



**SEAK**

The Expert Witness Training Company

**TAKE YOUR  
PRACTICE TO  
THE NEXT LEVEL**

# EXPERT WITNESS TRAINING

## HOW TO WRITE A BULLETPROOF EXPERT WITNESS REPORT

JUNE 2-3, 2022

*Live Via Zoom*

## HOW TO BE AN EFFECTIVE EXPERT WITNESS

JUNE 4-5, 2022

*Live Via Zoom*

## HOW TO START, BUILD AND RUN A SUCCESSFUL EXPERT WITNESS PRACTICE

*Stream On-Demand*

# Zoom Registration Information

**Registration/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 April 15, 2022, \$1,395 April 16, 2022–May 13, 2022, and \$1,495 after May 13, 2022. 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% discount is available on all new and renewal standard listings in the SEAK Expert Witness Directory placed by attendees during the seminars.**

**The SEAK Zoom Experience:** *This will be our fourth series of Zoom classes. We are very pleased that our Zoom training has been as well-received as SEAK's superbly-regarded in-person training.*

- Each attendee will be provided with both an **electronic and hard copy of the course manual.**
- We will be conducting numerous **hands-on demonstrations** so attendees can practice the skills taught.
- Our faculty will be fielding (and asking) **many questions** and make themselves available for **extra questions** before and after class.
- 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).

**June 2022 Cancellations:** Conference cancellations received in writing on or prior to May 13, 2022 will receive a full tuition refund. Persons cancelling after May 13, 2022 will receive a full tuition credit.

## 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 2022 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).

# 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 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 Thursday–Friday, June 2–3, 2022).**

### 2. How to Be an Effective Expert Witness

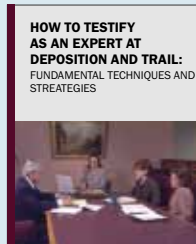
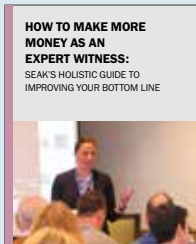
SEAK’s most popular testifying training. **You will learn how to be vastly more effective at both deposition and trial (live via Zoom Saturday–Sunday, June 4–5, 2022).**

### 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).**

## ALSO FROM SEAK: ON-DEMAND STREAMING EXPERT WITNESS TRAINING

SEAK is pleased to now offer a large suite of on-demand streaming expert witness training (see [www.seak.com](http://www.seak.com)) including SEAK’s most popular expert witness course *How to Start, Build, and Run a Successful Expert Witness Practice* course (see pages 10–12). Each course can be streamed as often as you wish for one year and comes with a 30 day money back guarantee.



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# How to Write a Bulletproof Expert Witness Report

## Thursday–Friday, June 2–3, 2022 (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.

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**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)*. 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.**

### 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).**

*"Necessary for anyone starting out as an expert witness."*

*"You are excellent and dynamic. I really loved that you used cases submitted by the audience and integrated it into the course. It shows an updated format and proves the lecture is not 'boxed.'"*

*"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."*

*"Nadine always does a great job, she is very effective at interacting with the audience, even on Zoom."*

*"[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

## Thursday, June 2, 2022 (Live via Zoom)

### Day 1

#### 8:00–8:30 AM Eastern Introduction

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

#### 8:30–9:15 AM Eastern How to Protect Your Report, Yourself, and Your Opinions from *Daubert*, Qualifications, and Other Admissibility Challenges

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

#### 9:15–10:15 AM Eastern How to Draft a Powerful, Persuasive, and Understandable Report

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

#### 10:15–10:30 AM Eastern BREAK

#### 10:30–11:30 AM Eastern How to Draft a Powerful, Persuasive, and Understandable Report (Continued)

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

#### 11:30 AM–12:00 PM Eastern Report Templates and How to Format Your Expert Witness Report

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

#### 12:00–12:30 PM Eastern LUNCH

#### 12:30–1:30 PM Eastern How to Document Your Assignment

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

#### 1:30–2:30 PM Eastern How to Document Your Qualifications

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

#### 2:30–2:45 PM Eastern BREAK

#### 2:45–4:00 PM Eastern 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 concise documents reviewed and research/investigation sections. *Learning Objective: List techniques to better document your document review, research and opinions. Questions & Answers.*

