

Table of Contents

Seminar Description..... v

Seminar Schedule ix

SECTION 1

Part 1. Case Study 2.3: Valuing Grandmother’s Oak	Slides
Preview Part 1.....	6 – 7
Description of the Lawsuit.....	8 – 14
Terminology Essential to Case.....	15 – 19
Scope of Work and Value as Insured.....	20 – 33
Valuation Subject to the Defect.....	34 – 48
Defending the Market Value Estimate (Arborist Valuation Slides).....	49 – 55
Demonstrative Evidence.....	56 – 58

Part 2. Case Study 4.1: Wooden Poles to Metal Pylons	
Preview Part 2.....	61 – 65
Description of the Lawsuit.....	66 – 72
Scope of Work and Proximity Damage Study.....	73 – 80
Analysis of the Effect—Impacted Properties and Paired Sales.....	81 – 88
Atypical Power Lines, More Atypical Observations.....	89 – 90
Paired Sales Conclusions.....	91
Using Impact Severity Scores.....	92 – 95
Conclusions.....	96
Epilogue.....	97
Direct Examination.....	98-99

SECTION 2

Part 3. Case Study 1.4: Partial Taking—Loss of Parking	Slides
Preview Part 3.....	101 – 103
Case Management, Competency and Scope of Work Requirements.....	104 – 111
Three-Phase Contract.	112 – 119
Description of the Case	120 – 132
Preliminary Assessment of Case	133 – 138
Scope of Work.....	139 – 141
Engagement Letter	142 – 145
Value Before the Taking	146 – 161
Reconciliation Before the Taking	162
Allocation Before the Taking	163
Value of the Land Taken	164
Rounding Numbers	165
Value of Improvements Taken	166
Total Value of the Part Taken	167
Value of the Remainder Before	168
Subject Property with Part Taken Noted	169
Change in Property Boundary	170
Impact of the Taking	171 – 174
Parking Study.....	175 – 195
Hearsay Rule	196
Anecdotal Evidence	197 – 199
Value After the Taking	200 – 207
Indicated Severance Damages	208
Summaries and Recap.....	209 – 211
Epilogue	212

Solutions

Solutions	Page 83
-----------------	---------

Overview

Seminar Description

The *Complex Litigation Appraisal Case Studies* seminar provides a detailed look at three case studies from the *Applications in Litigation Valuation: A Pragmatist's Guide* textbook. Two case studies on title issues and continuing nuisance are covered in the morning, and a complex condemnation case study is completed in the afternoon. These case studies illustrate and reinforce specific litigation appraisal skills such as preparation of demonstrative evidence and preparation for direct testimony.

The class will evaluate issues that are specific to litigation valuation assignments and discuss competency requirements related to these types of assignments. In addition, participants will develop a scope of work and an engagement agreement for phased litigation assignments. The textbook includes 17 case studies written by 15 litigation appraisers.

Seminar Objectives

At the conclusion of the seminar, participants will be able to

- Identify important issues that are specific to litigation valuation assignments.
- Evaluate competency as it relates to litigation assignments.
- Develop an appropriate scope of work for complex litigation appraisal problems.
- Reveal terminology that pertains to litigation valuation.
- Identify appropriate valuation techniques for litigation assignments.
- Develop an engagement agreement for phased litigation assignments.
- Identify best practices for preparation of demonstrative evidence.
- Develop best practices for preparation for direct testimony.

Learning Enhancements

The seminar was designed with a variety of elements to enhance your learning experience.

- **Learning Objectives.** Each learning objective covers essential information you need to know to fully understand the concepts in the seminar. Look them over before the part begins so that you have a frame of reference as you move through the material. At the end of each part, reread the objectives. Are you able to do what is stated? If not, this is the time to ask your instructor for help. Or, review the concepts that you do not understand.
- **Discussion Questions and Problems.** Supplementing the lectures, we've included discussion questions to help you visualize and practice what you are learning.
- **Case Studies.** The case studies contain real-world exercises that provide practice in applying the methodologies presented in the seminar.
- **Solutions.** Answers to all of the discussion questions are provided behind the Solutions tab at the back of this handout.

Classroom Guidelines

To make the seminar a positive experience for everyone attending, please follow these guidelines when class is in session:

- 100% attendance is required. No exceptions.
- Limit use of laptops and wireless devices to classroom projects.
- Communicate with business associates during break time instead of class time.
- Put away reading materials such as newspapers and books that are not used in class.
- Silence cell phones.
- Please do not record the lectures. Recordings are not permitted.
- Refrain from ongoing conversations with those seated near you and other distracting behavior.

General Information

- **Calculator.** A financial calculator is required. The accepted model used in the seminar is the HP-12C.
- **Breaks.** There will be two 10-minute breaks during the morning session and two 10-minute breaks during the afternoon session unless noted otherwise by the seminar sponsor. The lunch break is one hour.
- **Attendance sheets** will be distributed during class to verify your attendance during the morning and afternoon sessions.
- **Certificates of completion** can be downloaded after completion of the seminar. Attendance for the entire seminar is required.

Required Textbook

- Johnson, Jeffrey A., MAI, and Matonis, Stephen J., MAI. *Applications in Litigation Valuation: A Pragmatist's Guide* (Chicago: Appraisal Institute, 2012).