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FORENSIC LINGUISTICS: The application of the principles and methods of linguistics to the language of legal proceedings and documents.

AREAS OF EXPERTISE:

Forensic Semantics: Analysis of and expert opinion on the meaning of words, phrases, clauses, paragraphs, etc., in legal, personal, and commercial communication (e.g., contracts, wills, cases of copyright infringement).

Forensic Stylistics: Analysis of the syntax, style, word choice, spelling, punctuation, rhetorical strategies, and other features of anonymous, disputed, or forged documents; expert opinion on (i) authorship and/or characteristics of author; (ii) evidence for/against plagiarism.

OVERVIEW OF EXPERIENCE; STATUS AS COURT-CERTIFIED LAY WITNESS:

I am a court-certified lay witness under Rule 701 of the Federal Rules for Evidence. I have an unusual if not unique combination of academic credentials (AB in linguistics, Brown University; MA and PhD in linguistics, University of Chicago) and real-world experience in the effective use of language.

After 13 years of academic research, teaching, and publishing, I used my linguistics training to become, in just four years, one of the country's leading corporate speechwriters, writing for the CEO and other executives of Burroughs Corporation,¹ General Motors, Philip Morris and Kraft Foods, largely because of my ability to use style analysis to write in the voice of each individual speaker. I ghost-wrote or edited many other works and published four books of my own.

While writing speeches and doing forensic work, I developed original knowledge and shared my expertise in various venues. My sociolinguistic and pragmatic analysis of buzzwords was published in *The Journal of Employee Communication Management*² and excerpted by *The Harvard Business Review*.³

¹ Became part of Unisys via merger in 1986.

² Nov.-Dec. 2001

³ *Harvard Management Communication Letter (Tools, Techniques and Ideas for the Articulate Executive)*, Vol, 5, No. 3, March 2002

In 1997 I published my first book on speechwriting, *Writing Great Speeches: Professional Techniques You Can Use* (Allyn & Bacon). The book, part of the publisher's "Essence of Public Speaking" series, applies principles of stylistic, syntactic, and content analysis to create a linguistics-based, step-by-step process for composing, editing, and presenting a successful speech. The section on ceremonial speeches is completely original and was the first account of its kind. One reviewer wrote that "[the] chapter on ceremonial speeches is worth the price of the book."

In 2006, my second book, *Perfect Phrases for Executive Presentations* (McGraw-Hill), included original advice, developed from linguistic principles plus real-world experience, on what to say in dozens of kinds of speeches. The book also tells readers how to speak to employees, avoid gender issues, address audiences who are non-native speakers of English, and vary writing/speaking style to suit the occasion, audience, and context. I also provide a chapter on "the most persuasive words in the language."

I have published numerous articles in professional publications and given many talks on effective communication.

For decades, I have studied language variation and style, in many roles and contexts, and I have composed, edited, analyzed, and taught others to compose thousands of documents of every kind. I have applied linguistic concepts to the understanding of a wide range of written and spoken data and even to jazz improvisation.⁴

The following sections elaborate on the above:

ACADEMIC/PROFESSIONAL QUALIFICATIONS: A professional lifetime devoted to the analysis of language and the understanding of language variation and stylistic nuance:

- ❑ Doctoral dissertation (University of Chicago, 1973): an analysis of code-switching (i.e., variation in the speaking style of an individual). *Relevant to authorship/plagiarism cases.*
- ❑ Sociolinguistics and stylistics: Much of my education was in sociolinguistics (language in its social context) and one of its investigatory methods, stylistics -- the qualitative, comparative, and contrastive study of texts, at every level of language, to uncover information on authorship (and, in some cases, to gain knowledge of the assumed author). *Relevant to authorship, plagiarism/copyright, and contract interpretation cases.*
- ❑ Thirteen years of teaching English linguistics and composition, devising and teaching graduate seminars in stylistics and in the structure and process of written language, plus my prior coursework in grammar and semantics, have given me extensive and intensive experience in identifying the particular linguistic features and variation patterns favored by

⁴ (With Daniel Greenblatt) "Noam Chomsky Meets Miles Davis: Observations on Jazz Improvisation and Language Structure," in *The Sign in Music and Literature*, ed. Wendy Steiner (Austin, TX: University of Texas Press), 1981. The article now generates over 70,000 Google hits.

