Pete Fowler CONSTRUCTION Services, Inc.

# Audience Handout Package

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| Date: | 11/18/2024 |
| To: | |
| From: | Pete Fowler Construction Services, Inc. |
| Project: | Expert Expectations: Avoiding Regrets by Defining What Good Performance Looks Like Webinar 12/19/2024 (PFCS 23-1171) |
| Regarding: | Audience Handout Package |

## Meet the Panel

### Don Gifford

#### EXPERT - PETE FOWLER CONSTRUCTION

Don Gifford is an expert in both general construction and electrical construction and design. With extensive experience as a testifying expert and witness, Don possesses a wealth of knowledge with respect to building systems, electrical and mechanical systems, lighting, fires and explosions, trips and falls, contract disputes, fiscal inequity, damages, and surety resolution. Don has more than 50 years of construction experience and more than 25 years serving as a forensics expert. He is a trusted resource to attorneys, carriers, contractors, building owners, and bonding companies, and he has been retained as an expert over 1,300 times.

### Elgin Hakala

#### TECHNICAL LEAD - PETE FOWLER CONSTRUCTION

A licensed general contractor in the state of California, Elgin Hakala has years of experience in contracting, remodeling, project management, landscaping, and team leadership. He has worked hands-on with electrical, plumbing, carpentry, drywall, concrete, paint, windows, doors, and insulation, with proficiency in engineering & architectural plans. Elgin is constantly working to better his expertise, with his latest accomplishments including mastery of the Matterport 3D Modeling Software and Green Belt Certification through Lean Six Sigma.

The years Elgin spent honing his craft executing full spectrum home remodels while leading and supervising a team of subcontractors are used to serve clients who are property owners and managers, developers and contractors, product manufacturers and suppliers, insurers, and lawyers here at Pete Fowler Construction. With the communication skills required to maintain positive relationships with project board members, clients, and construction teams, Elgin Hakala is a valuable addition to any project he gets his hands on.

## John Toohey

### PARTNER - BREMER, WHYTE, BROWN & O'MEARA, LLP

John H. Toohey is a Partner for Bremer Whyte Brown & O'Meara, LLP. Mr. Toohey is an A.V. Preeminent rated attorney with a practice that is focused on contract negotiation and litigation, complex product liability, and construction. He has successfully represented hundreds of clients in alternative dispute resolution and trial, including multiple cases to jury verdict.

Mr. Toohey was recently recognized by Los Angeles Magazine as one of the "Top Attorneys in Southern California". He has been selected into the 2017-2020 "Lawyers of Distinction", which limits membership to the top 10% of lawyers in the United States based upon qualifications, license, reputation, experience, and disciplinary history. Mr. Toohey has also been selected to the 2017-2024 California Super Lawyers list. John Toohey was selected as a 2019 California Litigator of the Year by The American Institute of Trial Lawyers, which is an invitation only organization composed of premier trial attorneys from all over the country. Mr. Toohey is admitted to practice in the State of California, the State of Arizona, the State of Colorado and the State of Texas.

# Presentation Materials

1. Lesson Plan with links to referenced backup materials
2. Power Point Slides

# Expert Expectations: Avoiding Regrets by Defining What Good Performance Looks Like



## OFFICES


**CALIFORNIA**

(949) 240-9971

29122 Rancho Viejo Road, #114
San Juan Capistrano, CA 92675

**NEVADA**

(725) 333-2365

2470 St Rose Pkwy, Ste 104
Las Vegas, NV 89074

**FLORIDA**

(407) 517-0650

174 Semoran Commerce Place, #A-109
Apopka, FL 32703

**TEXAS**

(469) 677-8710


Pete Fowler CONSTRUCTION Services, Inc.

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# Expert Expectations: Avoiding Regrets by Defining What Good Performance Looks Like

## INTRODUCTION

"Expert Expectations: Avoiding Regrets by Defining What Good Performance Looks Like" is for everyone who works in the whacky world of litigation, especially the construction litigation business. We are going to have a 60-minute conversation with industry experts from the legal and expert witness community. Our esteemed panel will discuss a list of qualities that good experts embody and why those qualities are important.

