

ADVANCED EXPERT WITNESS DEPOSITION TACTICS

Maximize the effectiveness of
your expert witness testimony!

CHERRY HILL, NJ
MARCH 5, 2009

SADDLE BROOK, NJ
MARCH 6, 2009

Credit Information

NY CLE - 7.0

PA CLE - 6.0

See inside for details.

Enroll Today!

800-930-6182
www.nbi-sems.com

NBI | NATIONAL
BUSINESS
INSTITUTE™

one-day
live seminar

Faculty

Steven J. Fram

Archer & Greiner, P.C.

James H. Landgraf

Cureton Caplan, P.C.

Derek R. Layser

Layser & Freiwald, P.C.

Michael F. Martino

Stein, McGuire, Pantages & Gigl, LLP

Scott B. Piekarsky

Piekarsky & Associates, LLC

SAVE
\$50
when you register by
January 23rd!
See tuition section for details.

SEMINAR OUTLINE

I. PREPARING YOUR EXPERT WITNESS FOR DEPOSITION

9:00 - 9:45, Written by Derek R. Layser.

Presented by Derek R. Layser in Cherry Hill and Scott B. Piekarsky in Saddle Brook.

- A. Covering "What to Expect"
- B. Reviewing Expected Questions
- C. Information Your Expert Will Need at the Deposition
- D. Federal Rules and Their Impact on Expert Testimony

II. PREPARING FOR THE DEPOSITION OF THE OPPOSING EXPERT WITNESS

9:45 - 10:45, Written by Derek R. Layser.

Presented by Derek R. Layser in Cherry Hill and Michael F. Martino in Saddle Brook.

- A. Determining Your Goals for the Deposition
- B. Careful Examination About Background Information
- C. Establishing Credentials and Credibility - Gathering Information for *Daubert* Challenges
- D. Recall and Conversations
- E. Going After Admissions During Deposition
- F. Exhibits During Deposition
- G. Making and Dealing With Objections
- H. Specialized Challenges for Deposing Scientific, Technical or Other Specialized Experts

III. ETHICAL CONSIDERATIONS IN DEPOSITIONS

11:00 - 12:00, Written by Steven J. Fram.

Presented by Steven J. Fram in Cherry Hill and Scott B. Piekarsky in Saddle Brook.

- A. Confidentiality and Privileged Communications With Experts
- B. Work Product Doctrine
- C. Fees and the Expert Opinion
- D. Avoiding Conflicts of Interest

IV. DEPOSING THE OPPOSING EXPERT WITNESS

1:00 - 1:45, Written by Steven J. Fram.

Presented by Steven J. Fram in Cherry Hill and Michael F. Martino in Saddle Brook.

- A. Getting What You Need From the Deposition
- B. Getting and Reviewing the Expert's File
- C. *Daubert* Examination
- D. Tips for Deposing the Difficult Witness
- E. Setting Up the Expert for Trial Cross-Examination
- F. Laying the Groundwork for Impeachment at Trial
- G. Using Opposing Expert Depositions in Court Proceedings

V. DEFENDING YOUR EXPERT'S TESTIMONY

1:45 - 2:30, Written by Scott B. Piekarsky.

Presented by James H. Landgraf in Cherry Hill and Scott B. Piekarsky in Saddle Brook.

- A. Handling Objections
- B. Guarding the Expert From Overzealous Counsel
- C. Instructions Not to Answer

VI. USING EXPERT DEPOSITIONS AT TRIAL

2:45 - 3:45, Written by James H. Landgraf.

Presented by James H. Landgraf in Cherry Hill and Michael F. Martino in Saddle Brook.

- A. Special Considerations for Using Video Depositions
- B. Refreshing Witness Recollection
- C. Impeachment and Admissions
- D. Introducing Part of a Deposition at Trial
- E. The Deposition as Substantive Evidence

VII. PUTTING YOUR SKILLS TO WORK: MOCK EXAMINATION OF EXPERT WITNESSES

3:45 - 4:30, Presented by Steven J. Fram, James H. Landgraf and Derek R. Layser in Cherry Hill, and Michael F. Martino and Scott B. Piekarsky in Saddle Brook.