#### 4:00–4:45 PM Eastern 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.*

*"I really enjoy Nadine reviewing reports and cross-examining us."*

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# How to Write a Bulletproof Expert Witness Report

Friday, June 3, 2022 (Live via Zoom)

## Day 2

### 8:00–8:45 AM Eastern 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.**

### 8:45–10:15 AM Eastern 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.**

### 10:15–10:30 AM Eastern BREAK

### 10:30–11:15 AM Eastern 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.**

### 11:15–11:45 AM Eastern 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.**

### 11:45 AM–12:15 PM Eastern 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.**

### 12:15–12:45 PM Eastern LUNCH

### 12:45–1:15 PM Eastern 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.**

### 1:15–1:45 PM Eastern Quality Control & Editing Techniques for Expert Witness Reports

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

### 1:45–2:00 PM Eastern BREAK

### 2:00–3:00 PM Eastern 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.**

### 3:00–3:15 PM Eastern 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.**

*"Nadine, You are a great teacher and presenter. You kept my attention, provided helpful feedback and gave each of us the opportunity to grow."*

*"Nadine, you were amazing! Your vast knowledge is evident, but you teach in a very non-threatening way. Thank you!!"*

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# How to Be an Effective Expert Witness

## Saturday–Sunday, June 4–5, 2022 (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.**

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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)). 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. She has consulted for and trained hundreds of experts. Prior to joining SEAK, she practiced for five years as a litigator. She specialized in personal injury defense and helped try 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).**

*"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."*

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

*"Thank you so much for your teaching and insights this week. I certainly feel more prepared and 'ALERT' now!"*

*"I am truly grateful to you for teaching this course. I have learnt a lot; topics that I did not realize that I even needed to know."*

*"An outstanding introduction into providing effective expert witness testimony."*

*"Excellent explanation of the process and how to behave during deposition and trial."*

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# How to Be an Effective Expert Witness

## Day 1 — Saturday, June 4, 2022

### Section 1: Deposition Skills

#### 8:00–8:30 AM Eastern Deposition Law and Procedure

You will learn the difference between discovery and *de bene esse* depositions, what counsel can and cannot ask, the extent of privilege protection, 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**

#### 8:30–9:00 AM Eastern Understanding the Strategies and Goals of Opposing Counsel

The general and specific goals of deposing counsel (including knocking you out, pinning you down, sizing you up, and pushing your buttons) will be explained. Faculty will also explain how opposing counsel will prepare to depose you. **Questions & Answers**

#### 9:00–10:00 AM Eastern 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 witness discovery deposition including qualifications, publications, relevant practical experience, presentations, litigation experience, research, bias, assumptions, opinions, CV, “lockdown” questions, learned treatises, fees and billing, expert witness income, materials reviewed, and methodology/*Daubert*. **Questions & Answers**

#### 10:00–10:15 AM Eastern BREAK

#### 10:15 AM–12:00 PM Eastern Deposition Strategies for Experts

You will learn 59 strategies to truthfully, artfully, and ethically answer deposition questions, such as putting a period, presenting the optimal tone, leaving wiggle room, open book answers, preventing yourself from getting run down, absolute avoidance, hedge recognition, counsel’s silence gambit, venue selection, active listening, mischaracterization correction, objection gleaning, taking a pass, and optimal timing. The faculty will present and comment on dozens of video clips of experts demonstrating the covered strategies. **Questions & Answers**

#### 12:00–12:30 PM Eastern LUNCH

#### 12:30–2:45 PM Eastern Deposition Strategies for Experts (Continued)

#### 2:45–3:00 PM Eastern BREAK

#### 3:00–4:00 PM Eastern Deposition Strategies for Experts (Continued)

#### 4:00–4:30 PM Eastern Understanding and Defeating Counsel’s Deposition Tactics

You will learn over two dozen tactics that may be used against you such as the sociopath gambit, playing dumb, immediate jugular, notes, topic jumping, break questioning, continuances, catchalls, and hypothetical questions. Attendees will be provided with strategies to truthfully and ethically respond to each tactic. **Questions & Answers**

