Pete Fowler CONSTRUCTION Services, Inc.

Audience Handout Package

Date:	12/13/2024
To:	
From:	Pete Fowler Construction Services, Inc.
Project:	Admissibility of Expert Testimony Webinar 3/20/2025 (PFCS 24-0919)
Regarding:	Audience Handout Package

Meet the Panel

Judge Chad Allred

MEDIATOR / ARBITRATOR - JAMS MEDIATION, ARBITRATION AND ADR SERVICES

Judge Chad Allred (Ret.) mediates and arbitrates complex civil disputes for parties and counsel throughout the United States. Judge Allred is a member of the JAMS Global Engineering and Construction Group and especially enjoys challenging construction, business, commercial, and insurance disputes. He also has extensive experience in estate/trust, real property, employment, securities, and serious injury cases. While serving on the Superior Court, Judge Allred presided over more than 230 trials, as well as numerous appeals from state agencies and courts of limited jurisdiction. He is known for his calm demeanor, reasoned decisions, and strong, fair case management.

Before joining the bench, Judge Allred handled trials and appeals in federal and state courts and litigated claims involving construction defects, securities fraud, franchising violations, racketeering, misappropriation of trade secrets, tortious interference, the Uniform Commercial Code (UCC), copyright infringement, breach of fiduciary duty, trust and estate disputes, consumer protection violations, breach of contract, bankruptcy, fraudulent conveyance, and healthcare reimbursement.

Eve Brackmann

PARTNER - MUNCK WILSON MANDALA LLP

Eve Brackmann is an accomplished partner in Munck Wilson Mandala's award-winning litigation group. Her real estate practice covers high-stakes litigation for various clients such as shopping center owners, developers, big-box retailers, lenders, hospitality, and cannabis clients. Her commercial real estate and business litigation practice covers disputes in both leasing and development, venture partnerships, manufacturer and distributor disputes, contract-related lawsuits, fiduciary duty, unfair competition, defamation, trade secrets, and anti-SLAPP lawsuits. Eve is active in the legal community, devoting her time to Orange County and Los Angeles County Bar Associations, California Women Lawyers, Women Lawyers Associations of Los Angeles and Orange County, the American Bar Association, and is a longtime member of the Banyard Inn of Court. Eve is a proud alumna of the University of Southern California, and the University of San Diego School of Law.

Pete Fowler

CHIEF QUALITY OFFICER - PETE FOWLER CONSTRUCTION

Pete Fowler is a construction consultant, professional cost estimator, President and Chief Quality Officer of Pete Fowler Construction, a licensed general building contractor in California, Nevada, and Oregon. Pete received a B.S. in Construction Management from CSU, Chico. He has held certifications from AAMA,ASPE, ICBO, and others. Mr. Fowler has published articles in national magazines, has been invited to speak by the most important groups in the building industry (AAMA, APRA, ASPE, ASQ, ASTM, BETEC,CAI, CLM, DBIA, ICC, NIBS, PLRB, RCI, etc.), and has composed and delivered hundreds of educational programs on building inspection & testing, estimating, quality & construction management, project management, and claims & litigation. Pete has experience with successful expert witness testimony, including Federal Court.

Attachments

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

Admissibility of Expert Testimony Webinar



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

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Admissibility of Expert Testimony

INTRODUCTION

In today's legal landscape, expert testimony is often crucial in litigation, arbitration, and mediation. However, courts apply rigorous standards to determine whether expert testimony is admissible. Lawyers and experts all over the U.S. must understand the standards for admissibility at the Federal and applicable state levels, to prevent valuable expert contributions from being excluded. For those practicing in California, the CA Supreme Court's decision in People v. Sanchez redefined the standards, significantly impacting how expert testimony is evaluated.

Our panel of experienced professionals will review the basics of the admissibility of expert work, describe strategies for ensuring admissibility, discuss real world examples through case studies, help the audience understand California's Supreme Court Case People v. Sanchez, and learn how the case impacted the law on hearsay. Through these insights, attorneys and claims professionals will gain a clearer understanding of the expert's role, the adversarial process, and ethical considerations in expert testimony.

This 60-minute webinar will equip participants with essential knowledge of the legal framework around expert testimony, along with practical strategies to enhance credibility, anticipate objections, and strengthen their cases through expert contributions.