*If needed, the above agenda may be changed to best accommodate all of our attendees.



SEMINAR OVERVIEW

ABOUT THIS SEMINAR

Strengthen Your Cases With Authoritative Testimony

A well-executed deposition is one of the most powerful litigation tools you can have. Are you prepared for the complexity that may lie ahead? At this advanced seminar, our faculty will teach you how to maximize your expert witness deposition testimony and how to obtain witness depositions that will secure favorable results for you and your client. Heighten your proficiency – *enroll today!*

9 BENEFITS OF ATTENDING

- Prepare your expert for the deposition to get at the best possible testimony.
- Adhere to the federal rules impacting your expert's testimony to ensure your smoking gun is not ruled inadmissible.
- Establish your expert's credentials and credibility with our powerful methods.
- Knowledgeably examine the medical, technical or economic expert.
- Properly make and deal with objections to strengthen your position.
- Guard your expert from overzealous counsel.
- Depose even a difficult witness with ease to get the crucial information you need.
- Recognize the potential and skillfully lay groundwork for impeachment at a trial.
- Put your knowledge to work: practice your new skills during a hands-on mock witness examination.

WHO SHOULD ATTEND

This exciting, **advanced level program** is for attorneys and paralegals who want to take their expert witness deposition strategies to a higher level.

CREDIT INFORMATION

The specific continuing education credit(s) listed are for attending the live seminar. The credits may or may not apply for the audio version of this seminar. Please check with your credit board for details.

For additional questions regarding continuing education credits, please contact us at **866-240-1890**.

NY CLE - 7.0 - This course has been approved in accordance with the requirements of the New York State Continuing Legal Education Board for a maximum of 7.0 credit hours, of which 6.0 hours can be applied to the skills requirement and 1.0 hour can be applied toward the ethics and professionalism requirement. This live format program is appropriate for experienced attorneys.

This activity has been approved as a nontraditional format activity (self-study) and is appropriate for experienced attorneys only.

PA CLE - 6.0 - This program has been approved by the Pennsylvania Continuing Legal Education Board for a total of 6.0 hours, including 5.0 hours of substantive law, practice and procedure CLE credit and 1.0 hour of ethics, professionalism or substance abuse CLE credit.

Register Today!

800-930-6182 OR www.nbi-sems.com



PRODUCTS & SERVICES

Register Today!
800-930-6182 or
www.nbi-sems.com

Purchase Manuals and Audio Recordings Online — www.nbi-sems.com

Get comprehensive NBI seminar manuals and audio recordings at affordable prices. Choose from our extensive list of titles to stay current with the most important information in your field. These programs are prepared and delivered by experienced professionals in the subject area covered.

Manuals are available in the following formats: downloadable manual, hard copy and CD-ROM. Materials usually ship within five business days.

To order any of the manuals below, please order online or call **800-930-6182**. For more topics, visit us online — www.nbi-sems.com
manual — \$99 cd and manual — \$199

Note: Prices may vary by topic when booking online.

EVIDENCE AND EXPERT TESTIMONY BEST PRACTICES: SUPPORTING YOUR CASE

© April 2008 - 77 Pages (FP42783)

These powerful reference materials are a distillation of some of the best strategies used by top litigators – and you can learn them all from the convenience of your office. Learn how to effectively present evidence, skillfully attack your opponent's evidence, get expert testimony admitted into court and much more. These reference materials belong in every successful practitioner's library – order yours today!

By: Steven J. Fram, Scott T. Heller, Anthony L. Marchetti, Jr., Michael F. Martino, Scott B. Piekarsky and Bruce D. Varga.

TITLE LAW IN NEW JERSEY

© August 2008 - 164 Pages (FP44619)

Do you have a solid foundation of knowledge in title law? Are you confident in handling any complications that may arise? This comprehensive manual provides a fundamental knowledge of title law and how to make title problems a non-issue in your business. Learn to identify potential problems before they arise – order today!

By: Gary P. McLeon and Scott K. Sumner.

TELECONFERENCE TRAINING SESSIONS

Can't leave the office for an entire day? You can still gain the training and education you need. Visit us on the web at www.nbi-sems.com to view our upcoming teleconference sessions. No need to leave the office, relevant topics and convenient 1 to 2 hour training sessions are rolled into one! Check out our teleconference availability today!