#### 4:30–4:45 PM Eastern Video Depositions: Special Techniques

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

*“Lots of pearls.”*

*“Lively, informative, encouraging.”*

*“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 program was great! I found it very valuable and look forward to incorporating techniques discussed in the training.”*

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

*“Excellent in every respect.”*

*“Very knowledgeable instructors & very flexible to handle various subjects.”*

*“The needle was moved! Thank you all for your efforts and time in bringing the various topics alive and making them pertinent.”*

*“I appreciated that you made the course not only informative, but fun.”*

*“Thank you for the toughness & thoroughness in a friendly setting. I appreciate that each presenter is approachable.”*



# How to Be an Effective Expert Witness

## Day 2 — Sunday, June 5, 2022

### Section 2: Direct Examination Skills

#### 8:00–9:00 AM Eastern 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**

#### 9:00–9:30 AM Eastern Developing a Harmonious Interaction with Retaining Counsel

You will learn how to coordinate with retaining counsel to make your testimony easier to understand and more 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. Video examples of trial testimony will be presented to exemplify the points made. **Questions & Answers**

#### 9:30–10:00 AM Eastern Dealing with Problem Areas and Weaknesses

You will learn advanced way 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**

#### 10:00–10:15 AM Eastern BREAK

#### 10:15–11:00 AM Eastern Creating and Using Powerful, Memorable Language and Analogies

You will learn 12 techniques for delivering more powerful, memorable and understandable expert witness testimony including 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**

#### 11:00–11:45 AM Eastern Optimizing Your “Teaching” Skills

As an expert witness your job is to teach the finder of fact (jury or judge) 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 if more.” Video examples of highly effective direct testimony will be presented. **Questions & Answers**

#### 11:45 AM–12:15 PM Eastern LUNCH

### Section 3: Cross-Examination Skills

#### 12:15–1:15 PM Eastern 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**

#### 1:15 AM–1:30 PM Eastern BREAK

#### 1:30–3:15 PM Eastern 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**

*“I left feeling excited about everything I learned about being a better prepared expert.”*

*“A whole new set of tools was learned — excellent course.”*

*“Outstanding, one of the best courses I’ve ever taken on any subject.”*

*“Excellent course, thank you for your knowledge and approachability.”*

*“I wanted to thank you for an incredible 2 days of teaching. Probably one of the best courses I have taken. I love the way that you interacted with everybody in the class. I honestly feel that interactive and “hands on” teaching result in the best learning experience.”*

*“Jim did an amazing amount of prep work on CVs and reports.”*

*“A brilliantly conceived and presented course of instruction.”*

*“Outstanding! The content, format, and presentation exceeded my expectations. The presenters were amazing with an unimaginable depth of knowledge.”*

*“Excellent! Well thought out, taught by extremely talented people.”*

*“Outstanding, riveting. Despite the long hours, there was never a dull or uninformative moment.”*

*“James was exactly like the worst prosecutor I have faced and it was perfect.”*

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

Stream On-Demand from [www.seak.com](http://www.seak.com)

This is SEAK's most popular expert witness training program. Learn the step-by-step process for obtaining expert witness assignments and excelling at them. Expert witnessing is highly lucrative. Experts commonly bill their time out at \$250–\$500 or more per hour. Many professionals can double their income by devoting just one day a week to expert witnessing. *How to Start, Build, and Run a Successful Expert Witness Practice* is appropriate for professionals of all disciplines and with all levels of expert witness experience including both highly experienced and novice experts. You will be ready to start accepting expert witness assignments immediately upon completion of this course.

#### What's Included:

- Over **17 hours of instruction** On-Demand — one-year streaming license;
- SEAK's **167 page handbook**, provided as both a digital download and upon request a bound printed copy (USA only);
- **Personalized feedback** on your suggested expert witness **hourly rate**;
- **Personalized feedback** on your suggested expert witness **niche**;
- The ability to submit a list of up to three **questions to SEAK**;
- A 15–20 minute **private Zoom with SEAK** to answer your submitted questions and follow-up questions;
- A special **50% discount** on new and renewal standard listings in **SEAK's Expert Witness Directory**;
- Up to **17.5 Continuing Education Credits**; and
- **30 day money back guarantee**.