individual writers and in analyzing and interpreting ambiguous, ungrammatical, or otherwise obscure words, sentences, and larger units. *Relevant to authorship/plagiarism and contract interpretation cases.*

- ❑ Twenty years as a corporate speechwriter/ghostwriter have provided a deep theoretical and practical understanding of the nature and variation of individual style. *Relevant to authorship/plagiarism cases.*
- ❑ Examination/analysis/editing of thousands of student papers, corporate publications, and countless other written documents is relevant to plagiarism cases and to interpretation of contracts, wills, laws, regulations.
- ❑ Extended practice in transcription (in my basic linguistics courses, doctoral thesis, and ghost/speechwriting) qualifies me to accurately transcribe audio texts and to evaluate the accuracy of transcriptions (from handwriting to typing and from audio to writing).

EMPLOYMENT HISTORY

1991-2002: Director, Executive Communications (reporting to Sr. VP, Corporate Communications), Kraft Foods, Northfield, IL 60093.

1984-91: Speechwriter, Public Relations Staff, General Motors Corporation, Detroit MI 48202.

1981-83: Manager, Speechwriting, Burroughs Corporation, Detroit MI 48232.

1979-81: Staff Supervisor, Marketing Communications, Michigan Bell, Detroit and Southfield MI.

1965-79: Assistant Professor of English (most recent position: Wayne State University, Detroit, Michigan, 1974-79); taught English linguistics and composition at the college/university level; published scholarly articles; organized a composition program and helped establish a graduate program in the theory and structure of writing.

ACADEMIC COURSES TAUGHT: (partial list) History of the English Language; Language and Dialect; Introduction to English Dialects; the Structure of Modern English; English Stylistics; Structure and Process of Written Language; English Composition; Introduction to Linguistics; Phonetics and Phonology.

FORENSIC EXPERIENCE, 1979-present (examples):

- Expert opinion on status of compound words (trademark infringement litigation).
- Expert opinion on plagiarism of song lyrics (copyright litigation involving musical group The Who).

- Authorship analysis of e-mails in Florida internal union dispute.
- Expert opinion on plagiarism of online home-study course.
- Preliminary analysis of authorship issues in malpractice litigation.
- Expert opinion on authorship issues in business partnership dispute involving anonymous writings.
- Authorship analysis of anonymous letters of complaint to a corporation's Board of Directors.
- Expert opinion on the semantics of trademark infringement in litigation by an apparel firm.
- Authorship analysis of anonymous letters (possibly written by disgruntled employees) for major Midwestern corporation.
- Authorship analysis of emails to website of a "cult deprogrammer."
- Expert opinion on linguistic similarities between plaintiff's and defendant's trademarks.
- Authorship analysis of defamatory emails written to an individual in a corporation.
- Authorship advice on a possibly forged stock transfer document.
- Authorship analysis of letters involved in the Son of Sam case.
- Analysis to support allegations of plagiarism of online course material.
- Analysis to refute charges of plagiarism in various academic settings; defendants range from high school students to university professors.
- Interpretation of contract language regarding the disposition of acquired corporate entities.
- Assessment of the complexity of equipment rental contract language.
- Analysis of chat transcripts to determine whether defendant engaged in enticement or seduction.
- Authorship analysis of emails in divorce and custody disputes (numerous cases).

- Expert opinion on whether parts of Dan Brown's novel *The Da Vinci Code* were plagiarized from the client's writing.
- Expert opinion on the meaning of "Ecstasy" in a criminal indictment.⁵
- Interpretation of contract language definition of "family member."
- Expert opinion on authorship of legal documents.
- Authorship analysis of verbatim duplication in two police reports to determine who copied from whom.
- Interpretation of the phrase "first refusal" in lease provision.

COURT CASES

Cases listed by law firm (except as noted), case name/number, approximate date of service, contribution (A, "affidavit" [court document]; C, "consultation;" D, "deposition"; E, "expert witness statement" [court document]; R, "written report on the data"; RR, "conduct research and write report;" R/R, "rebuttal report"); excludes current cases.

