dozen tactics that are likely to be used against you and will be provided with strategies to defeat each of these tactics. **Questions & Answers.**

**3:10–3:25 PM EST Videotape Depositions: Special Techniques**

You will learn special techniques which are applicable when your deposition is being videotaped. **Questions & Answers.**

**3:25–3:35 PM EST BREAK****SECTION 2: DIRECT EXAMINATION SKILLS****3:35–4:35 PM EST How to Best Put Forth Your Qualifications**

You will learn 14 techniques to more persuasively explain your credentials and to put your credentials in context including teaching, name dropping, conciseness, and bonding. **Questions & Answers.**

**4:35–5:00 PM EST Developing a Harmonious Interaction with Retaining Counsel**

You will learn how to make your testimony easy to understand and interesting to follow. You will also learn how to avoid making your testimony appear to be rehearsed and how to present non-traditional, “soft challenge” direct testimony. **Questions & Answers.**

*“I love the open platform with spontaneous questions and “life-like” questions targeted at the various individuals who attended the conference.”*

*“Excellent in every respect.”*

*“There is no better expert training in CA, the US or likely the world.”*

*“Faculty interaction create[d] infectious energy.”*

*“It really reduced my anxiety.”*

*“The sense of humor mixed in was delightful and kept us on our toes.”*

*“Jim, I really liked your “style” and THE Judge was great at explaining the legal process and procedures. You two make one hellava team.”*

*“James — You are a crazy gifted cross-examiner and teacher.”*

*“When signing up for your SEAK expert witness classes I was told yours is the best there is. I was not disappointed.”*

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**HOW TO BE AN EFFECTIVE EXPERT WITNESS****DAY 3 - FRIDAY, DECEMBER 4, 2020 (Live via Zoom)****12:00–12:30 PM EST Dealing with Problem Areas and Weaknesses**

You will learn advanced ways to actively bring up and address likely problem areas on your cross examination during your direct examination. The relationship between a good direct exam and success on cross will be explained. **Questions & Answers.**

**12:30–1:15 PM EST Creating and Using Powerful, Memorable Language and Analogies**

You will learn 12 techniques for delivering more powerful, memorable and understandable expert witness testimony using analogies, impact language, numbering, hands-on demonstrations and KISS. Video examples of experts using analogies and powerful language in court will be provided. 49 sample expert witness analogies will be provided. **Questions & Answers.**

**1:15–2:00 PM EST Optimizing Your “Teaching” Skills**

As an expert witness your job is to teach the finder of fact (judge or jury) in order to help them make their decisions. You will learn numerous techniques to more effectively “teach” the jury including use of demonstratives, primacy, recency, dynamism, previews, reviews, and “less is more.” Video examples of highly effective direct testimony will be presented. **Questions & Answers.**

**2:00–2:10 PM EST BREAK****SECTION 3: CROSS-EXAMINATION SKILLS****2:10–3:10 PM EST Protecting Yourself From Attacks on Your Credibility and Credentials & Forming Airtight Opinions**

Success at cross-examination largely depends on denying opposing counsel ammunition to attack you with. In this segment, you will learn 8 techniques for protecting yourself from attacks on your credibility and credentials. You will also learn 24 methods to make your opinions resistant to effective cross-examination. Examples will be provided, and cross-examination demonstrations will be conducted. **Questions & Answers.**

**3:10–3:20 PM EST BREAK****3:20–5:00 PM EST Advanced Cross-Examination Techniques & Tactics**

You will learn over 40 techniques to be a more effective expert witness during cross-examination. Video examples will be presented. Mock cross-examination exercises will be conducted. You will learn how to recognize and truthfully and ethically deal with common tactics used against you by opposing counsel such as the deal, mischaracterizations, impeachment, set-up questions, document ambush, and *ad hominin* assaults. Both passive and active responses will be discussed and demonstrated. **Questions & Answers.**