SPONSOR THIS EVENT

Looking for an alternative solution to reaching your target audience? Sponsor this NBI seminar! For more information on customized opportunities available to you, contact Laurie Johnston at 866-738-4820.



REGISTRATION

MAIL use registration form on back of brochure
PHONE 800-930-6182 (7:00 am - 5:30 pm Central Time)
FAX 715-835-1405
ONLINE www.nbi-sems.com

Pre-registration is encouraged. If you need to register at the door, you may wish to call us first to confirm availability and to receive information regarding schedule or location changes.

OUR DISTINGUISHED FACULTY

MARCH 5 - CHERRY HILL

STEVEN J. FRAM is a shareholder in the law firm of Archer & Greiner, P.C., where he chairs the firm's commercial litigation practice group. Mr. Fram concentrates his practice on the resolution of complex business disputes, including business torts, class actions, intellectual property and technology matters, and shareholder and corporate governance disputes. He is a frequent lecturer on litigation, ethics and technology law issues to business and professional groups. He is a member of the Camden County, New Jersey State and American bar associations. Mr. Fram earned both his B.A. degree, magna cum laude, and his M.A. degree from Cornell University and his J.D. degree, cum laude, from Georgetown University Law Center.

JAMES H. LANDGRAF is an attorney with the Mount Laurel law firm of Cureton Caplan, P.C., where his areas of practice include construction law, civil trial practice, complex litigation, public contract law, architect and engineer malpractice law. Mr. Landgraf is certified as a civil trial attorney by the Supreme Court of New Jersey, Board on Trial Attorney Certification. He has written and lectured on construction law at continuing education seminars. He earned his B.A. degree, cum laude, from Muhlenberg College and his J.D. degree, with high honors, from Rutgers University. Mr. Landgraf is a member of the Burlington County (past president), New Jersey State (past co-chair, Construction and Public Contract Law Section) and American (member, co-chair of the Construction Litigation Committee of the Litigation Section; member of Forum Committee on the Construction Industry and the Public Contract Law Section) bar associations.

DEREK R. LAYSER is a shareholder and co-founder of Laysler & Fienwald, P.C., where he has an active trial practice in the areas of medical malpractice, product liability and catastrophic loss litigation. He is a frequent speaker on a variety of issues, including trial practice techniques and civil practice matters. His peers have recognized Mr. Laysler with an AV rating from Martindale-Hubbell, and he is listed in the *Bar Register of Preeminent Lawyers*

and is a member of the Million Dollar Advocates Forum. He was recently named a Pennsylvania "Super Lawyer" for medical malpractice litigation by *Philadelphia Magazine* for the fourth consecutive year. Mr. Laysler is an active member of the American, Pennsylvania, New Jersey State and Philadelphia bar associations, as well as The American Association for Justice, the Pennsylvania Trial Lawyers Association and the Philadelphia Trial Lawyers Association. He received his J.D. degree, cum laude, from the Delaware Law School of Widener University.

MARCH 6 - SADDLE BROOK

MICHAEL F. MARTINO is a partner in the Livingston law firm of Stein, McGuire, Pantages & Gigli, LLP, where his main areas of practice are litigation and personal injury defense. He is board-certified in civil trial law by the New Jersey Supreme Court. Mr. Martino is on the Board of Directors in the Paralegal Program at Fairleigh Dickinson University at the Madison, New Jersey campus. He is admitted to practice in New Jersey and New York. Mr. Martino earned his B.A. degree from Fairleigh Dickinson University and his J.D. degree from Rutgers University. He is a member of the New Jersey State Bar Association, the American Bar Association, the Defense Research Institute and the American Arbitration Association. In 2005 and 2006, Mr. Martino was named one of New Jersey's "Super Lawyers."