An Expert Witness is "a person who is permitted to testify at a trial because of special knowledge or proficiency in a particular field that is relevant to the case." All experts obviously need the minimum qualifications to be allowed to testify. But good experts systematically investigate, think, write, and present at a level of professionalism that makes everyone they deal with think "That expert is smart, has their act together, and that assignment is safe in their hands."

Expert investigations require curiosity, a scientific approach, and supporting documentation that is good enough to be considered "forensic." Lawyerly thinking requires knowledge of the law, legal procedure, and strategic thinking. Journalistic writing requires translating technical speak into plain language that everyone can understand so they can make informed decisions. Presenting like Walter Cronkite means being honest, trustworthy, and prepared when the time to perform arrives.

## PROGRAM OUTLINE

1. Introduction
2. Investigate Like Sherlock Holmes
3. Think Like a Lawyer
4. Write Like a Journalist
5. Present Like Walter Cronkite
6. Conclusion

## LEARNING OBJECTIVES

- Introduce a list of qualities that good experts embody.
- Articulate our values related to our expert witness work.
- Explain why investigating like Sherlock Holmes is important.
- Describe aspects of thinking like a lawyer for experts.
- Explore the idea that investigative and explanatory journalism skills are helpful for experts.
- Show how powerful presenting like Walter Cronkite can be.

## BACKUP MATERIALS

1. Good Experts: Investigate Like Sherlock Holmes, Think Like Lawyers, Write Like Journalists, and Present like Walter Cronkite by Pete Fowler
2. The One Minute Manager Book Summary by Pete Fowler
3. Communicating in Writing: A Training Article by Pete Fowler

## PROGRAM CONTENTS


1. Introduction – 5 Minutes
    A. Who We Are
    B. Presenter Information
    C. Program Outline
    D. Introduction
    E. Learning Objectives
2. Investigate Like Sherlock Holmes - 15 Minutes
    A. Be Quiet and Curious
    B. Be a Scientist
    C. Be Thorough
    D. Be Systematic and Organized
    E. Show Your Work: Documentation
    F. Make a Plan and Budget
    G. Be Right
3. Think Like a Lawyer – 15 Minutes
    A. Lawyers are Smart
    B. Be Qualified
    C. Understand Civil Litigation Basics
    D. Write Reports Conforming With the Federal Rules of Evidence
4. Write Like a Journalist - 10 Minutes
    A. Investigative Journalism
    B. Explanatory Journalism
    C. Write Excellent Billing Entries
5. Present Like Walter Cronkite - 10 Minutes
    A. Be Professional
    B. Be Credible and Trustworthy
    C. Be Prepared
    D. Be Yourself
    E. Be Confident
    F. Be Approachable and Humble
    G. Technological Skills
6. Conclusion – 5 Minutes
    A. Continuing Education
    B. Backup Materials
    C. Feedback


WEBINAR
Pete Fowler
CONSTRUCTION
Services, Inc.
THURSDAY, DECEMBER 19TH, 2024 @ 10:00AM PT
Expert Expectations:
Avoiding Regrets By Defining
What Good Performance Looks Like
With Don Gifford, Elgin Hakala, and John Toohey