PROGRAM OUTLINE

1. Introduction
2. Legal Standards for Expert Testimony in the U.S.
3. California-Specific Standards and Sanchez Implications
4. Challenges and Strategies in Expert Testimony Admissibility
5. Case Studies and Practical Applications
6. Ethics and Best Practices for Expert Witnesses
7. Conclusion

LEARNING OBJECTIVES

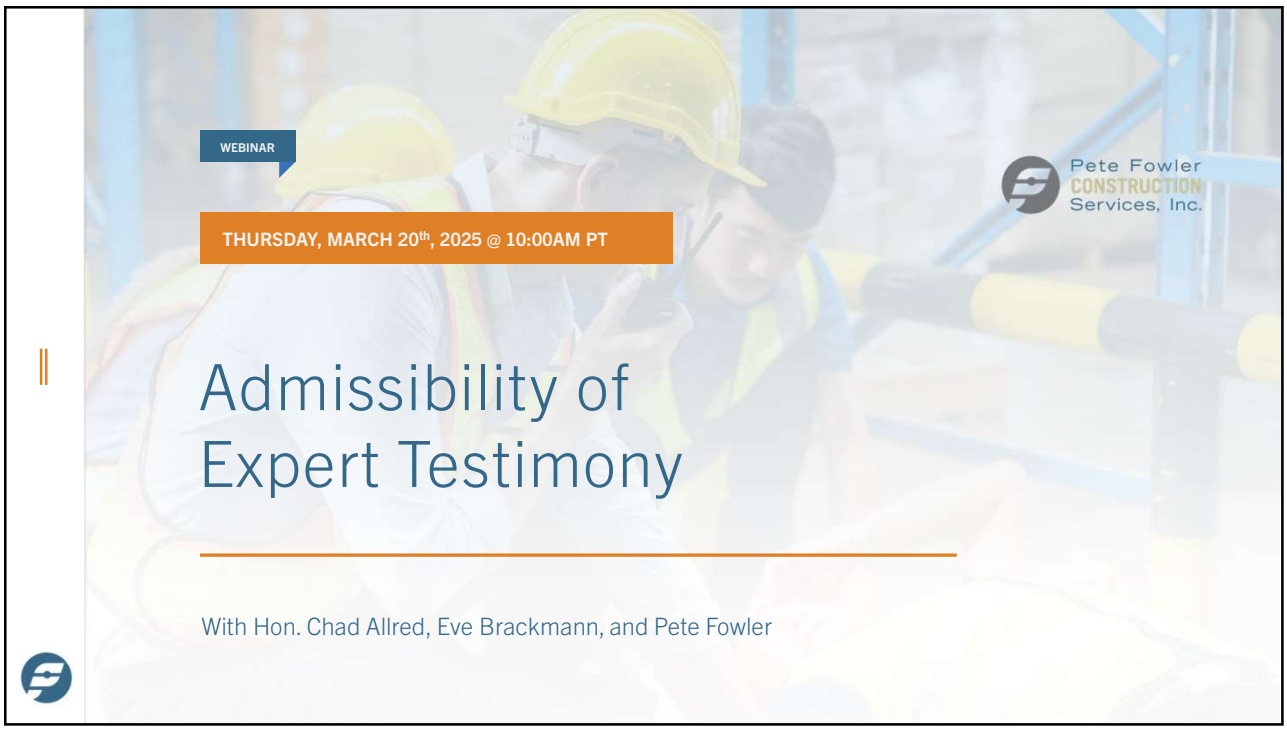
- Review the basics of the admissibility of expert work.
- Understand California's landmark Supreme Court Case, People v. Sanchez.
- Learn how People v. Sanchez impacted the law on hearsay.
- Describe strategies for ensuring the admissibility of expert work.
- Discuss real world examples through case studies.

PROGRAM CONTENTS

1. Introduction – 5 Minutes
    A. Who We Are
    B. Presenter Information
    C. Program Outline
    D. Introduction
    E. Learning Objectives
2. Legal Standards for Expert Testimony in the U.S. - 10 Minutes
    A. Overview
    B. Key Considerations
3. California-Specific Standards and Sanchez Implications - 10 Minutes
    A. Overview of People v. Sanchez
    B. Impact on California Courts
4. Challenges and Strategies in Expert Testimony Admissibility - 10 Minutes
    A. Common Challenges
    B. Mitigating Risks
    C. Examination Strategies
5. Case Studies and Practical Applications - 10 Minutes
    A. Illustrative Case Studies
    B. Practical Guidance
6. Ethics and Best Practices for Expert Witnesses - 10 Minutes
    A. Ethical Considerations
    B. Professionalism
    C. Emerging Trends & Challenges
7. Conclusion – 5 Minutes
    A. Continuing Education
    B. Feedback

BACKUP MATERIALS

1. Good Experts... Investigate Like Sherlock Holmes, Think Like Lawyers, Write Like Journalists, and Present Like Walter Cronkite by Pete Fowler
2. Civil Litigation Basics for Construction Professionals by Pete Fowler
3. Experts May Rely on Hearsay . . . Except When They May Not by Davis Allgood with the ABA