SCOTT B. PIEKARSKY is a partner in the Wyckoff law firm of Piekarsky & Associates, LLC, where he practices in the areas of professional liability, insurance law, general negligence, small business representation, real estate law and condominium law. Mr. Piekarsky frequently lectures to various professional groups and has written articles on legal malpractice, condominium law and ethical issues. He is a member of the Bergen County, New Jersey State and American bar associations, the New Jersey Defense Association and the Defense Research Institute. He is a former barister with the Pashtman American Inn of Court. Mr. Piekarsky earned his B.S. degree, magna cum laude, from Ramapo College of New Jersey and his J.D. degree from Seton Hall University School of Law.

CHERRY HILL — MARCH 5

Holiday Inn Cherry Hill
2175 Marlton Pike, Route 70 & Sayer Avenue
Cherry Hill NJ 08002
Phone 856-663-5300

SADDLE BROOK — MARCH 5

Wyndham Garden Hotel
50 Kenney Place, Saddle Brook NJ 07663
Phone 201-843-0600

SCHEDULE

Registration Time 8:30 — 9:00 am
Seminar Time 9:00 am — 4:30 pm
Complimentary snacks and refreshments are provided.
Lunch is on your own.

TUITION

\$339 for the first registrant
\$289 when you register by January 23rd - Save \$50!
This offer cannot be combined with any other offer.
Hardship tuition assistance is available. To apply, please call (800) 930-6182.

SAVE
\$50
When you register by
January 23rd!

DIRECTIONS & PARKING

To obtain directions and parking information, please contact the facility listed.

FREE REFERENCE MANUAL

Advanced Expert Witness Deposition Tactics
Receive a comprehensive course manual, included with your tuition, which you can take back to your office and use as a reference.

AUDIO RECORDINGS

This seminar will be recorded in its entirety. If you can't attend, you can still obtain the benefits of the information provided by purchasing the manual and CD. See the registration form to order.

CANCELLATION

Has your schedule changed? Visit us on the web or call one of our customer service representatives to learn more about your cancellation options.

THE NBI GUARANTEE

Your satisfaction is our guarantee! If you aren't satisfied with a seminar or training resource, call or write us and we'll make it right.

ADVANCED EXPERT WITNESS DEPOSITION TACTICS

Please check appropriate box

- March 5**
Cherry Hill, NJ (48162ER)
- March 6**
Saddle Brook, NJ (48164ER)

SEMINAR TUITION

\$339 — first registrant
\$289 — **SAVE \$50!** when you register
by January 23rd - See inside for details.

UNABLE TO ATTEND?

Purchase the audio recording
and manual of this seminar.

If you would like to order, please select
the box below.
Please provide street address and allow 2
weeks following seminar date for delivery.

- \$339 + \$7.95 shipping**
(\$14 to AK, HI or PR)

Shipments to CA, MN, NV, RI, SD and WI must
also include sales tax.

© Copyright 2007

48162CM

REGISTRATION FORM

Does this confirm a phone or fax registration?
 Yes No

ATTENDEE INFORMATION
Please photocopy this form for multiple registrants.

NAME _____

TITLE _____

E-MAIL ADDRESS _____

NAME _____

TITLE _____

E-MAIL ADDRESS _____

COMPANY NAME _____

CO. SIZE 1 2-5 6-10 11-25 26-50 51-100 100+

ADDRESS _____

CITY _____

STATE _____ ZIP _____

PHONE (____) _____

PAYMENT INFORMATION

Check enclosed payable to **NATIONAL BUSINESS INSTITUTE**

MasterCard VISA American Express Discover

Card No. _____

Exp. Date _____

Signature _____

Please bill me. (if your organization requires a P.O. please provide it.)

NBI BOOKSTORE — www.nbi-sems.com

Visit NBI's online bookstore for an extensive list of reference manuals and
seminar audio recordings available for purchase.

Formats for manuals include: downloadable manual, hard copy and CD-ROM.

Explore titles at: www.nbi-sems.com

Click on Bookstore and search by state, category or keyword

NBI | NATIONAL
BUSINESS
INSTITUTE™

MAIL TO: National Business Institute

A Division of NBI, Inc.

P.O. Box 3067

Eau Claire, WI 54702

PHONE: (800) 930-6182

FAX: (715) 835-1405

ONLINE: www.nbi-sems.com

Non-Profit Org.
U.S. Postage
PAID
NBI, Inc.

VIP CODE: CS