**“Incredible presenters.”**

**“Absolutely fabulous course. I picked up a ton of nuances. Printed materials were outstanding as well. Very entertaining too! Great to have the judge there.”**

**“Truly an outstanding weekend. My biggest regret is not having done this years ago.”**

**“Eye opening, frank, and utterly essential. No pulled punches.”**

**“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.”**

**“Jim. Thank you so much for everything. You and Judge Lawson were fantastic... This was my 4th seak course!!! With every one I learn and take away so many new concepts. See you at the next one.”**



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## HOW TO WRITE A BULLETPROOF EXPERT WITNESS REPORT DECEMBER 8–10, 2020 (Live via Zoom)

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

**Registration Information/Discounts:** Tuition for this course is \$1,295 on or before October 31, 2020; \$1,395 November 1, 2020 – November 20, 2020; \$1,495 after November 20, 2020. Your tuition includes a detailed conference manual (both PDF and hard copy). Group discounts are available for two or more persons registering from the same employer. 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. To register, please visit [www.seak.com](http://www.seak.com) or call 508-457-1111.**

**Cancellations:** Conference cancellations received in writing on or before November 20, 2020 will receive a full refund. Conference cancellations received after November 20, 2020 will receive a full tuition credit.

### Distinguished Faculty:



**Nadine Nasser Donovan, Esq.,** is a former trial lawyer with extensive litigation experience. She is SEAK's lead trainer and consultant, and has been on the SEAK Faculty since 2002, having trained hundreds of experts via SEAK's scheduled courses, customized on site expert witness training programs, and one-on-one consulting. Nadine is the co-author of the SEAK texts, *How to Be an Effective Expert Witness at Deposition and Trial: The SEAK Guide to Testifying as an Expert Witness*; *How to Write an Expert Witness Report* and *How to Be a Successful Expert Witness: SEAK's A-Z Guide to Expert Witnessing*. She is licensed to practice law in New York, Massachusetts, and Rhode Island. In addition, Nadine is a

Legal Writing Instructor at Boston University School of Law. Nadine also serves as a Dispute Resolution Arbitrator for the Financial Industry Regulatory Authority. Nadine previously practiced litigation for 21 years. She spent 18 years in the defense of medical professionals in medical malpractice actions and before medical licensing boards. Nadine started off her legal career in New York City, first as a prosecutor in Queens, and then as counsel for the City of New York. Nadine received her J.D. *cum laude* from Boston College Law School. She graduated from Fordham University *summa cum laude* with a B.A. in French Literature. **She can be contacted at 617-791-4282 or [nadine@seak.com](mailto:nadine@seak.com).**

**Continuing Education Credits:** **Note: If your specialty does not appear below and you desire credits, please contact Karen Cerbarano (781-826-4974 or [Karen@seak.com](mailto: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:** State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. SEAK will provide each attendee with a certificate of attendance. **Appraisers:** Credits from The American Society of Appraisers will be applied for on written request at the 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. **Chiropractors:** Credits are unfortunately not available. **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. **Nurses:** Unfortunately contact hours are not available. **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)*<sup>™</sup>. Physicians should claim only the credit commensurate with the extent of their participation in the activity. **Psychologists:** Unfortunately continuing education credits are not available for psychologists. **NOTE: SEAK does not accept commercial support for its programs and does not use faculty members with conflicts of interest.**

*"Great presentations. I rewrote my recent report and the lawyer was extremely pleased!"*

*"Awesome, excellent, helpful, valuable. Nadine is amazing on so many levels!"*

*"Excellent seminar, reinforces what I am doing well and highlighted areas for growth and change."*

*"The discussion on the red-flag words was particularly useful."*

*"[Excellent] use of examples and demonstrations along with questions and answers to reinforce lessons taught."*