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ABOUT US

# Building Experts.

Helping Smart People
Make Smart Decisions



Construction Defects



Property Claims



Personal Injury Claims



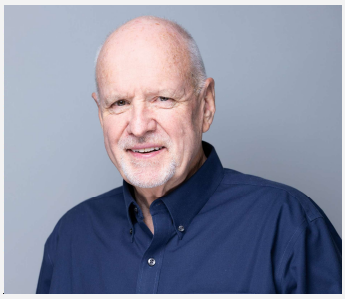
Contract Claims



Estimating, Quality, &
Construction Management

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# Meet our Presenters



**Don Gifford**

Expert
Pete Fowler Construction



**Elgin Hakala**

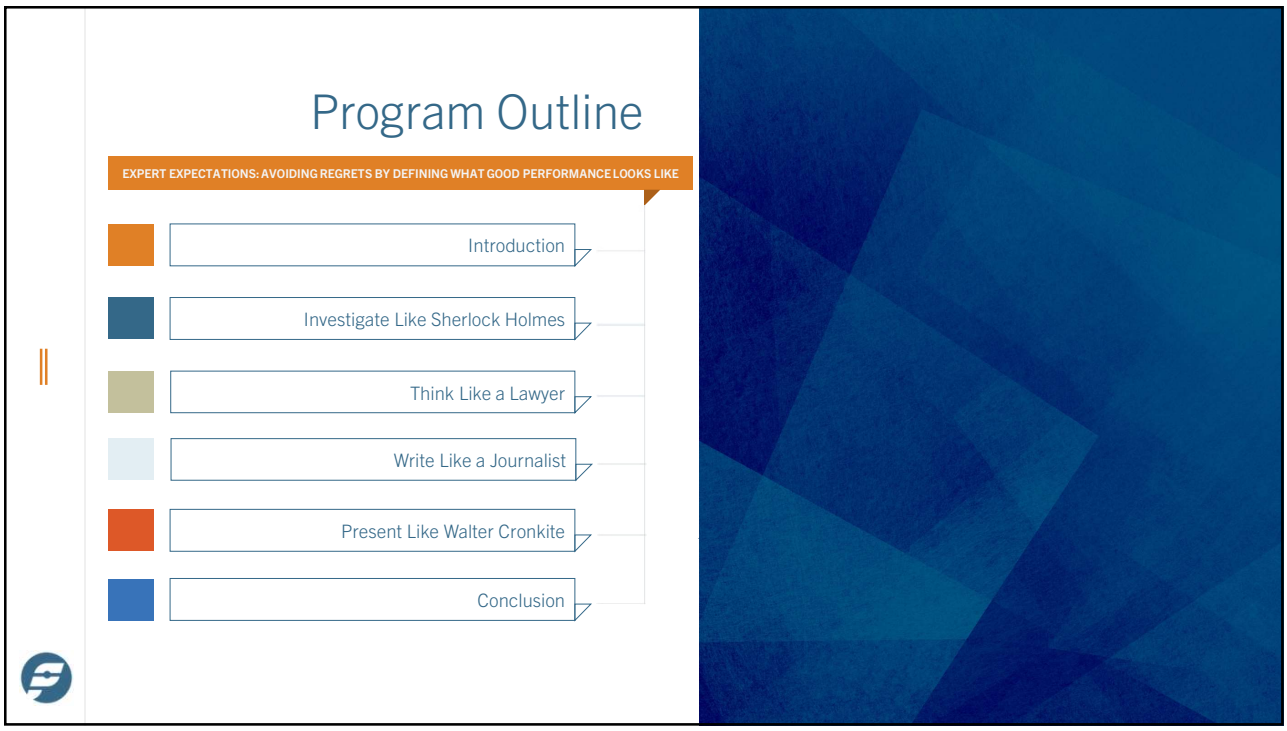
Technical Lead
Pete Fowler Construction



**John Toohey**

Partner
Bremer, Whyte, Brown & O'Meara, LLP

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Program Outline
EXPERT EXPECTATIONS: AVOIDING REGRETS BY DEFINING WHAT GOOD PERFORMANCE LOOKS LIKE
Introduction
Investigate Like Sherlock Holmes
Think Like a Lawyer
Write Like a Journalist
Present Like Walter Cronkite
Conclusion

