

## Gathering Evidence for Product and Property Losses

### Photograph the scene and all evidence liberally

- Obtain photographs before disturbing the evidence
- Obtain both overall site photographs and close-up photographs
- Include scale markers in photos to indicate size
- Use the highest quality image settings
- Review photograph quality before leaving site

### Isolate/identify the failure

- Locate the failure, fracture, defect or conspicuous features
- Consider multiple failures or causes

### Measure relevant features

### Avoid spoliation

- Document as-found location and condition of each item
- Do not alter evidence during extraction
- Document the extraction process (use notes, sequential photographs, video recordings)
- Do not press fracture surfaces together
- Do not unthread connections

### Secure evidence

- Preserve failed parts, or full assembly if possible
- Store evidence in clear, labelled plastic bags
- Record the chain of custody (who, what, when, where)

### Gather important site information

- Time of incident
- Pertinent site or evidence conditions pre- and post-incident (changes or adjustments in usage, settings, lighting, weather, etc.)
- Dates of construction, installation, inspections, maintenance
- Product manufacturer, model, serial number
- User or installation/service manuals
- Maintenance/service records
- Invoices for purchase/installation
- Witness statements

## Retaining an Expert

### Talk to an expert early

### Qualifications

- Request expert's cv
- Ask how an expert can assist

### Plan

- Discuss overall investigation approach
- Agree on specific actions

### Instructions

- Give clear, specific instructions
- Discuss deadlines, milestones and budget

### Gather other materials

- Other expert reports
- Medical reports of injuries
- Product recall information
- Available standards, building codes, by-laws, and protocols (relevant year/versions)

**Vancouver**

800.565.3040

**Los Angeles**

877.855.5322

**Toronto**

866.507.1844