

"Court Rejects Expert Evidence for Lack of Independence", *Construction Law Letter*, November/December 2012

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On May 9, 2012, the Ontario Court of Appeal released its decision in *Alfano v. Piersanti*, upholding the trial judge's decision following a three-day *voir dire* that the evidence of the Piersanti's proposed expert was inadmissible because the expert was neither objective nor independent. The case confirms that while a lawyer may act as a hired gun, at least in Canada, an expert may not.

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