



PDHonline Course G129A (8 PDH)

The Architect as a Consultant/Expert Witness

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The Architect as a Consultant/Expert Witness

MODULE #5: Case Study

This module presents a case study in the form of a work activity. These activities will provide insight into a portion of the activities that must be accomplished by a consultant/expert witness.

1. The Case

You are hired by an attorney as a consultant and expert witness to assist in a case where an operating electric ceiling fan in a restaurant had a blade break loose and strike a patron, severely injuring the patron's right (dominant) arm. Consider the roles of six different technical consultant/expert witnesses that are involved in the case. How would you function in each role?

2. Consultant/Expert Witness #1

The attorney that represents the plaintiff has hired you as a consultant and expert witness for the plaintiff.

- a. Who are the parties that should be included in the law suit? Why?
- b. What evidence should be gathered? Why?
- c. What is the information that is needed to successfully try the case?
- d. What are the tests/experiments that should be performed?
- e. Who would you suggest that the attorney depose in the case? Why?

3. Consultant/Expert Witness #2

The plaintiff's attorney has included the architect that designed the building housing the restaurant as a defendant in the case. The attorney representing the designing architect has hired you as a consultant and expert witness on the case.

- a. What theories of defense would you recommend that your client pursue?
- b. Who would you suggest that the attorney depose in the case? Why?
- c. What evidence should be gathered? Why?
- d. What is the information that is needed to successfully defend the case?
- e. What are the tests/experiments that should be performed?

4. Consultant/Expert Witness #3

The plaintiff's attorney has included the owner of the restaurant as a defendant in the case. The attorney representing the restaurant has hired you as a consultant and expert witness on the case.

- f. What theories of defense would you recommend that your client pursue?
- g. Who would you suggest that the attorney depose in the case? Why?
- h. What evidence should be gathered? Why?
- i. What is the information that is needed to successfully defend the case?
- j. What are the tests/experiments that should be performed?

5. Consultant/Expert Witness #4

The plaintiff's attorney has included the manufacturer of the fan as a

defendant in the case. The attorney representing the fan manufacturer has hired you as a consultant and expert witness on the case.

- a. What theories of defense would you recommend that your client pursue?
- b. Who would you suggest that the attorney depose in the case? Why?
- c. What evidence should be gathered? Why?
- d. What is the information that is needed to successfully defend the case?
- e. What are the tests/experiments that should be performed?

6. Consultant/Expert Witness #5

The plaintiff's attorney has included the local distributor of the fan as a defendant in the case. The attorney representing the fan distributor has hired you as a consultant and expert witness on the case.

- a. What theories of defense would you recommend that your client pursue?
- b. Who would you suggest that the attorney depose in the case? Why?
- c. What evidence should be gathered? Why?
- d. What is the information that is needed to successfully defend the case?
- e. What are the tests/experiments that should be performed?

7. Consultant/Expert Witness #6

The plaintiff's attorney has included the general contractor that built the restaurant. The attorney representing the general contractor has hired you as a consultant and expert witness on the case.

- a. What theories of defense would you recommend that your client pursue?
- b. Who would you suggest that the attorney depose in the case? Why?
- c. What evidence should be gathered? Why?
- d. What is the information that is needed to successfully defend the case?
- e. What are the tests/experiments that should be performed?

8. Consultant/Expert Witness #7

The plaintiff's attorney has included the electrical contractor that installed the fan when the restaurant was build. The attorney representing the electrical contractor has hired you as a consultant and expert witness on the case.

- a. What theories of defense would you recommend that your client pursue?
- b. Who would you suggest that the attorney depose in the case? Why?
- c. What evidence should be gathered? Why?
- d. What is the information that is needed to successfully defend the case?
- e. What are the tests/experiments that should be performed?

9. Module Thought Questions

- a. What similarities did you find in your answers when comparing the different expert perspectives?
- b. What differences did you find in your answers when comparing the different expert perspectives?
- c. After considering these differences, how would you change your various answers to improve your advice to your client?