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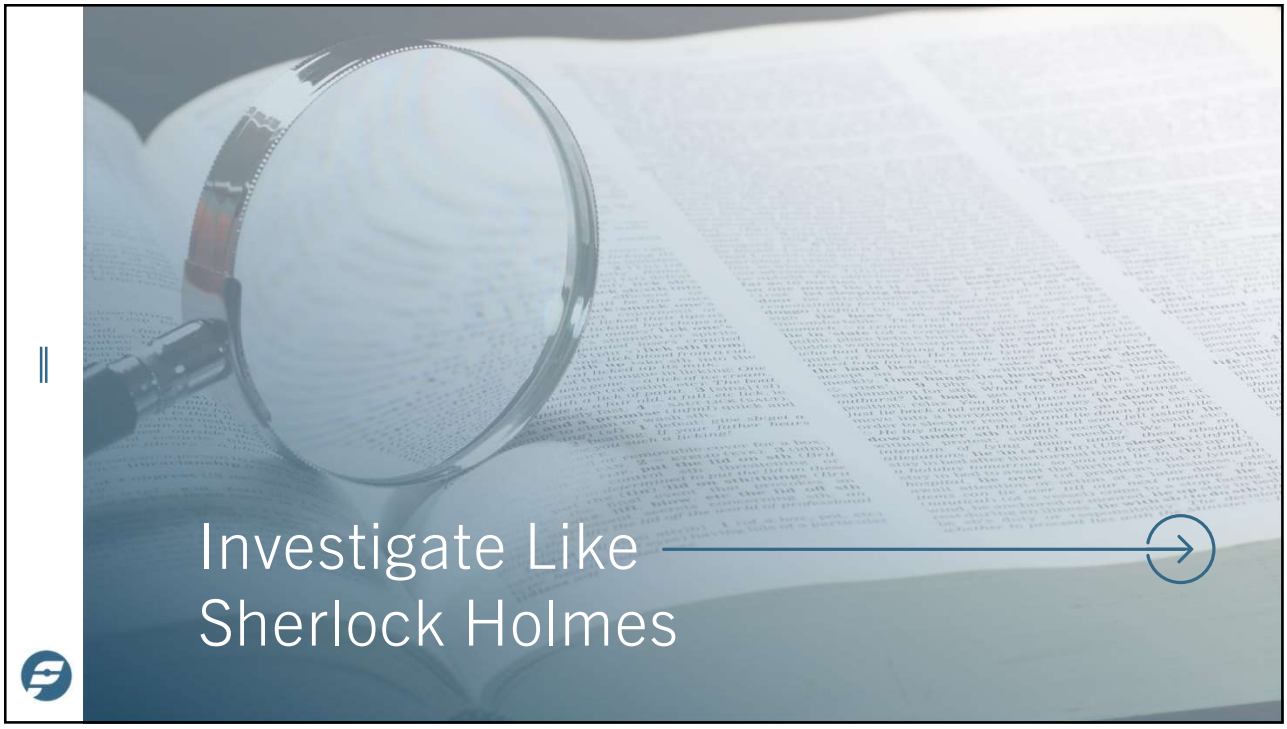



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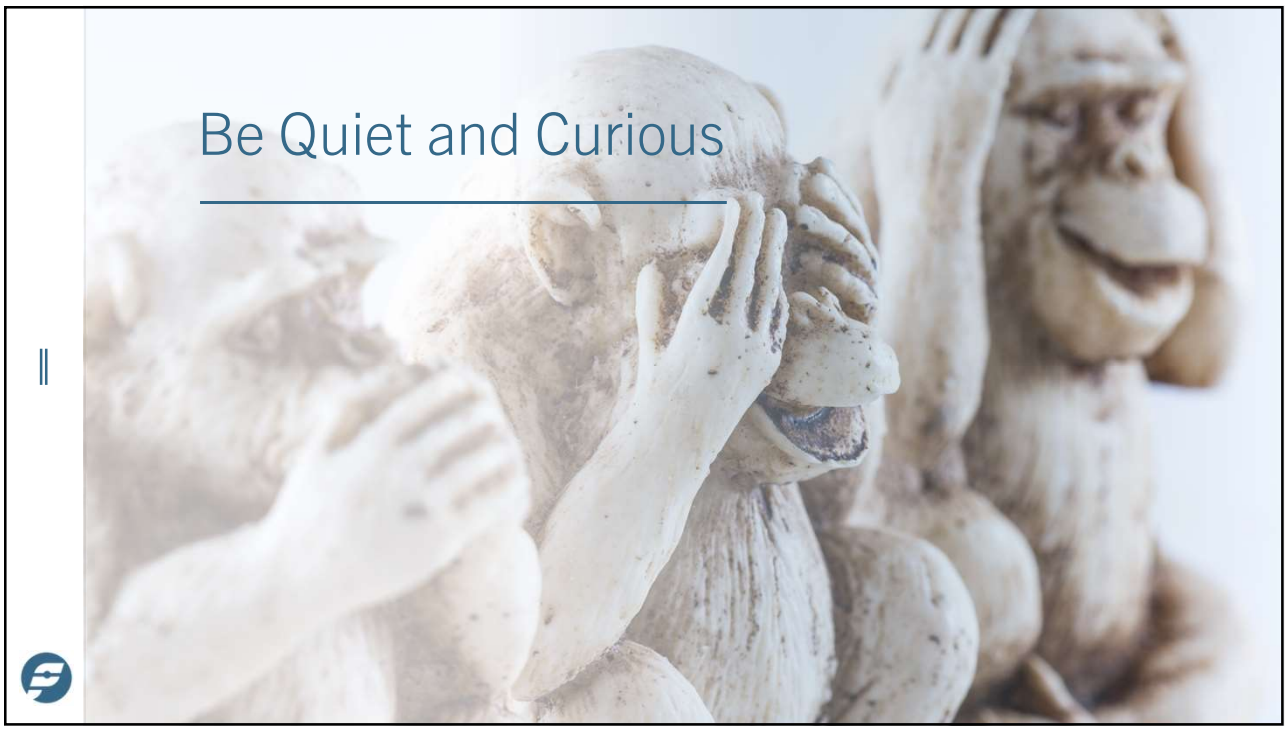
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QUESTION
HYPOTHESIS
EXPERIMENT
OBSERVATION
ANALYSIS
CONCLUSION
Be a Scientist

