



# THE CENTER FOR FORENSIC ECONOMIC STUDIES

Economic and statistical analysis and testimony since 1980

Personal Injury / Wrongful Death ■ Commercial Matters ■ Labor & Employment

## 2019 Program Catalog: CLE Seminars and Associate Training Programs

In addition to providing forensic litigation support, economists at the Center for Forensic Economic Studies present seminars and training to law firms, bar associations, claims departments and other professional groups. The Center for Forensic Economic Studies is accredited as a provider of New Jersey, New York and Pennsylvania CLE.

To arrange for a program at your firm or office, to obtain sample course materials or to find out more about our programs, contact the Center for Forensic Economic Studies at 1-800-966-6099 or [cfes@cfes.com](mailto:cfes@cfes.com).

"The lawyers indicated that your seminar was far more productive and worthwhile than some general run-of-the-mill CLE presentation. Everyone appreciated that the program was interactive. This was an invaluable training program that allowed our associates to gain experience in the examination of experts. Thanks for taking the time to present the seminar. We look forward to working with you in the future."

— JONATHAN M. FIELD,  
PARTNER, MINTZER SAROWITZ ZERIS LEDVA & MEYERS LLP

"The program presented by the Center economists at our firm gave our attorneys an opportunity to hone their expert witness examination skills by preparing for and conducting simulated de bene esse depositions. The economists shared their experiences in dealing with real-world damages issues and our attorneys gained insight into how to present damages arguments more effectively. It was a very worthwhile experience and I recommend the Center's CLE programs."

— LAWRENCE J. SCHEMPP,  
DIRECTOR OF PROFESSIONAL DEVELOPMENT AND TRAINING  
MARSHALL, DENNEHEY, WARNER, COLEMAN & GOGGIN

Center economists have presented programs recently at many leading firms and institutions, including:

- Rutgers, Temple, Drexel and Villanova Law Schools
- Margolis Edelstein
- Marshall, Dennehey, Warner, Coleman & Goggin
- Deasey, Mahoney, Valentini & North
- Forry Ullman
- German, Gallagher & Murtagh
- Weber Gallagher Simpson Stapleton
- Fires & Newby
- Stevens & Lee
- Chartis Insurance
- U.S. Attorney's Office, Newark, NJ
- Bryan Cave
- DRI
- NBI
- Cozen O'Conner
- Ballard Sparh

# PROGRAMS

## ■ Examination of the Economic Expert Witness

This hands-on program gives participants practice in direct and cross examination of expert economists. Participants work with Center economists in planning direct economic testimony and cross examination strategy, then conduct direct and cross examinations of economic “witnesses.” Attendees receive the fact pattern and expert-economist reports prior to the program. Half the attendees are assigned to represent the plaintiff and half are assigned to represent the defendant. At the program, attendees consult with their experts, lead the expert through direct testimony, then engage in a mock cross examination of opposing experts. The examinations are then critiqued by experienced litigators.

## ■ Presenting the Personal Injury Case: The Economist’s and Jury Consultant’s Perspectives

This program addresses how to make an effective presentation on damages in court, from the perspectives of the expert economist and the jury consultant. Center economists explain what issues need to be addressed to present a clear picture of the reasonable extent of damages, and a jury consultant addresses effective presentation techniques. The program focuses on a hypothetical case involving a car crash severely injuring a family of four.

## ■ Damages Issues in Personal Injury and Wrongful Death Claims

This practical program covers the basic issues involved in constructing a coherent, credible damages claim or defense, providing a step-by-step guide to the preparation and presentation of the damages argument. Participants learn what information to gather to make a comprehensive case, how to use that data to build a compelling argument and how to present that argument effectively at settlement negotiations and in court. Course materials include check-lists of information the economist needs to put together a comprehensive analysis of damages.

## ■ Damages Issues in Employment Claims

Economic damages in employment matters differ significantly from damages in injury cases. One key difference is that damages in employment cases are not permanent — the plaintiff’s efforts to mitigate damages are crucial to valuing actual damages. This course covers basic issues in employment damages: will the plaintiff, given the relevant job market, be able to mitigate? If so, how long should it take for the plaintiff to find substantially similar employment? How should fringe benefits and other non-salary compensation be valued? Participants will learn what data to gather to determine actual damages, how to use that data in the damages argument and how to present that argument effectively at settlement negotiations and in court.

## ■ Commercial Damages: Accounting and Financial Concepts

While each commercial-damages claim is unique, certain underlying principles of lost-profit analysis remain constant. This program outlines key issues in lost-profit analysis and guides participants through the elements of discovery, the calculation of actual loss and the presentation of the damages case. Presenters explain the role of balance sheets, income statements and other business documents typically relied on in commercial-damages analysis. The discussion includes several examples from actual cases, showing the uses and shortcomings of various approaches to commercial-damages analysis.

## ■ Preparing and Presenting the Catastrophic Damages Case

Preparing and presenting an effective, comprehensive damages claim or defense in a case involving significant, catastrophic loss requires the coordination of several experts and a thorough understanding of the roles of each of the experts, what each expert will need in terms of discovery, and how the contributions of each expert are best integrated into the damages argument and presented at settlement negotiations and at trial. This program highlights the major issues involved in preparing and presenting an effective damages case, from both the plaintiff and defense perspective. In addition to Center for Forensic Economic Studies economists, an experienced vocational expert and a life-care planner explain their roles, and a jury consultant explains effective presentation techniques.

The CLE presentations are usually an hour in length, with the exception of Preparing and Presenting the Catastrophic Damages Case and Examination of the Expert Witness, which are half-day programs. Presentations are free to Center for Forensic Economic Studies client firms and to prospective clients. Contact the Center to arrange for a program or to learn more.