



**Expert Witness
Workshop & Mock Trial
HoustonAppraisers.org**

**September 17, 2020
8:00 am - 6:00 pm**

**Texas Justice Center
HoustonAppraisers.org**





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Welcome to the First International



**Expert Witness
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Howdy from Houston and Welcome!
to the first International Expert Witness
Workshop & Mock Trial!

The Houston chapter of the American Society of Appraisers hosts this workshop and welcomes everyone! Expert witnesses from around the world are joining us to explore, learn, connect, and network. Attendees comprise an audience of experts in appraisal fields of business valuation, personal property, machinery and technical specialties, jewelry, and real property, and also from professions of construction defect, the energy industry, architects, engineers, clinical psychology, shipping and crating damages, and more—a vast array of professionals who specialize in areas and also offer litigation services, or are considering them.

An online attendance option has provided an international audience of professionals attending in states spanning the U.S., and also attending in Singapore, Australia, Canada and Mexico!

Workshop committee members are very much appreciated for unending work in planning, organizing and marketing this event. Sincere thanks and gratitude are given to fellow Houston ASA colleagues.... Pamela Bensoussan has been the constant coordinator for registrations, marketing and managing the website. I give many thanks of gratitude to her endless hours to make this day occur. Georgie Stillman, Beth Hurst, Bill Banfield, Cameron Tipton, and Scott Miller, our ASA Region 3 Governor, are all appreciated for contributions in creating this stellar expert-focused educational opportunity. *Many thanks, y'all!*

This workshop is also indebted to our amazing presenters and mock trial participants who have given their time and efforts to provide insight, guidance, experiences and more. The Committee has great gratitude for Honorable Devon Anderson, and counselors Joshua Wood, Debra Norris, Denise Peterson, Nick Rishwain and Stephanie Harp—thank you all!

Let's learn—connect—network—and share.....

the day is now in session!

Melanie Modica, ASA, ARM, CFLC
Expert Witness Workshop & Mock Trial Chair

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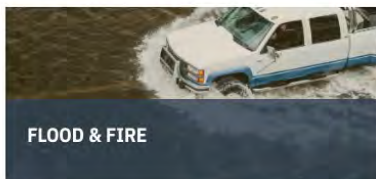
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EXPERT WITNESS WORKSHOP & MOCK TRIAL

September 17, 2020

8:00 am – 6:00 pm

Schedule

7:30 – 8:15 am - **Registration & Breakfast**

Morning Sessions:

8:15-8:30 - *Welcome & Introductions*

by Event Chair **Melanie Modica, ASA, ARM-PP, CFLC**

8:30-9:00 - *Approach the Bench*

KEY NOTE SPEAKER: Devon Anderson, JD

Former Harris County District Attorney

9:00-10:00 - *Testimony Train Wrecks and Tips for Experts*

Debra Norris, P.C.

10:00 – 10:15 - **Break**

10:15-11:15 - *Implicit Bias & The Expert*

Denise Peterson, JD, FCI Arb

11:15-12:15 - *The Expert Witness Report*

Joshua Wood, JD, MAI, AI-GRS

12:15–12:30 - **Door Prizes, Break, Box Lunches Served**

Lunch Session:

12:30-1:20 - *Social Media & the Expert Witness*

Nick Rishwain, JD

1:20-1:30 - **Break**

Hon. Devon Anderson, JD

Keynote Address, *Approach the Bench*

8:30-9:00



Devon Anderson has devoted her career to public service. She was a prosecutor for 12 years at the Houston DA's office and tried over 100 felony jury trials, including 7 capital murders.

She left the Harris County District Attorney's Office in 2005 after being elected to serve as State District Judge in the 177th Criminal District Court. While serving as District Judge, Devon also volunteered her time to preside over one of four STAR Drug Courts.

In 2009 Devon left the bench and started her own criminal defense firm. In November 2012, Devon left her practice when her husband was elected Harris County District Attorney.

In 2013, Devon was appointed Harris County District Attorney to succeed her late husband, Mike Anderson. In November 2014, Devon was elected by the voters of Harris County to finish out his term. After serving in that position for over three years, Devon decided to transition from the legal profession to nonprofit work.

She is now the CEO and President of Justice Forward, a nonprofit dedicated to supporting individuals in the 18 Houston Specialty Courts.