WEBINAR
THURSDAY, MARCH 20th, 2025 @ 10:00AM PT
Pete Fowler
CONSTRUCTION
Services, Inc.
Admissibility of
Expert Testimony
With Hon. Chad Allred, Eve Brackmann, and Pete Fowler

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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



Fire Claims

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Meet our Presenters



Pete Fowler

Chief Quality Officer
Pete Fowler Construction



Hon. Chad Allred

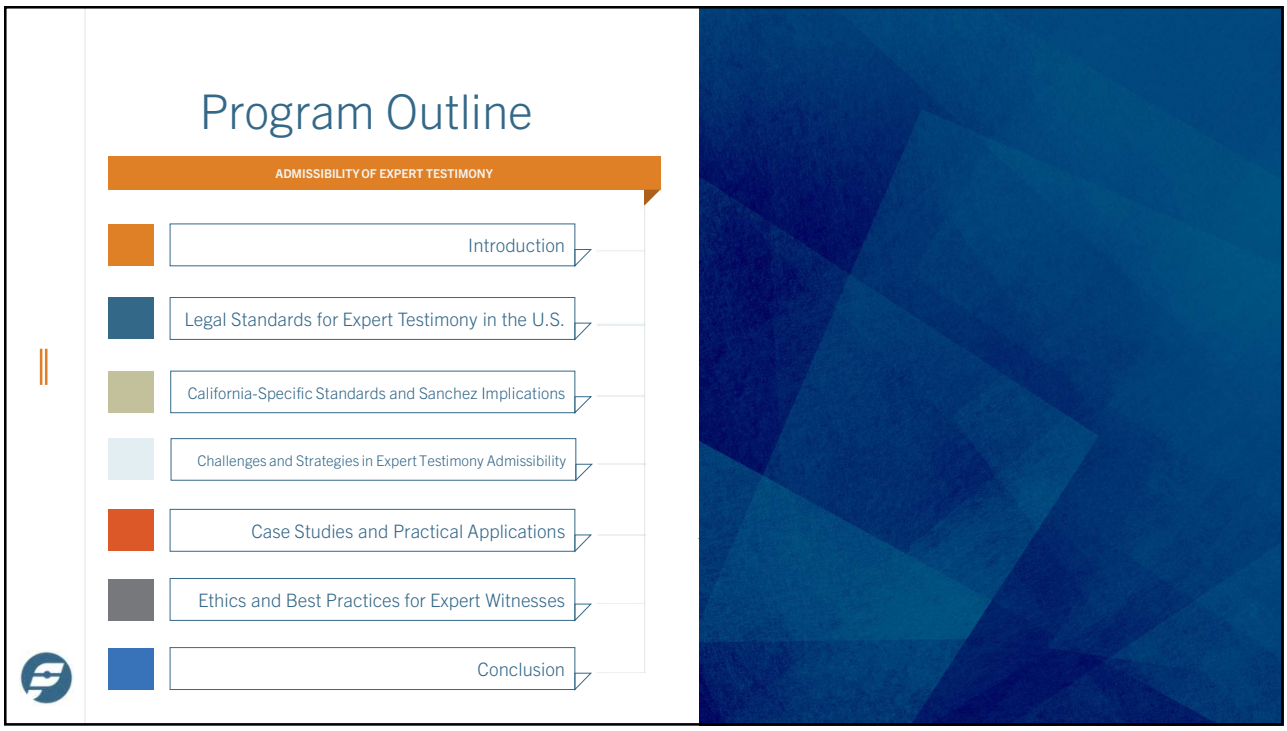
Mediator and Arbitrator
Jams ADR



Eve Brackmann

Partner
Munck Wilson Mandala LLP

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Program Outline
ADMISSIBILITY OF EXPERT TESTIMONY
Introduction
Legal Standards for Expert Testimony in the U.S.
California-Specific Standards and Sanchez Implications
Challenges and Strategies in Expert Testimony Admissibility
Case Studies and Practical Applications
Ethics and Best Practices for Expert Witnesses
Conclusion

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Learning Objectives

- Review the basics of admissibility of expert work.
- Understand California's landmark Supreme Court Case, People v. Sanchez.
- Learn how People v. Sanchez impacted the law on heresay.
- Describe strategies for ensuring the admissibiliy of expert work.
- Discuss real world examples through case studies.

