

2014

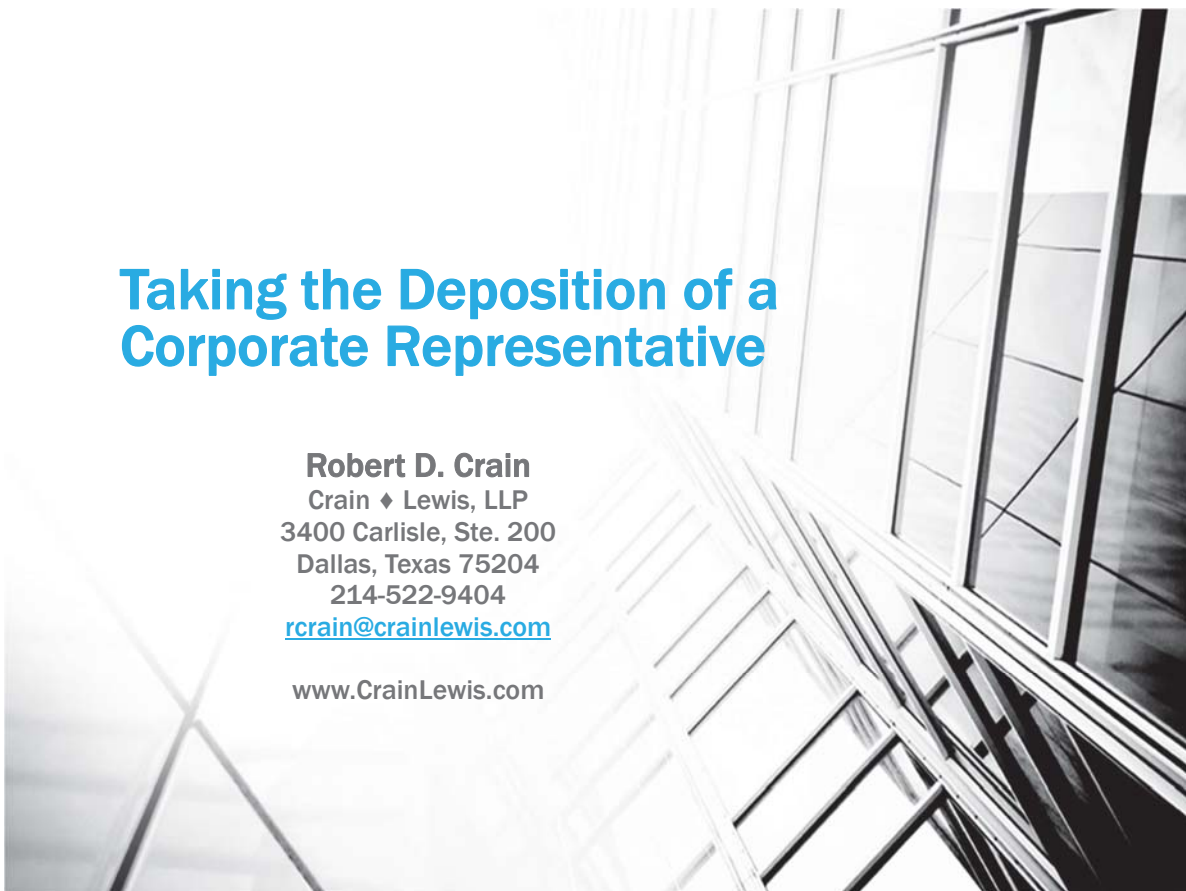
# WINNING AT DEPOSITION: SKILLS AND STRATEGY



## Taking the Deposition of a Corporate Representative

**Robert D. Crain**  
Crain ♦ Lewis, LLP  
3400 Carlisle, Ste. 200  
Dallas, Texas 75204  
214-522-9404  
[rcrain@crainlewis.com](mailto:rcrain@crainlewis.com)

[www.CrainLewis.com](http://www.CrainLewis.com)





## **Depositions of Corporate Representatives**

Paper authored by:

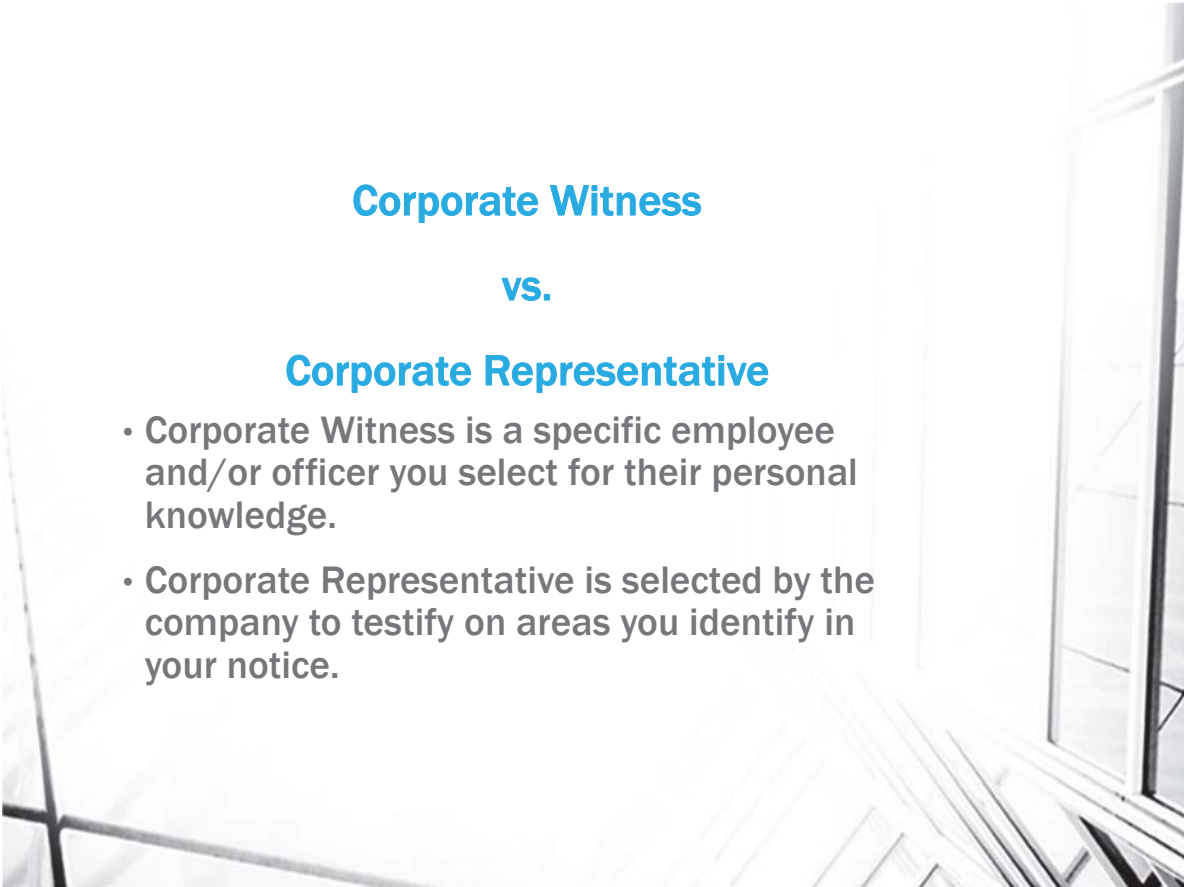
Billy McGill  
3400 Carlisle, Ste. 200  
Dallas, Texas 75204  
817.692.2701

[billymcgill@osburnlaw.com](mailto:billymcgill@osburnlaw.com)

## **Corporate Witness**

**vs.**

## **Corporate Representative**

- Corporate Witness is a specific employee and/or officer you select for their personal knowledge.
  - Corporate Representative is selected by the company to testify on areas you identify in your notice.
- 

## Today's Outline

- Rules Review
- Deposition Notice
- Practice Tips

## TEXAS RULES



## Identity of Witness; Organizations

### TRCP 199.2 (b)(1)

The notice must state the name of the witness, which may be either an individual or a public or private corporation, partnership, association, governmental agency, or other organization. If an organization is named as the witness, the notice must describe with reasonable particularity the matters on which examination is requested. In response, the organization named in the notice must – a reasonable time before the deposition - designate one or more individuals to testify on its behalf and set forth, for each individual designated, the matters on which the individual will testify. Each individual designated must testify as to matters that are known or reasonably available to the organization. This subdivision does not preclude taking a deposition by any other procedure authorized by these rules.



## Non-Party Organizations

### TRCP 176.6 (b)

*Organizations:* If a subpoena commanding testimony is directed to a corporation, partnership, association, governmental agency, or other organization, and the matters on which examination is requested are described with reasonable particularity, the organization must designate one or more persons to testify on its behalf as to matters known or reasonably available to the organization.

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](http://utcle.org/elibrary)

## Title search: Taking the Deposition of a Corporate Representative

Also available as part of the eCourse

[Deposition How-To's](#)

First appeared as part of the conference materials for the  
2014 Winning at Deposition: Skills and Strategy session  
"Taking the Deposition of a Corporate Representative"