

to the court, particularly when the meeting occurs pursuant to an order of the court.

The writer has two suggestions. First, before participating in such communication, take instruction from your client's lawyer as to whether there are limitations on the information that may be shared. Second, summarize and quantify those issues upon which either of the experts has modified their initial opinions, and prepare a joint supplementary report to be tendered as evidence.

When the expert prepares a rebuttal report without collaboration, it may be useful for it to be in the form of a reconciliation and to contain a statement to the effect that you take no issue with those matters not included in the reconciliation.

Conclusion

The new environment for valuers preparing reports and testifying as experts in Canada should not cause any problems for conscientious valuation practitioners who read and apply the rules relating to their own jurisdictions. The writer recommends that valuation practitioners read and re-read the opening paragraphs of the Supreme Court of Canada decision in *R. v. Mohan*¹¹, which set out the authoritative, overarching prerequisites to admissibility of expert evidence in Canada: it must be relevant, necessary, given by a properly qualified expert, and not violate any exclusionary rule.

¹¹ [1994] S.C.R. 9; [1994] S.C.J. No 36.

Writer's Edge

By Ingrid Sapona

Welcome to Writer's Edge — a column by Ingrid Sapona, owner of Good with Words. In her column, Ingrid will write about ways of improving your communication skills. Many of you already know Ingrid — she's been working with the CICBV and CBVs for more than 10 years and is the creator and presenter of the popular seminar: Valuation Reports and Opinions: Your Stock In Trade — Are they as clear as can be?

Ingrid welcomes your feedback, questions, and suggestions for topics you'd be interested in reading about. Drop Ingrid a line at: ingrid@goodwithwords.com, or at 416-259-3399.

How Long Is Your List? The Series Comma Makes It Clear

When you write a sentence that has a list of items you put a comma between each item. Another "rule" many people learned is that you don't put a comma between the last two items in a list if those items are separated by "and" or "or". I put quotation marks around "rule" because it really isn't a rule of grammar, it's simply a convention or practice. Here are some examples of application of that convention:

- (1.) Would you like strawberries, raspberries, blueberries or peaches in your yogurt?
- (2.) She stopped at the gas station, liquor store, library and grocery store.
- (3.) Learning and education, accounts payable and accounts receivable and payroll have Friday off.

Sentence one is the easiest because each item is a single word. Sentence two is trickier because some items have two words. Sentence three is complicated because there are many "ands".

People taught not to put a comma before the last “and” would likely say there are three groups that have Friday off. Others might not be so sure.

To avoid confusion, I recommend adopting the so-called series± comma, which more and more authorities are advocating.

The Series Comma

A series comma is a comma inserted before the last “and” or “or” in a list. By always inserting a comma there you avoid confusion or misreading. With a series comma, it would have been clear that sentence three referred to three groups:

Learning and education, accounts payable and accounts receivable, and payroll have Friday off.

Semicolons Rather Than Commas

If items in a list are complicated or complex (for example, some items might be lists with commas), it's a good idea to use semi-colons instead of commas between items. Even if you're using semi-colons, the series comma principle applies – just put a semi-colon before the last “and” or “or”.

Here's an example of how much more reader-friendly a list can be using semi-colons:

The sandwich choices are: turkey, avocado and cheese, ham and cheese, grilled vegetables, and cheese.

versus

The sandwich choices are: turkey, avocado and cheese; ham and cheese; grilled vegetables; and cheese.

And finally, let's look at a sentence written the old fashioned way (A) versus the recommended way (B). I'm sure you'll agree B is easier to understand.

(A.) We discussed with management the past and future operations of the company, pricing and cost trends, replacement costs and useful lives of equipment, the risks around maintaining the volumes currently in place, the company's competitive position and opportunities for growth.

versus

(B.) We discussed with management the past and future operations of the company; pricing and cost trends; replacement costs and useful lives of equipment; the risks around maintaining the volumes currently in place; the company's competitive position; and opportunities for growth.

Change As You Go

If you forget to insert a series comma (or semi-colon) because you're not used to doing so, don't worry. With word processors, you can always insert them when proofreading – readers will never know (or care) when you add them, they'll just be thankful you did.

± According to the Chicago Manual of Style (15th Edition), the bible for authors, editors, copywriters, proofreaders, and publishers, the series comma is also known as the serial or Oxford comma. (See section 6.19) I offer this trivia because I suspect some readers might be more willing to adopt this practice if they feel it's been blessed by Oxford.