*"Ms. Donovan is a fantastic lecturer and made the days fly by."*

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## HOW TO WRITE A BULLETPROOF EXPERT WITNESS REPORT

### DAY 1 - TUESDAY, DECEMBER 8, 2020 (Live via Zoom)

#### 12:00–12:30 PM EST Introduction

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

#### 12:30–1:15 PM EST How to Protect Your Report, Yourself, and Your Opinions from Daubert, Qualifications, and other Admissibility Challenges

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

#### 1:15–1:25 PM EST BREAK

#### 1:25–2:25 PM EST How to Draft a Powerful, Persuasive, and Understandable Report

Every word in your expert report matters. In this segment the faculty will present twenty-two techniques for drafting a more powerful, persuasive and defensible expert witness report. Each of the techniques learned in this segment will be used in the segments that follow. *Learning Objective: Explain how to draft a more powerful report. Questions & Answers.*

#### 2:25–3:25 PM EST How to Draft a Powerful, Persuasive, and Understandable Report (Continued)

Attendees will be asked to complete a series of writing exercises in which they will improve the language of sample report segments which they will be presented with. *Learning Objective: List action steps to draft more powerful, persuasive and understandable expert reports. Questions & Answers.*

#### 3:25–3:35 PM EST BREAK

#### 3:35–4:00 PM EST Report Templates and How to Format Your Expert Witness Report

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

#### 4:00–5:00 PM EST How to Document Your Assignment

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

### DAY 2 - WEDNESDAY, DECEMBER 9, 2020 (Live via Zoom)

#### 12:00–1:00 PM EST How to Document Your Qualifications

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

#### 1:00–2:15 PM EST How to Best Describe Your Document Review, Research & Investigation

Many problems in expert reports are not caused by the drafting of the report per se. Instead, these problems are a reflection of suboptimal document review, research & investigation. Put simply, if the work prior to the expert report is flawed, it will make drafting a solid report difficult. In this segment, attendees will learn proven techniques for forming solid opinions which can be easily documented into a persuasive and defensible expert witness report. In addition, attendees will be provided with sixteen techniques for how to best document their review of documents, research and investigation. Sample report segments will be reviewed. Attendees will be asked to critique sample report segments as well as to draft a concise documents reviewed and research/investigation sections. *Learning Objective: List techniques to better document your document review, research and opinions. Questions & Answers.*

#### 2:15–2:25 PM EST BREAK

#### 2:25–3:15 PM EST How to Make Optimum Use of Charts, Graphs, Timelines, and Photographs in Your Expert Witness Report

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

*"Your class was exactly what I needed to advance my practice. The hot seat is the best place to learn.  
You are a fantastic teacher with great command of the material and the classroom."*

*"Excellent examples, great feedback on reports, good job answering questions, spectacular job of keeping students involved."*

*"Extremely well presented, very helpful for report writing"*

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**HOW TO WRITE A BULLETPROOF EXPERT WITNESS REPORT****DAY 2 - WEDNESDAY, DECEMBER 9, 2020 (Live via Zoom)****3:15–3:50 PM EST How to Best Deal with Confounding Data and Studies and Alternate Explanations and Theories**

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

**3:50–4:00 PM EST BREAK****4:00–5:00 PM EST Properly Expressing Your Opinion**

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

**DAY 3 - THURSDAY, DECEMBER 10, 2020 (Live via Zoom)****12:00–12:45 PM EST How to Best Rebut The Opposing Expert's Opinion(s)**

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

**12:45–1:30 PM EST How to Properly Use Boilerplate, Standard Language, and Disclaimers**

Most experts use standard boilerplate language and disclaimers in their expert witness report. In this segment the faculty will offer seven guidelines on the use and misuse of boilerplate language. Sample boilerplate language and sample disclaimers will be provided. Attendees will be asked to critique relevant report sections as well as to draft a concise report segment containing standardized verbiage. *Learning Objective: Identify boilerplate language and disclaimers to include in your expert report.*