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

#### 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 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:** Tuition for this course is \$1,395.

**Continuing Education Credits: 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. **Arborists:** Credits from the ISA are unfortunately not available. **Appraisers:** The ASA has informed SEAK that credits are available for non-live courses such as this. **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). **Chiropractors:** Credits are unfortunately not available. **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 August 17, 2020 and terminates on August 17, 2023. **Psychologists:** Credits are unfortunately not available. **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)).**

*"It was truly fantastic! I am a little down that I don't get to keep listening and watching every night as I had been doing. I may watch the whole thing again!"*

*"Your course is EXCELLENT. Easy to follow with the workbook. Easy to access. No unnecessary fluff. I will recommend this course to every physician I know."*

*"I do a lot of online and in person [continuing education classes]. This course is at the top of my list of favorites: it was eye-opening, engaging and fascinating."*

*"Absolutely loved it. It was a guided tour into a new world...I appreciate Jim's stories and examples to humanize what can be expected. I wish I did this twenty years ago."*

*"I absolutely loved this course! Gave me practical tips on starting an Expert Witness practice that I would not have been able to learn anywhere else. Two weeks after becoming listed in the directory, I got my first case."*

**TO STREAM, VISIT [WWW.SEAK.COM](http://WWW.SEAK.COM)**

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

Stream On-Demand from [www.seak.com](http://www.seak.com)

Course Content:

## 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 are 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.

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

*"Loaded with powerful information."*

*"Instantly executable information."*

*"A great learning experience presented with real world examples."*

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

Stream On-Demand from [www.seak.com](http://www.seak.com)

Course Content:

## 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, document receipts 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.

*"Outstanding – reality based presentation of "those things to be expected."*

*"A useful combination of stories from the front lines & practical advice."*

*"The class was outstanding! It was presented in such an easy to understand manner. Thank you again for a great class!"*

*"Fabulous! Interesting, stimulating, very effective."*

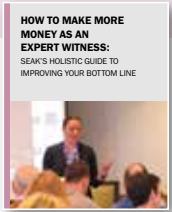
*"I believe the seminar was truly impressive and very informative."*

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### NEW! How to Make More Money as an Expert Witness

**Learn how to dramatically increase the profitability of your expert witness practice.** We provide a holistic look at improving your bottom line including marketing, sales, fee setting, collections, practice management, branding, and positioning. The focus is on simple and easily implementable techniques and strategies. Each learner will create a written action plan and receive personalized feedback from SEAK.

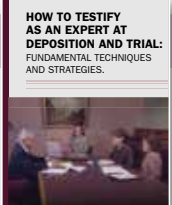
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### How to Testify As An Expert at Deposition and Trial

**SEAK's concise introductory videos on how to testify more effectively as an expert witness at deposition and trial.** Each of the dozens of techniques covered are both explained and then demonstrated. Perfect for experts without previous testifying training or for reinforcement/review for more experienced experts.

*On-demand streaming videos (one-year license), approximately 4 hours of instruction, \$395*



### How to Excel As An Expert Witness in Medical Malpractice Cases

**This is the most highly specialized training available for medical experts who work on medical malpractice cases.** Malpractice cases are very high stakes, feature many unique rules and nuances and are full of hidden pitfalls. We will show you dozens of special techniques that will allow you to distinguish yourself when serving on medical malpractice cases. You will also learn how to recognize and avoid the numerous and potentially serious traps that may await medical malpractice expert witnesses.

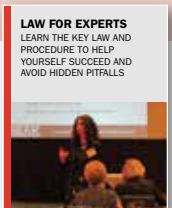
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### Law For Experts: What You Need to Know to Succeed

**Law for Experts "connects the dots" and shows you how a practical understanding of law, procedure and legal terminology will make you markedly more effective and successful.** This is a lively and intense course. We have carefully condensed a huge body of knowledge into a very manageable program, thus allowing experts to learn what they need you to know about the legal system. You 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 witnesses.

