

SAMPLE EXPERT REPORT FOR USE IN FEDERAL COURT (EXCERPTED)
[**Bolded** Material Not Emphasized in Original]

William Hodes

[Attorney Address]

Re: [Case Caption]
Rule 26(a)(2)(B) Report

Dear xyz:

Your firm, which represents the plaintiff, xyz, in the captioned case, has retained me as a consultant and testifying expert witness on professional ethics and legal malpractice issues. The case is pending in the United States District Court for the xyz District of xyz as Civil No. xyz. I am being compensated at a fixed hourly rate, and I will be reimbursed for significant out-of-pocket expenses, if incurred. This letter constitutes my Rule 26(a)(2)(B) Report.

Apart from the fee agreement just described, and apart from routine professional or social relationships, I do not have and have not had any financial or other association with any party, lawyer or witness in the case of which I am aware. All of the opinions I express in this Report are opinions that I genuinely hold, and would be willing to testify to in open court, under oath. My qualifications to take on this assignment are revealed in the attached *curriculum vitae*. Beyond the obvious points of bar admission, practice experience and academic appointments, several specific aspects of my record are worth noting.

[Academic career. Co-author of *The Law of Lawyering*. Member of the National Conference of Bar Examiners, Multi-State Professional Responsibility Examination Drafting Committee. Co-Reporter for the 2007 Model Code of Judicial Conduct.]

Most of my publications over the last ten years are subsumed under the heading “annual supplements to *The Law of Lawyering*.” In addition to the other articles and op-eds listed on the attached *curriculum vitae*, I have had published several letters to the editors of both professional and general circulation publications such as the *National Law Journal* and the *New York Times*.

Finally, in my current practice I have on several occasions represented respondents in lawyer discipline cases, and applicants in bar admission cases, as well as lay clients in legal malpractice and similar cases. Beyond that, I have been retained as a consultant or testifying expert witness, or both, in many cases in recent years. I have been qualified as an expert and I have testified both live (in open court and in deposition) and through

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