**Questions & Answers.****1:30–2:00 PM EST Discovery, Ethics and The Influence of Retaining Counsel**

Faculty will explain the various discovery rules which (depending upon the jurisdiction the case is in) may govern your communications with counsel and draft reports. Suggestions for how and when to communicate with retaining counsel will be provided. Also included will be eight suggestions for how to protect your credibility and deal with potential overreaching by retaining counsel. *Learning Objective: Describe best practices for communicating with and working with retaining counsel.*

**Questions & Answers.****2:00–2:10 PM EST BREAK****2:10–2:45 PM EST How to Excel When Drafting Rule 26 Reports for Federal Court**

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

**2:45–3:15 PM EST Quality Control & Editing Techniques for Expert Witness Reports**

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

**3:15–3:25 PM EST BREAK****3:25–4:15 PM EST How to Defend Your Expert Witness Report at Deposition, Hearing & Trial**

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

**4:15–5:00 PM EST The Biggest Report Writing Mistakes Expert Witnesses Make: And How to Avoid Them**

To reinforce the concepts learned in this workshop, attendees will be provided with a list of the 32 biggest mistakes that expert witnesses commonly make on their reports. The list is designed to be used as a take home quality control checklist. *Learning Objective: Identify the biggest mistakes expert witnesses make in their reports.* **Questions & Answers.**

**"Thanks Nadine it was a blast I love SEAK conferences because I learn a lot in a very short period of time."**

**"I was especially impressed that you so carefully prepared, reviewed reports, and organized a schedule that kept the days interesting."**

**"Having never written an EW report, I have enough information to now do so. Exceptionally impressive"**

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### 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](http://www.testifyingtraining.com)). Jim is the co-author of thirty-one 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](mailto:jim@seak.com).

**TUITION/DISCOUNT:** Tuition for this course is \$1,395. **Save \$100 by registering on or before October 31, 2020 and using coupon code "C420". To stream visit [www.seak.com](http://www.seak.com).**

**Continuing Education Credits:** NOTE: If your specialty does not appear above and you desire credits, please contact Karen Cerbarano (781-826-4974 or [Karen@seak.com](mailto:Karen@seak.com)). **Accident Reconstructionists:** SEAK will apply for credits through ACTAR upon written request at the time of registration. SEAK has been informed by ACTAR that stream on demand courses are acceptable for accreditation. **Accountants:** The National Association of State Boards of Accountancy (NASBA) has informed SEAK that unfortunately credits are not available for a stream on demand course of this type that does not involve live faculty at all times. **Attorneys:** Credit availability and amount varies by state. Continuing legal education credits for attorneys will be applied for if requested in writing at the time of registration by emailing [Karen@seak.com](mailto:Karen@seak.com). **Engineers:** Potentially up to 17.5 PDHs. The acceptance of this course is dependent upon your state(s) of registration. There is currently no quiz/test that must be passed in this course. **Life Care Planners:** SEAK will apply for credits through The Commission on Health Care Certification (CHCC) upon written request at the time of registration. The CHCC has informed SEAK that this stream on demand program will qualify for credits. **Nurses:** Contact hours are unfortunately not available. **Physicians:** SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this enduring material activity for a maximum of 17.5 AMA PRA Category 1 Credit(s)<sup>™</sup>. Physicians should claim only the credit commensurate with the extent of their participation in the activity. This enduring material activity was reviewed on July 30, 2020 and terminates on July 30, 2023. **Psychologists:** Credits are unfortunately not available. **NOTE: SEAK does not accept commercial support for its programs and does not use faculty members with conflicts of interest.**

*"Jim: It was great speaking to you the other day. I made the plunge and completed the online course. I had a phone call this morning, and it went well, in part because I knew how to phrase things properly, and in part because your course and honest feedback gave me confidence that I knew what to do. I am excited about my business going forward. I am sure I will be contacting you again in the future."*

*Jim, thanks again for your great [online] course. Just got my first two cases already!"*

*"I really enjoyed listening to Jim, he is hilarious and scary. Usually, I skip and don't watch all videos, but this time, I listened to and watched all the videos. I wish I could put Jim in my pocket and/or work with him."*

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### TOPICS:

**The Role of Expert Witnesses in Civil Litigation** - 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.

**What Successful Expert Witnesses Have in Common** - What the nation's "go to" experts have in common and how they got to their position of prominence.