*On-demand streaming video (one-year license), 11.5 hours of instruction + 228 page written manual, + ability to submit questions to SEAK + 15-20 minute private phone call with SEAK + 50% discount on SEAK Directory Standard Listing, and up to 11.5 CME credits, \$1395*



### How to Excel As An Expert Witness in Patent Cases: Special Techniques

**Patent work is perhaps the most lucrative of all expert witness case types.** Fees for experts in patent cases commonly run in the six figures. *How to Excel as an Expert Witness in Patent Cases: Special Techniques* is designed to assist those technical and medical experts who wish to excel in patent cases or those who wish to break into this field. Patent cases are often the highest stakes civil litigation, with disputes in the seven to ten figure range. Attorneys in these cases are highly selective, well-funded and are looking for experts who understand the nuances of working on these challenging and rewarding cases. **This streaming course will provide learners with the insights, skills and information to enable them to excel at patent cases.**

*On-demand streaming video (one-year license), 12.5 hours of instruction + 266 page written manual, and up to 12.5 continuing education credits, \$895*



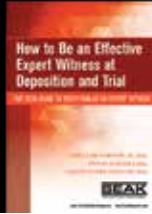
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### **How to Be a Successful Expert Witness: SEAK's A-Z Guide to Expert Witnessing**

Now in its third edition, this is **SEAK's perennial best-selling text on expert witnessing.** *How to Be a Successful Expert Witness: SEAK's A-Z Guide to Expert Witnessing* is the standard desktop reference of experienced experts and the perfect starting point for less experienced expert witnesses. This is the comprehensive resource which every expert witness should have on their bookshelf. Covers law, procedure, practice management, testifying skills, fee setting and agreements, deposition, trials, ethics, CVs, risk management, opinions, *Daubert*, and much more. Contains sample reports and CVs, checklists and marketing resources.

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### **How to Be an Effective Expert Witness at Deposition and Trial: The SEAK Guide to Testifying as an Expert Witness**

**The highest level and most comprehensive book on how to testify as an expert witness ever written.** *How to Be an Effective Expert Witness at Deposition and Trial: The SEAK Guide to Testifying as an Expert Witness* will teach you how to testify far more effectively as an expert witness. Expert witnesses who testify effectively generate positive word of mouth and often see their expert witness practices expand exponentially. In addition, effective experts enjoy the process of testifying much more and suffer far less testifying stress and anxiety. As in their previous works, the authors get directly to the point, include executive summaries of the entire book and each chapter, use numerous examples, and make this an easy-to-use reference. The examples show why the expert's responses were effective or why they were problematic, the consequences thereof, and how the responses could be improved.

**Hardbound, 485 Pages | Price: \$150**

### **How to Write an Expert Witness Report**

**How To Write An Expert Witness Report sets the new standard for all expert witnesses who are called upon to write reports.** The book is expert witness friendly and contains 14 in-depth chapters. The authors explain report writing best practices with the use of: color, hundreds of examples, numerous comments and practice pointers and suggested rewrites of language commonly used in reports. The authors have culled through thousands of reports and have presented seventeen expert reports as models for the reader. *How to Write An Expert Witness Report* is an invaluable aid for all expert witnesses who are tasked with writing high quality, defensible, expert witness reports.

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### **How to Assist an Expert Witness Practice: The Support Staff Program**

This course teaches support personnel how to help make their expert's practices more valuable and successful and features numerous case studies, exercises, concrete protocols, checklists, and action steps to help their expert witnesses succeed. **To start streaming this course now, visit [seak.com](http://seak.com).**

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*“I'm receiving 2-3 referrals per month from the SEAK directory.”*

*“Thank you for all your referrals.”*

*“Surely your directory is read by more attorneys than other directories.”*

*“The attorney got my name out of the SEAK directory (second person to do so within a week!).”*

*“Thank YOU for all the work you have sent my way.”*

*“I am quite busy with inquiries. 2 more attorneys just called me. Thank you very much this is really fabulous.”*

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