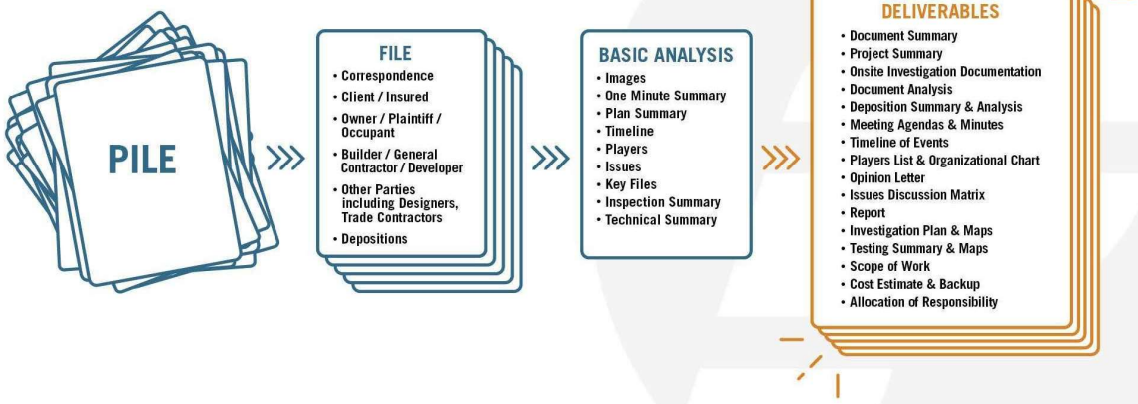
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# Be Thorough