**Finding and Developing Your Niche in the Expert Witness Marketplace** - The advantages of identifying a niche for yourself. Participants will be provided with a protocol for researching their niche, determining the proper fit, and developing their niche to its fullest potential. Faculty will provide feedback on your suggested niche.

**Pulling Together a CV Appropriate for Expert Witness Work** - Anyone considering an expert witness practice needs to prepare and maintain a CV. Participants 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. Two sample CVs are provided.

**Bulletproofing Yourself — Your Qualifications, Marketing Activities, Website, Image & Reputation** - How to avoid potentially devastating problems in an expert's qualifications, marketing activities, web site, image and reputation. Multiple examples provided.

**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 road map to bolster the persuasiveness of any opinion.

**Bulletproofing Your Opinions — Research, Investigation, Chart Review and Examination** - An expert's opinion will only be as strong as the facts, research and investigation upon which it is based. You will learn how to conduct an investigation, perform research, and collect data in a manner that bolsters your opinion.

**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, participants will learn how to insulate their opinions from the appearance of being under the improper 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.

**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 report.

*"The CV/resume exam segment was very useful. Like many in the audience, I will be working to improve mine!!"*

*"One of the most practical seminars that I've attended."*

*"Loaded with powerful information."*

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**Virtual Expert Witness Training****HOW TO START, BUILD, AND RUN A SUCCESSFUL EXPERT WITNESS PRACTICE****STREAM NOW FROM SEAK.COM****TOPICS (continued):**

**Best Practices in Forensic Office Management** - Participants will learn a myriad of techniques that will help them run an efficient and successful expert witness practice. These include optimum new case intake procedures, billing systems, documents 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.

**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 your 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.

**Best Practices in Report Writing** - Faculty will review best practices for dealing with requests for preliminary, draft, or other written reports. Best practices for responding to input from counsel, formatting, editing, controls over release of the report, signing, and proofreading will also be provided.

**Deposition Best Practices** - Participants will be provided with an in-depth look at scheduling, billing, postponements, cancellations, errata sheets, and retention/destruction of deposition transcripts.

**Trial Best Practices** - Participants 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.

**Best Practices in Fee Setting, Fee Schedules & Agreements, Billings and Collections** - How to correctly value your time and set your fee. The importance of not undercharging and how to determine exactly what your 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.

**Advanced Marketing Techniques for Building an Expert Witness Practice** - An 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.

**Ethics and Risk Management** - How to deal with common ethical problems. The potential civil and professional liability of experts. Numerous specific risk management techniques for experts including avoidance, maintaining the appropriate insurance overages, due diligence, confidentiality protocols, anti-spoilation procedures, avoiding conflicts and the overriding importance of being 100% honest.

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***"The class was outstanding! It was presented in such an easy to understand manner.***

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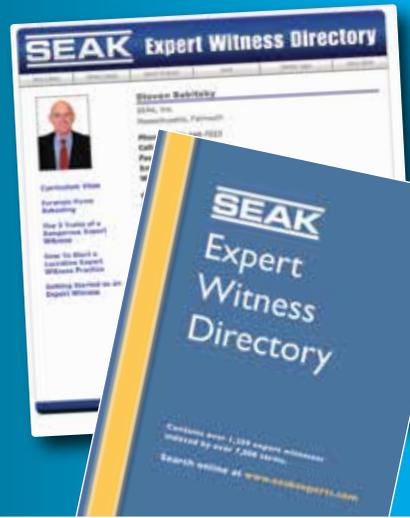


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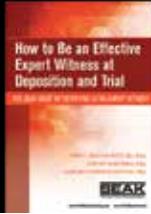
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