Satisfy Your CLE and CPD Requirements!

Taking and Defending Depositions 2012

New York City, * May 10, 2012
Atlanta, Cleveland, Nashville and New Brunswick Groupcast Locations, May 10, 2012
Live Webcast, May 10, 2012 — www.pli.edu
Chicago, June 4, 2012

Special Features:
• Earn Skills credits
• Earn one hour of Ethics credit

■ Explore the importance of deposition strategy: where does each deposition fit into your overall case and discovery plan?

■ Discuss the best ways of preparing for the deposition: hints, tips, and secrets of the trade

■ Learn the nuts and bolts of depositions: stipulations, objections, exhibits, going off the record, and more

■ Make the best and most powerful use of your depositions at summary judgment and trial

*This is an approved transitional program
Why You Should Attend

With fewer cases reaching juries, deposition testimony has become a substitute for trial testimony. Skilled litigators know how to take advantage of this unique opportunity to gather information, learn about an adversary’s case, and get a close-up look at the performance of potential witnesses. Learn how to maximize this chance to gain an advantage for a future settlement or litigation.

Our faculty of experienced litigators will take you through every facet of the deposition process, starting with general strategic principles and moving through the use of deposition testimony at trial. We’ll also use demonstrations to illustrate the dos and don’ts of depositions, give you practice tips for each stage of the process, and show the tactical and strategic considerations behind the techniques employed.

What You Will Learn

• Deposition strategy and purpose: deciding where each deposition fits into your overall discovery plan
• Doing your homework to prepare for a deposition
• Nuts and bolts of taking a deposition, including stipulations, objections, and use of exhibits
• Dealing with a difficult adversary
• Defending the deposition: objections, instructing the witness, and going off the record
• Expert witnesses and what you need to know
• Using deposition testimony at trial: rules, techniques, and tactical concerns
• Ethical issues unique to depositions: how to handle the situations that can arise

Who Should Attend

This program will give litigators the skills to prepare, execute, and use depositions in the most effective manner for their clients and their cases.

Live Webcast at www.pli.edu

The New York City session of this program is available live via the web at www.pli.edu:

• Print the Course Handbook
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The Course Handbook for this program is now available online to all attendees!

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All attendees at the program will also receive a copy of the Course Handbook, either in one bound volume or on a flash drive. The Course Handbook is prepared specifically for this program and also stands alone as a permanent reference. PLI’s Course Handbooks represent the definitive thinking of the nation’s finest legal minds, and are considered the standard reference in the field.
Morning Session: 9:00 a.m. – 12:30 p.m.

9:00 Opening Remarks and Introduction
NYC, ATL, CLE, NASH, NB & WEB: Randi W. Singer
CHI: Seth A. Gastwirth

9:15 Deposition Strategy and Taking the Deposition

Deposition Strategy
- Setting the stage for the deposition
- How depositions fit into your overall case strategy
- The purpose of the deposition
- Choosing who to depose and when to depose them
- When to avoid taking a deposition
- Anatomy of a deposition

Practice Tip: Atmospheric aspects of deposition preparation

Taking the Deposition
- Preparation and outline
- Setting goals and objections
- Ground rules
- Background information
- Structure and pacing of the deposition
- Follow-up and conclusory questions
- Differences in state and federal practice
- Practice Tip: Handling difficult witnesses

NYC, ATL, CLE, NASH, NB & WEB: James S. Goddard, Denise Plunkett, Gerald A. Stein, James H.R. Windels
CHI: Melissa M. Hinds, Mark G. Kaminski

11:00 Networking Break

11:15 Preparing the Witness and Defending the Deposition
- Important general education for your witness
- Preparing a 30(b)(6) witness
- Working with in-house counsel to prepare the witness
- Objections – what are they? When should you make them?
- Dealing with difficult adversaries
- Dealing with difficult witnesses
- “Cross” examination of your own witness and when to conduct it

Practice Tip: Preparing a witness for a videotaped deposition

NYC, ATL, CLE, NASH, NB & WEB: Lori L. Pines, Dr. Susan A. Powell, Ph.D., Hillary Richard
CHI: Seth A. Gastwirth, Frederick V. Lochbihler

12:30 Lunch

Afternoon Session: 1:45 p.m. – 5:00 p.m.

1:45 Expert Depositions
- How experts are different from fact witnesses
- Researching expert witnesses
- Using expert reports and preparing to take an expert deposition
- Eliciting an expert’s opinion
- Cross-examining an expert witness before trial
- Pitfalls of using your client as an “expert”
- Daubert considerations

Practice Tip: Helping the expert prepare to be deposed

NYC, ATL, CLE, NASH, NB & WEB: Carla S. Mulhern, Kimo S. Peluso, Jack G. Stern
CHI: Wendy Netter Epstein, John I. Salomon, Jeffrey S. Toerian

2:45 Using the Deposition on Summary Judgment and at Trial
- Depositions in trial prep: designations, direct, cross
- When can you use a deposition at trial?
- Effective use of deposition excerpts at trial
- Practice Tip: Using depositions in summary judgment papers

NYC, ATL, CLE, NASH, NB & WEB: David R. Marriott, Hon. Andrew J. Peck, Randi W. Singer
CHI: Jason L. Peltz, William T. Pruitt, Andrew W. Worseck

3:45 Networking Break

4:00 Ethical Dilemmas Arising With Depositions
- The attorney-client privilege and work-product doctrine
- Protecting your witness and staying within ethical boundaries
- Improper/proper use of objections
- Conferring with witnesses during a deposition
- Remedial measures
- Practice Tip: What to do if you suspect your client is lying

NYC, ATL, CLE, NASH, NB & WEB: Professor Claudia Angelos, Partha P. Chattoraj
CHI: John F. Grady, Timothy A. Hudson

5:00 Adjourn
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Make necessary corrections on mailing address.

YES, please register me for the following session:

Taking and Defending Depositions 2012

☐ 34512 New York City Seminar, May 10, 2012, PLI New York Center, $1,595*
☐ 36014 Atlanta Groupcast Location, May 10, 2012, Atlanta Bar Association, $1,595*
☐ 36535 Cleveland Groupcast Location, May 10, 2012, Cleveland Metropolitan Bar Association, $1,595*
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☐ 36483 New Brunswick Groupcast Location, May 10, 2012, New Jersey Institute for Continuing Legal Education, $1,595*
☐ 35927 Chicago Seminar, June 4, 2012, University of Chicago Glee Center, $1,595*

Live Webcast, May 10, 2012, #34514, $1,595*

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☐ 34516 Audio CDs, available June 2012, $797.50
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