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# Be Systematic & Organized




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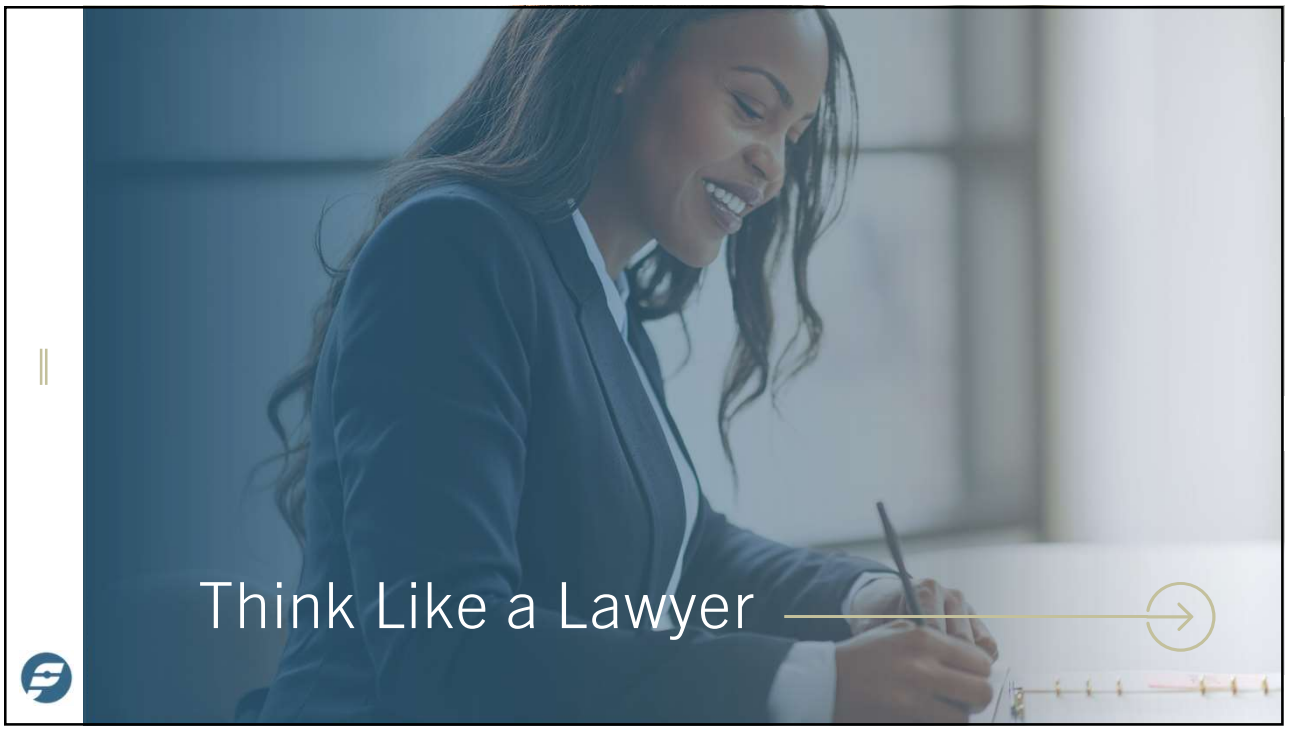



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# Be Right



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Write Reports Conforming With
the Federal Rules of Evidence

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## Explanatory Journalism

"If you can't explain it, you don't understand it well enough."

- Not Einstein

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Write Excellent Billing Entries
Billing Details
Service
Billing Date
12/28/20
Billing Period
10/01/19 - 12/30/20
Days of Service
90
Billing Type
Usage
Rate per CCF
Charges
Water Volume
17 CCF
$ 5.252
Sewer Volume
Stormwater Off-site
Stormwater On-site
15 CCF
$ 11.080
$ 89.28
Clean River Rewards (100% of On-Site Stormwater Charge)
Portland Harbor Superfund
Base Charge
$ 166.20



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# Be Credible & Trustworthy



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# Be Prepared



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# Be Approachable and Humble



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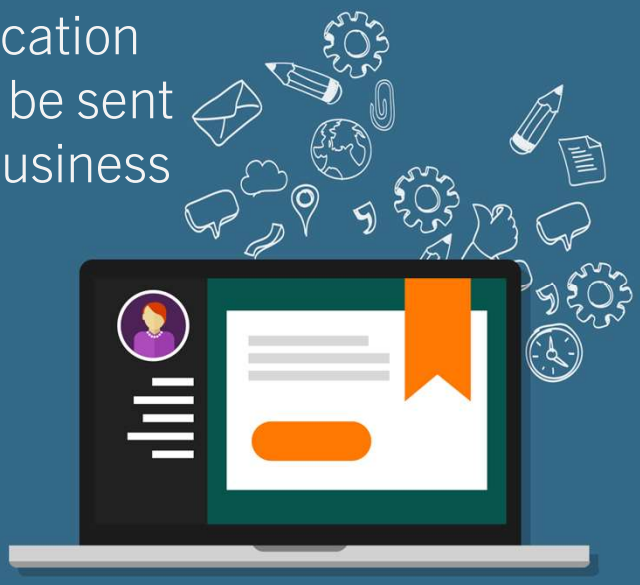

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# Learning Objectives

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Continuing Education Certificates will be sent out within ten business days.



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WEBINAR
FRIDAY, JANUARY 31ST, 2025 @ 10:00AM PT
Investigating and Estimating Fire Claims
With Dan Bonelli and Parker Anderson

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