[] Bach Law Firm (Austin, TX), Jason J. Bach, Esq.; re: Patel v. Texas Tech, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF TEXAS, LUBBOCK DIVISION, Civil Action No.. 5:17-cv-174 (E).

[] Barshay Sanders, PLLC (Garden City, NY), David Barshay; re: Joshua Paul Tilatitsky, Plaintiff, v. Medicredit, Inc., Defendant, UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF MISSOURI, EASTERN DIVISION, Case No.: 4:16-cv-00811-JCH, August 2016 (E).

[] The Brusch Law Firm (St. Thomas, VI); David Cattie; re: interpretation of contract language (Coinsurance Clause), Oct. 2005 (R).

[] Charles Jacquin et Cie, Inc. (corporate client; Philadelphia, PA), Paul Lewis; re: Quantum v. Quintus, Dec. 2003 (RR).

[] Cohen Lans L.L.P (New York, NY), Gary J. Lerner; re: Landmark Education v. Rick Ross, July 2004 (R).

⁵ UNITED STATES OF AMERICA v. CARL BROCK, IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ALABAMA, SOUTHERN DIVISION, CRIMINAL NO. D3-00241-CB, 2013.

- Connolly Sheehan Harris, LLP (Chicago, IL), Terence Smith; re: Garibaldi Versus Anixter Inc. (Case Number 05-CV-60 75L W.D.N.Y.), July 2006 (R).
- Consolidated Consultants Co. (Chula Vista, CA), Louis Zayas, Esq.; re: Wiggins vs. Hackensack; State vs. Inez Danels, Nov. 2006 (R).
- Cook & Franke S.C. (Milwaukee, WI), David J. Hase; re: Shovers v. Shovers, Oct. 2004 (R).
- Cranfill, Sumner, & Hartzog, L.L.P. (Wilmington, NC), Colleen Shea-Collis; re: Vicki Morgan v. Bruce Whealton, Jan. 2003 (R).
- Denner Pellegrino, LLP (Boston, MA), Vikas S. Dhar, re: Khan v. Klein, Middlesex County Probate and Family Court, Docket No. 06E-0176, May 2007 (R).
- Gentle, Pickens and Turner (Birmingham AL), Diandra Debrosse; re: Burgin v. LaHaye, et al., File #4743-1, March 2009 (R).
- Heisinger, Buck & Morris (Carmel, CA), Chris Campbell; re ESTATE OF DORIS PRUST, June 2008 (R).
- Kallas and Associates Ltd. (Minneapolis, MN), Michael Kallas; re: Rocco Altobelli v. William L. Anderson et al., State of Minnesota, County of Hennepin, District Court, Fourth Judicial District, Court File No. 27-CV-08-5087, March 2008 (A).
- Knox McLaughlin Gornall & Sennett, P.C. (Erie, PA), Bryan G. Baumann; Re: THE FIRST LIBERTY INSURANCE CORPORATION, Plaintiff/Counter-Defendant v. PAUL MCGEEHAN AND ROSANNE MCGEEHAN, HUSBAND AND WIFE, AND ADAM MCGEEHAN AND LAURA MCGEEHAN, HUSBAND AND WIFE, Defendants/Counter-Plaintiffs. CASE NO. 1:16-cv-00199-SPB (R, R/R).
- Law Offices of Mitchell A. Chester (Fort Lauderdale, FL), Dawn Miller; re: Mercury Insurance Company of Florida, Plaintiff, Versus Marlaina Law and Lincoln Pujan, Defendants (Circuit Court for the 17th Judicial Circuit in and for Broward County Florida, Case Number 04 -- 1132 [21]), Nov. 2005 (R).
- Law Offices of Joseph K. Jones, LLC (Fairfield, NJ), Joseph Jones; re: Angela F. Mims vs. Phillips & Cohen Associates, Ltd., Feb. 2008 (R).
- The Law Offices of Robert P. Spretnak (Las Vegas, NV), Cheryl A. O'Brien; re: Audrey Robert v. David Rahm, et al., Dec. 2005 (R).
- Law Offices of Jennifer L. Zito (Meriden, CT); re: Mainardi et al. v. Prudential insurance Cos. of America, April, 2009 (R).

