

EXPERT WITNESS (PEST CONTROL-TERMITES)

DR. JOHN FRENCH

B.Sc. (Forestry), M.Sc. (Entomology), Ph.D. (Forest entomology).
Queensland Pest Control Licence: PMT-O-12490.

Email: ecospan.french@bigpond.com



INTRODUCTION

Dr. John French, Principal, JOHN FRENCH Ph.D., Consultant Entomologist, (ABN 95 608 925 760) specialises in termite biology and control. Dr. French has over 52 years of experience in these fields and has been retained by North American and Australian law firms to assist them as a **consultant and expert witness in termite litigations.**

Currently, Dr. French works as an independent **research scientist** with the forest products, building and pest control industries in the protection of wood against subterranean termites ('termites'). Also, he is an **adjunct professor** in the Faculty of Science, Health, Education, and Engineering, **University of the Sunshine Coast,** Maroochydore, researching termite biology and control, with emphasis on the symbiotic role of actinomycete bacteria with termites.

Dr. French is regarded internationally and nationally as an expert in the fields of termite behaviour, ecology and control. He was a Senior Principal Research Scientist and Program Manager with **CSIRO** from 1972 to 1996. Over 100 scientific papers have been published and he has presented more than 120 papers at conferences and meetings on termite biology and control. He pioneered the use of crushed granite stone aggregates (now commercially marketed under the name **Granitgard®**) as a new and novel termite physical barrier, and has specialised on termite attractants, baits, delivery and aggregation systems. He has the ability to objectively approach problem-solving, unravel causal-relationships, and seek solutions. He can consult with

your legal team and as a past member of the Australian Standards termite committee can testify to the requirements of the various termite standards.

Dr. French works well with lawyers, and is able to guide them through the complexities of termite biology and control as his record as an expert witness attests.

Expert reports and witness experience:

- 1980. W.A. Forest Products Industries and Forest Service versus Ms. Glorie. Gave evidence for the respondent. Federal High Court, Perth.
- 1999 May. Prepared expert report for the respondent in the matter of the Roman Catholic Church and Others-ats-Hanel.
- 2002. February. Report of termite inspection of property at Lot 1, Towen View Court, Nambour, Qld, 4560.
- 2002. April. Report of termite inspection of property at Wimbleton Common CTS 25899, Beacon Court, Sunshine Coast for Richards Body Corporate Management.
- 2003.October. Australian Patent Application No. 746362 in the name of Dow AgroScience LLC and the University of Florida Research Foundation, Inc and Opposition thereto by Bayer CropScience S.A. Prepared affidavits for court, matter which is still unresolved.
- 2004. March. Contracted by Neilson Stanton & Parkinson Solicitors on behalf of Melanie Eitmann to inspect and prepare a report on termite infestation at the property at Lot 6, Curra View, Qld, 4570.
- 2004. October. Report on termite infestation advice for the Supreme Court Proceedings – Hartenthaler-v-Stevens & Others. Gave evidence and prepared affidavit for the respondent.
- 2003-2004. Queensland Building Services Tribunal. Engaged as an expert witness in two cases (Beard and Pearson) before the Tribunal.
- 2005. January. Chris Parkes, Crawford & Company (Australia) Pty Ltd, Brisbane, engaged Ecospan to prepare report and involved in conference on termite attack and damage to residence.
- 2007. November. Ensystem Australia Pty Ltd (Applicant)-ats-PCT International Pty Ltd (Respondent), Federal Court New South Wales District Registry, proceedings NSD 1062/2007. Contacted by Mr. Tony Bennett, Bennett & Philp – Solicitors, Brisbane to act as expert witness on behalf of respondent. Case settled out of court in favour of the respondent.
- 2008. October. Granitgard Pty Ltd (Applicant) and Termicide Pest Control Pty Ltd (Respondent), Federal Court of Australia, Queensland District Registry No. QUD312/2007. Engaged by Mr. Tony Bennett, Bennett & Philp – Solicitors, Brisbane to act as expert witness on behalf of respondent. Produced three affidavits between 24 to 26 November 2008, gave evidence in court. On 31 March 2010, Judge J. Logan dismissed the application in an 80 page judgement. (see: pdf file “Judgement – Logan”).
- 2009. December. Engaged by Brian Bartley & Associates, Lawyers, Brisbane, in Brown –V- Thomson and Long; on behalf of owners, Mr. & Mrs. T. Brown, 22 Cayman Drive, Clear Island Waters, Qld, 4226. Inspected the property and submitted a report concerning subterranean termite damage and activity.

- 2010. August. Engaged by Mills Oakley, Lawyers, Sydney, regarding Owners Corporation Strata Plan 62568 and others – V- Peter Hunt and Building Insurer’s Guarantee Corporation Supreme Court File No. 2009/291445. Submitted Report 10 October, 2010, entitled : “Expert opinion on the termite infestation at Strata Plan 62568, 3-11 Marshall St, Surry Hills, NSW, 2110.”.
- 2011. August. Brown – V –Thomson and Long. Requested to attend an experts conclave to be held at the Southport Courthouse on 8 September, 2011.
- **2014.** Turners –V- Citywalk P/l. Prepared an expert opinion on Chines auger beetle infesting imported willow screens from China. District Court of WA. The parties agreed to bring the litigation to end by consent order. They have both walked away bearing their own costs.
- **2015.** McDonald and Palmer –V- Termite Tracker Pest Control. Prepared a report in September 2015 concerning my expert opinion on a termite infestation at 11 Doherty Court, Ormeau, Qld for Magistrates Court of Queensland proceedings Number 1017 of 2015.
- **2016.** March. BASF –V- PCT Holdings P/L. Prepared an expert opinion on behalf of the Respondent on the topic of patent validation.

A complete **curriculum vitae and publication list** may be obtainable on request.

CONDENSED PROFESSIONAL HISTORY

JOHN FRENCH Ph.D., Consultant Entomologist, Caloundra, Qld.

2015 – present. Consulting in termite issues and an adjunct professor at the University of The Sunshine Coast, Faculty of Science, Health, Education and Engineering, at Maroochydore, Qld.

JOHN FRENCH, Ph.D. Consultant Entomologist (ABN 95 608 925 760)

2000 – 2015. Adjunct professor, at the Faculty of Science, Health and Education, The University of the Sunshine Coast (USC), Maroochydore, Queensland. Major area of termite research is the role of microorganisms in termite biology and control. Co-supervisor of Ph.D. candidates at USC and Melbourne University.

Providing consultation to clients in the private and public sectors on termite risk management, and acting as an expert witness in cases involving litigation regarding depredeations by termites in and around buildings.

1996 – present. Owner, Managing Director and termite expert witness. Registered in the State of Queensland to conduct the business of pest control operations with my company, Ecospan Consulting Services P/L. Licenced as a Pest Control Operator in Queensland. Licence No: PCO – 0 12490.

1972-1996 - CSIRO Division of Forestry and Forest Products, Melbourne.

Senior Principal Research Scientist and Program Manager.

Main research was, and still is, the protection of wood and wood products from wood-destroying insects, particularly termites.

FEES:

\$300 per hour, portal to portal, and at quarter hour increments. Deposition and trial time is \$350 per hour. Travel or other expenses are charged at cost. Travel and waiting time are charged at hourly rate unless otherwise agreed upon in writing. Mileage is charged at \$0.76 per kilometre.

17th March, 2016