Notes _____



Debra Norris, P.C.,

Attorney at Law

Testimony Train Wrecks & Tips for Experts

9:00 - 10:00



Ms. Norris is an electrical engineer and practicing attorney. Her background includes a career building plants in the oil, gas and chemical industries. She represents owners, suppliers, contractors, subcontractors, and design professionals in matters involving resolution of damages, valuations and appraisal disputes. Debra

teaches construction law at the graduate school of Civil and Environmental Engineering in the Cullen College of Engineering at the University of Houston. She is licensed by the Supreme Court of Texas and the Southern District of Texas and is available as an arbitrator in a variety of technical disputes. Debra Bourn Norris has been recognized as a Top Houston Lawyer in construction law by "H Texas" magazine in 2012, 2013, 2014, 2015, 2016, 2017, and 2018. She offices and practices in Houston.

Notes _____

Denise Peterson, JD

Implicit Bias & The Expert

10:15 - 11:15



Denise Peterson is a full-time professional neutral, focusing her practice exclusively on alternative dispute resolution services. She mediates both civil and probate cases and is on several arbitration panels. In addition to being a licensed attorney in Texas and New York, she is a solicitor to the Senior Courts of England and Wales. Both a

Fellow of the Chartered Institute of Arbitrators and Vice-Chair of the North American Branch of the organization, her goals include attracting more law students to the organization as well as improving diversity. Ms. Peterson is a member of the Texas Bar Honors College and a volunteer mediator for the Harris and Montgomery County Dispute Resolution Centers. She offices in Houston.

Joshua Wood, JD, MAI, AI-GRS

The Expert Witness Report

11:15-12:15



Joshua Wood is Managing Director of Litigation for Valbridge Property Advisors, Houston. Mr. Wood is a state certified general appraiser in Arizona, Texas, Louisiana and Colorado. He holds the MAI and AI-GRS designations from the Appraisal Institute and is a member of the State Bar of Arizona. He is also an arbitrator on the Construction

Panel of the American Arbitration Association.

As an instructor for the Appraisal Institute, Mr. Wood teaches litigation and regulatory compliance and serves as a course reviewer. He is also an instructor for the International Right of Way Association and is an AQB Certified USPAP Instructor for the Appraisal Foundation. He has presented lectures for bar associations and national conferences and has been published in law reviews and journals.

Mr. Wood's professional work is focused on appraisals and consultation for litigation. His opinions have been used in conjunction with a variety of legal disputes, including property tax, condemnation, bankruptcy, construction defect, breach of contract, title defect, environmental contamination, partition and estate tax.

Mr. Wood enjoys baseball, playing guitar and spending time with his wife and two children.

Nick Rishwain, JD

Social Media & the Expert Witness

12:30-1:20



Nick Rishwain, JD, is the Vice President of Client Relations & Business Development for Experts.com, and primary author of the company blog. Formerly a local government employee, Nick was frustrated with the inefficiency that plagues government and bureaucracies at all levels. With a passion for law and technology he

took a position with a legaltech company, Experts.com, where he has been able to use his legal education to make litigation more efficient and cost effective. Having been in the legaltech field for nearly 10 years, Nick has a deep desire to improve access to justice and lower the cost of legal services through the use of technology and collaboration.

Nick is fully immersed in legal technology professionally and personally. In his own time, he is the co-creator and co-host of a live video legal technology show called LegalTechLIVE. The show has been online for more than three years and presently focuses on legal technology startups under one year of age. The show promotes the legal technology startup journey. Nick is proud uncle of three nieces and one nephew. He is also an avid dog lover.

Jeff Hunt MBA, CGR, GMR, GMB,
CAPS, CGP, HCI-R, HCI-W, CFLC
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**Denise Ereka
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Mock Trial

The Good, The Bad, and The Remotely

CASES and PLAYERS



Joshua Wood, JD, MAI, AI-GRS
Courtroom Lead (in person)
Counsel on Direct



Stephanie Harp, JD
Remote Counsel
Counsel on Cross



Georgie Stillman, ASA
Session One: It's Not Real?
Antiques and Decorative Arts Appraiser
Expert Witness



Cameron Tipton, ASA, ARM-MTS
Session Two: More Money!
Aircraft, Machinery & Technical Specialties Appraiser
Expert Witness



Jeff Hunt, CGR, GMR, GMB, CAPS, CGP,
MBA, HCI-R, HCI-W, CFLC
Session Three: To Beam or Not to Beam,
That's the Expert's Question
Construction Defect Specialist
Expert Witness

Trial Schedule

1:30-5:45

Session One (70 minutes, 1:30-2:40)

It's Not Real?