- Levine Blaszak Block & Boothby, LLP (Washington, DC), Stephen J. Rosen; re: American Bankers Insurance Group, Inc., Plaintiff, v. United States of America, Defendant (United States District Court for the Southern District of Florida, Case Number 03-21822-CIV-Huck/Turnoff), Feb. 2004 (RR).
- Levine & Spatz (Pittsburgh, PA), Max A. Levine; re: meaning of language of prenuptial agreement, June 2007 (R).
- Locke Lord Bissell & Liddell (New York, NY), Sara Chen; re: Metropolitan Life Insurance Company v. Guardian Life Insurance Company of America *et al.*, Supreme Court of the State of New York, Index No. 0860046, Feb. 2008 (A).
- McGrath North Mullin & Kratz PC LLO (Omaha, NE), Patrick J. Barrett; re: Conagra Foods, Inc/Andrew Branham, Nov. 2004 (R).
- Middletons (Melbourne, Australia), Stuart Gibson; re: MedEntry & Anor v Rockefeller Management Corporation & Anor (V1289 of 2004), April 2005 (R).
- Notario & Michalos P.C. (Orangeburg NY), John Zaccaria; re: Biofutrura Pharma, S.P.A. (Opposer), v. Day Corporation (Applicant), Application Serial No. 78/541,059, Jan. 2005 (E).
- Parsons Behle & Latimer (Salt Lake City, UT), Lawrence Leigh; litigation consultant, April 2007 (C).
- David Pearline, Attorney at Law (Virginia Beach, Virginia), David Pearline; re: Dr. Widad Elmahboub, Plaintiff, v. Hampton University, and Dr. Meena Katdare, Defendants; VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF HAMPTON, PART I, Case No.: CL11-2568, Oct. 2012 (R).
- (Private client consultation) IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA. ECORE INTERNATIONAL, INC. Plaintiff, v. PAUL DOWNEY, CSR INDUSTRIES, INC., and PLITEQ, INC., Defendants, CIVIL ACTION NO: 11-CV-6843, Case 5:11-cv-06843-RBS. (R) May 2017.
- Reach, Ranney & Carpenter, P.C. (Ann Arbor, MI), Ian James Reach; re: Kassa v. Washtenaw County et al., Court File # 04-60215, Jan 2005 (C).
- Nathan Reitman, Attorney at Law (Salem, OR); re: Oregonians for Honest Elections v. Oregon Education Association et al., in the Circuit Court of the State of Oregon, for the County of Marion, Case No. 08C25088, Nov. 2009 (A).

- Rybicki & Blevans, LLP (Santa Rosa, CA), Brandon Blevans; re: Marriage of Greene, Janette and Avery (Superior Court of California, County of Solano (Case No. SF032826), Aug. 2006 (E).

- Seabaugh, Benson Keene & Denny (Shreveport, LA), Todd Benson; re: Jayn Robison v. Cardiology Associates, U.S. District Court, Western District of Louisiana, Shreveport Division, Civil Action No. CV05-1581 S, April 2007 (R,D).

- Seyfarth & Shaw (Chicago, IL), Bart Lazar; re: the Bandanna Co. Inc., Plaintiff, Versus Linens 'n Things, Inc., Defendant (Civil Action Number 03-CV 211-C), February 2005 (E).

- Seyfarth & Shaw (Chicago, IL), Bart Lazar; re: Nygard v. Hagggar, United States District Court, Central District of California (Case No. 02-8781-JFW (RCX), Nov. 2003 (E).

- Shernoff Bidart Darris, LLP (Claremont, CA), Evangeline Grossman; re Blue Shield Rescission Cases (first case: Mottaghi vs. Blue Shield, Superior Court for the State of California for the County of Los Angeles (Case No.: B.C351475), April 2007 (E).

- Skadden Arps (New York, NY) Joseph Goodman; re: Appeal of Santiago Batista (BSGB No. 2004-065), March 2004 (R).

- State Bar of Michigan (Lansing, MI), Danon D. Goodrum-Garland; re: State Bar of Michigan v. Elgardo L. Perez DeLeon, Circuit Court for the County of Wayne, 030320403-CZ, April 2008 (R,D).