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Overview

- Daubert
- Frye Standards
- Federal Rules of Evidence



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Key Considerations

- Relevance, reliability, and the qualifications of an expert
- Court expectations on methodologies



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California Specific Standards and Sanchez Implications
CALIFORNIA REP

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Challenges and Strategies
in Expert Testimony
Admissibility
EXPERT
WITNESS

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Common Challenges



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Examination Strategies
Direct Examination
Cross Examination
Re-direct Examination

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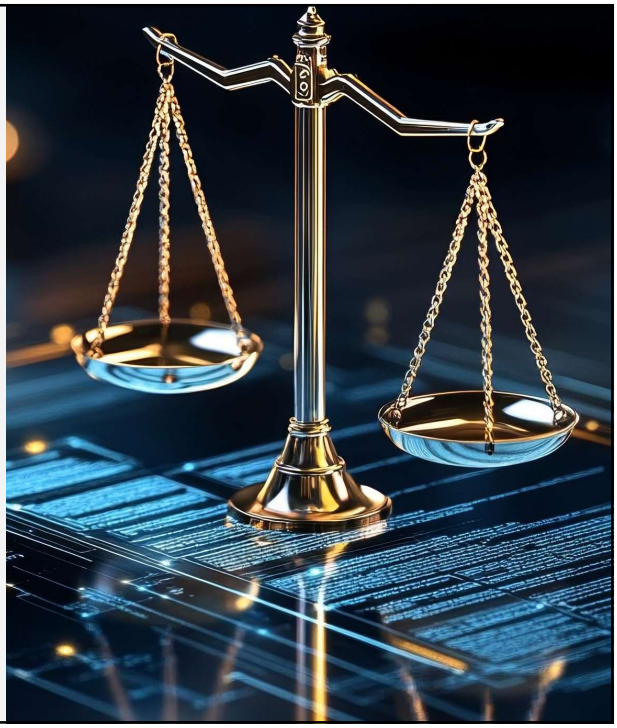


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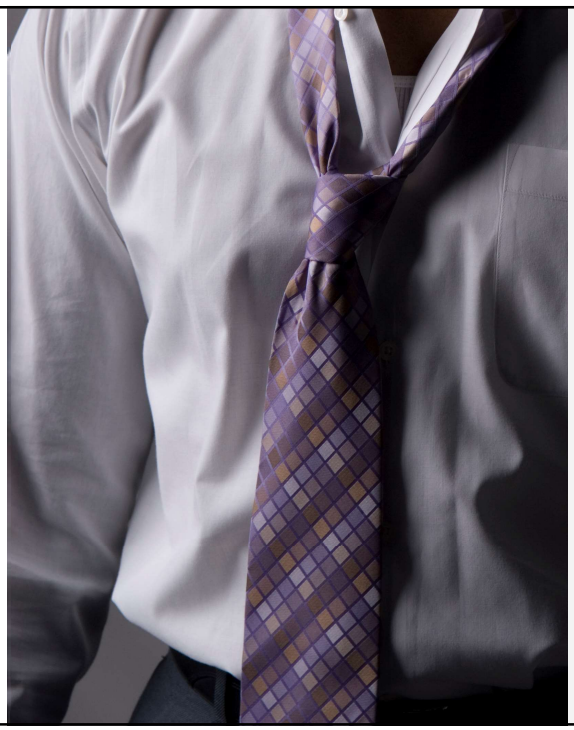


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Ethical Considerations



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Professionalism

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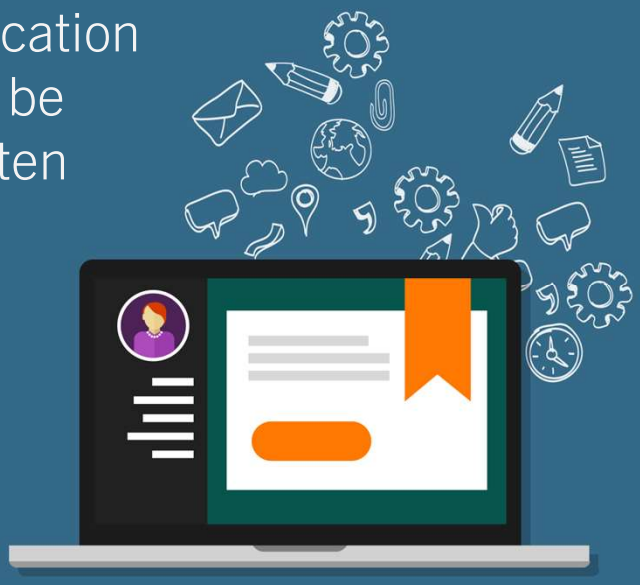
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Learning Objectives

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



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WEBINAR
FRIDAY, APRIL 25TH, 2025 @ 10:00AM PT
Construction Defects from the Developer & GC Perspective
With Don Gifford, Pete Patterson, Walter Nelson, and Domingo Tan

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