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FOR IMMEDIATE RELEASE:

MAXIMIZING EXPERT WITNESS ANALYSIS AND TESTIMONY IN CONSTRUCTION LITIGATION CASES

(New Jersey) When a construction lawsuit or potential lawsuit arises, clients tend to expect their cases to be resolved quickly, inexpensively, and in their favor. Yet the tools that attorneys have available to successfully navigate construction law and legal proceedings also have limits when analyzing the functional and operational details of many cases. Expert witnesses can offer deeper insights that are critical to resolving construction disputes at this level.

"The more time you deal with construction, the more knowledge you gain about the problems that often lead to litigation and the ways in which these conflicts can be resolved" notes Jeffrey Kozek, Principal of Resolution Management Consultants, Inc. "Unfortunately, some lawyers lose out opportunities gained with this knowledge, even after hiring our team as expert witnesses, because they're hesitant or unsure of how to apply our expertise so they can achieve more positive results for their clients."

Kozek identifies 4 ways lawyers can more effectively utilize an expert's knowledge in their construction litigation cases:

- **Asking more targeted questions.** In interrogatories and during depositions, utilize a construction expert's knowledge to develop a more technical line of questions that can help to better pin down an adversary on their specific position or strategy.

- **Gauging when to settle.** When both sides have more information about the conflict, particularly from outside personnel, they may begin to assess the case differently. In understanding the reality of the situation, many people realize their standing is not as strong as they were led to believe and they will be more willing to resolve the dispute rather than risk the time, cost, and aggravation of proceeding with litigation.
- **Clarifying with objective analysis.** Critical technical elements of cases may not be initially understood by all participants, including some decision-makers in the proceedings. Not only do construction experts provide an analysis of the particular project circumstances, but their experience can help bring everyone to the same degree of understanding about the project or conflict.
- **Narrowing the scope.** While clients or circumstances may still force disputes to go to trial, outlining an expert's opinion in deposition or mediation can strip away the extraneous details of a case. Focusing the proceedings on a lynchpin element of the dispute further streamlines research and arguments on the way to more successful outcomes.

Explains Kozek, "our role as both consultants and expert witnesses when construction conflicts are about to be or are already in the legal process is to offer relevant information about the specific issues and how they affected the project. There's no reason to risk leaving opportunities or outcomes on the table by underutilizing the expertise of a witness already brought on as part of the proceedings."

About Resolution Management Consultants, Inc.

Resolution Management Consultants, Inc. (RMC) is a nationally recognized consulting firm headquartered in Marlton, NJ. There are two sides to the business: the construction planning and management aspect – helping clients build more successful projects – and the litigation aspect – should matters go to court, providing analysis and testimony as expert witnesses. Founded in 1993 by veterans in the construction, contracting and engineering professions, RMC has assisted numerous private owners, public

agencies and contractors in either achieving project goals or resolving cost and time disputes between the contracting parties.

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