- Tolpin & Partners, PC, Chicago, IL (Mark R. Bagley). UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION. Deckers Outdoor Corporation v. Australian Leather Pty. Ltd. and Adnan Oygur a/k/a Eddie Oygur, Case No. 1:16-cv-03676, (R/R, D) Sept. 2017.

- White and White, LLC (Indianapolis, IN), Mary Stuart White; re: Auberry vs. NationsRent, April 2005 (R).

- Williams and Associates (Sacramento, CA) Kathleen Williams; re: Henson v. County of Lassen et al., August 2006 (R).

- Wilson, Elser, Moskowitz, Edelman & Dicker, LLP (White Plains, NY), Sheilagh dePeter; re: Gerling v. Nestle Waters North America, Aug. 2005 (E).

Legal cases, direct client service (examples)

- Michael P. Hays, re: Hays vs. Barbee (S05-05-376), June 2005 (R).

- Eric and Gail Taylor, re: State of Indiana, County of Marion, Co-Guardians' Petition to Compromise and Settle Minor's Claim for Personal Injuries (Docket No. 49 D08 0299), July 2006 (R).

CONSULTATION WITH ATTORNEYS AND PRIVATE INDIVIDUALS. In addition to cases that went into litigation, I have consulted on numerous occasions and provided forensic linguistic advice to attorneys in cases that sometimes did not go to court, as well as to private individuals and private investigators, under the same circumstances.

EDUCATION

B.A. (1964), Brown University, Providence RI, 1964; linguistics (summa cum laude, High Honors, Phi Beta Kappa).

M.A. (1967), PhD (1973), University of Chicago, Chicago IL; linguistics. Dissertation topic: Grammatical Structure and Style Shift in Hawaiian Pidgin and Creole.

Linguistic Institute, Indiana University, summer, 1964.

Research Assistantships (computer applications to language analysis), University of Chicago, summers, 1966-68.

Russian language (Harvard University; University of Michigan), summers, 1962, 1963.

PRSA/NYU seminars: "The Speech as an Effective PR/PA Tool" (1981); "PR/PA Writing Workshop" (1982).

SEMINARS/WORKSHOPS/PRESENTATIONS

"When a Lawyer Needs a Linguist," Association of Forensic Document Examiners, Milwaukee, WI, Nov. 8, 2009.

Conducted 35 other workshops, courses, seminars, and presentations on speech writing, stylistic analysis, semantics, rhetoric, word usage, and related subjects (list available at <http://www.language-expert.net/seminars-workshops-presentations/>).

ARTICLES: Numerous articles on forensic linguistics, language, speechwriting, and related topics (list, including academic publications, available at <http://www.language-expert.net/articles/> ; also see Blog section of www.language-expert.net for original articles and Internet publications on language and forensic linguistics.

Recent publications:

“Malicious obfuscation” <https://www.linkedin.com/pulse/malicious-obfuscation-alan-perlman>

“Plagiarism: What it is and what it is not” <https://www.linkedin.com/pulse/plagiarism-what-alan-perlman>

Review of Tom Wolfe’s *The Kingdom of Speech*
<https://www.linkedin.com/pulse/review-tom-wolfes-kingdom-speech-alan-perlman>

“Another groundless plagiarism charge” <https://www.linkedin.com/pulse/another-groundless-plagiarism-charge-alan-perlman>

“The most overrated mind of the 20th century” <https://www.linkedin.com/pulse/most-overrated-mind-20th-century-alan-perlman>

“How not to use PowerPoint”
<https://www.linkedin.com/pulse/20141117182153-169090-how-not-to-use-powerpoint>

Other articles at <http://www.language-expert.net/pages/notes.html> and
<http://www.experts.com/Articles/By/Dr.%20Alan%20Perlman>

BOOKS

- ❑ *Write Choices: New Options for Effective Communication*, Charles C Thomas, 1989.
 - ❑ *"It Gives Me Great Pleasure..." -- A Guide to Writing Ceremonial Speeches*, Ragan Communications, 1992.
 - ❑ *Writing Great Speeches: Professional Techniques You Can Use*, Allyn & Bacon, 1997.
 - ❑ *Perfect Phrases for Executive Presentations*, McGraw-Hill, 2006.
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