



Litigation Support/Expert Witness

Releases of contaminants have the potential to impact receptors and real property, which often result in monetized damages.

When a party believes a release by others has caused them damage, they often seek regulatory and legal resolutions.

Regulatory bodies may also take legal actions to force a responsible party (RP) to take mitigation actions.

To prevail in an environmental or water rights dispute, it is ideal to have two things on your side: the law and the facts. In general, the role of an expert is to collect, analyze, interpret, and present the facts and the objective opinions they have derived therefrom. These facts may support legal arguments, but the expert is not there to present such or act as an advocate for their client. While perfect impartiality may be altruistic, the expert should be open-minded and consider all reasonable possibilities before reaching an opinion. When the facts do not support the position of the client, the expert should make that clear – it is likely the opposing expert will – the client is best served by knowing the truth.

An effective expert witness is honest, knowledgeable, credible, articulate, confident – and likeable. An expert may be highly qualified, have charisma, and appear confident in their opinions; however, if they do not know the facts or appear as an advocate for their client, then they will lack knowledge and credibility. Knowing the facts and conducting the level of analysis required to be confident in your opinions can be time consuming and costly.

Aquilologic staff has provided litigation support and expert witness services on highly complex and well publicized water rights and environmental disputes. Their expertise covers all of the services **aquilologic** provides, and they have testified on such issues in State and Federal court. They have prepared expert reports thousands of pages in length, and withstood questioning at depositions lasting up to 20 days. In the end, they have helped clients obtain landmark decisions and substantial monetary damages in noteworthy cases.