

# DEPOSING FOR THE DEFENSE

Strategies for Successful Deposition

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## Decide why you're taking the deposition:

- For discovery purposes only?
- For use in trial?
- Potentially for both?
- Defensively, to guard against surprise?
- Offensively, to obtain admissions?

TAKING AN  
EFFECTIVE  
DEPOSITION

2

**Differing views on seeking depo admissions:**

**Save the best cross for trial?**

**or**

**Admissions produce further admissions?**

3

**Chronologically (starting wherever)**

**By issue**

**By document**

**Random order**

**CONSIDER YOUR ORGANIZATIONAL FORMAT:**

4



PREPARATION  
IS KEY!

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- ▶ Pleadings
- ▶ Discovery responses
- ▶ Witness background (online, social media, prior depositions)
- ▶ Other resources

RESEARCH AND ORGANIZE

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