Identification and Value of Glass Chandelier

2:20 - 2:40 Panel Q&A

2:40 - 2:45 (5 minute break)

Session Two (70 minutes, 2:45-3:55)

More Money!

Helicopter Diminution of Value - REMOTE TESTIMONY, via Zoom

3:35 - 3:55 Panel Q&A

3:55 - 4:05 (10 minute break)

Session Three (70 minutes, 4:05-5:15)

To Beam or Not to Beam, That's the Expert's Question

Construction Defect in Home

4:55 - 5:15 Panel Q&A

That's a wrap!

5:15 - 5:45 (30 minutes)

Overall Trial Q&A Panel Discussion

5:45 - 5:55 Closing Remarks & Door Prizes

6:00 - 6:30 Networking Reception

Storyline

INCIDENT

A mechanic, at Acme Flying Inc., services an Augusta Westland AW101, 2017 helicopter prior to use. Mistakenly, the lineman fueled the helicopter with AVGAS, a fuel for piston airplanes, while the unit requires Jet A fuel, which is commonly known as 'jet fuel.' Shortly into the flight and because of the incorrect fuel, the engine fails and an emergency landing ensues.

The pilot performs an autorotation maneuver and maintains rotor blade movement while attempting to ground the machine and survive. The pilot lands the helicopter in a residential neighborhood, in the front yard of a multimillion-dollar home. During the landing, the rotor blades clip a 16x16 foot wall of windows. One blade breaks off and punctures the hull (body) of the helicopter, then the unit bounces and strikes the brick wall adjacent to the window. When the blades contact the brick, stoppage shatters the rotors and damages the engine.

Additionally, another blade sheers off and strikes a beam in the home, near the window wall. A portion of the beam sheers loose and fails, causing additional damage. This beam damages part of the home that was not struck by the helicopter. The beam is determined to be improperly spliced, while the architectural plans for the home built in December of 2018 require one solid beam. An engineer did not approve and stamp the construction plans for the beam splice.

Inside the home, an antique Tiffany chandelier is shattered and the pieces have been properly retained and stored. The homeowner shares pre-loss photographs of the chandelier installed in the home.

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lwhite@bvagroup.com

EVC Event Co-Chair: **Carol Akers Klug**

caklug@swbell.net

EVC Event Co-Chair: **Michael Morgan**

michael@houstonvaluation.com

Session One (70 minutes, 1:30-2:40)

It's Not Real?

Identification and Value of Glass Chandelier

Homeowner (plaintiff) Miss Fortunate, not in attendance

v.

CoverMe Insurance Company (defendant), not in attendance

DISPUTE: The glass chandelier is misidentified, as research appropriately identifies it to be a reproduction piece.

Inaccurate Identity of Tiffany Chandelier

DIRECT Counsel for defendant: Joshua Wood, JD, MAI, AI-GRS

CROSS Counsel for the plaintiff: Stephanie Harp, JD

Expert Witness for the defense: Georgie Stillman, ASA

Appraisal Review & Management

Discipline Specific Designation

Hosted by the Houston chapter
AR201 — November 12, 13, 14, 2020
AR204 — February 2021

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Notes _____



Session Two (70 minutes, 2:45-3:55)

More Money!

Helicopter Diminution of Value – REMOTE TESTIMONY, via Zoom

Helicopter Owner (plaintiff) Mr. McFly, not in attendance

v.

CoverMe Insurance Company (defendant), not in attendance

DISPUTE: The helicopter owner disputes the diminution of value with his insurance company.

Helicopter Diminution of Value

DIRECT Counsel for the plaintiff: Joshua Wood, JD, MAI, AI-GRS

CROSS Counsel for defendant: Stephanie Harp, JD

Expert Witness for the plaintiff, Mr. Cameron Tipton, ASA, ARM-MTS



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Session Three (70 minutes, 4:05-5:15)

To Beam or Not to Beam, That's the Expert's Question

Construction Defect in Home

Homeowner (plaintiff) Miss Fortunate, not in attendance

v.

CoverMe Insurance Company (defendant), not in attendance

DISPUTE: Damage to the home may not have been caused by the helicopter incident.

Damage Caused by Helicopter, Not Spliced Beam

DIRECT Counsel for the plaintiff: Joshua Wood, JD, MAI, AI-GRS

CROSS Counsel for defendant: Stephanie Harp, JD

Expert Witness for the plaintiff: Jeff Hunt, CGR, GMR, GMB, CAPS, CGP, MBA, HCI-R, HCI-W, CFLC



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Counselors

Joshua Wood, JD, MAI, AI-GRS Courtroom Lead and Counsel for Direct (live)

Joshua Wood is Managing Director of Litigation for Valbridge Property Advisors, Houston. Mr. Wood is a state certified general appraiser in Arizona, Texas, Louisiana and Colorado. He holds the MAI and AI-GRS designations from the Appraisal Institute and is a member of the State Bar of Arizona. He is also an arbitrator on the Construction Panel of the American Arbitration Association.

As an instructor for the Appraisal Institute, Mr. Wood teaches litigation and regulatory compliance and serves as a course reviewer. He is also an instructor for the International Right of Way Association and is an AQB Certified USPAP Instructor for the Appraisal Foundation. He has presented lectures for bar associations and national conferences and has been published in law reviews and journals.

Mr. Wood's professional work is focused on appraisals and consultation for litigation. His opinions have been used in conjunction with a variety of legal disputes, including property tax, condemnation, bankruptcy, construction defect, breach of contract, title defect, environmental contamination, partition and estate tax.

Stephanie M. Harp, JD Counsel for Cross (remote)

For nearly 15 years Stephanie Harp has been handling commercial and construction litigation, insurance defense, first party coverage litigation, subrogation and personal injury cases from initial referral, through trial and appeal with success in 1st chair jury, bench trials, and appeals.

She is admitted to practice in the State of Texas, in all four Federal districts within the State of Texas in District and Bankruptcy court, as well as before the 5th Circuit Court of Appeals.

Ms. Harp uses the skills obtained in her extensive trial and appellate experience in both State and Federal Courts to obtain the best possible results for her clients. A strong work life balance makes for an effective professional.

Expert Witnesses

Georgie Stillman, ASA Antiques & Decorative Arts Appraiser

Georgie is an Accredited Senior Appraiser of the American Society of Appraisers, certified in Personal Property with credentials in Antiques and Decorative Arts and Residential Contents. She has held multiple leadership positions in the ASA organization beginning in 1978, including San Diego Chapter President, International Board of Examiners, State Deputy Director ASA, Co-Chair ASA regional seminars, and Personal Property IC Education Program Facilitator. She is currently Secretary of the Houston ASA Chapter.

Georgie was a Founding Direct and Board Member of the International Society of Appraisers (ISA) and was honored by ISA with an Outstanding Service Award (1980-85). She was awarded a Life Membership for Outstanding Service to the Appraisal Profession by ASA in 2006. Georgie taught and wrote many courses on appraisal methodology and has published numerous articles on antiques and the appraisal profession. She lectures on many topics including antique silver– she is a nationally recognized silver expert.

She has prepared appraisals for many high worth collections for Estate and Divorce purposes. Additionally, she has a long career in consulting and testifying as a forensic expert witness in California courts.

Cameron Tipton, ASA, ARM-MTS **Aircraft, machinery & Technical Specialties Appraiser**

Cameron is an Accredited Senior Appraiser in Machinery & Technical Specialties, specializing in Aircraft, and is also accredited in Appraisal Review and Management (ARM) within MTS. Cameron came into the valuation space after a tenure of aircraft brokerage and leasing that lead to the co-founding of Flight Level Partners, an aircraft brokerage and valuation firm, based in Houston, Texas. Cameron is an active member of the ASA community and specializes in performing valuations for financial institutions, attorneys, and accounting firms across the US. Cameron is a VP of Houston ASA Chapter and a member of the international ARM Committee.

Jeff Hunt, CGR, GMR, GMB, CAPS, CGP, **MBA, HCI-R, HCI-W, CFLC** **Construction Defects Specialist**

Jeff Hunt is the President of Jeff Hunt Construction, an award-winning design-build firm. His experience includes commercial projects up to \$125 million such as luxury hotels, hospitals, schools, and airports. His residential experience includes custom home building and remodeling projects up to \$750,000.

He has been retained as a testifying expert in over 400 cases in both state and federal courts, achieving successful resolutions through both settlement and verdict. Testifying on behalf of both plaintiffs and defendants, he has opined on damage causation, repair costs, duty of care, contract disputes and construction defects. He has also served as umpire and appraiser in insurance appraisal cases and as an arbitrator in construction defect matters.

In addition, Jeff has over 10 years of experience as a strategic and information technology consultant, beginning with a career at Andersen Consulting. Backed by a strong background in both business and construction, he is regarded as an accomplished speaker and instructor, as well as a highly credible expert witness and ADR specialist.

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