

Cross-Exam.....Are we having fun yet??

Paula Sweeney
Slack Davis Sanger
Dallas
psweeney@slackdavis.com

1

- Deposition Cross versus Trial Cross
- One size definitely does not fit all
 - Lawyers OR witnesses
- Why am I doing this????

2

Depositions

3

Rule 1. No Scripts

- Don't be predictable
- [and relaxing]
- [soothing]
- [calming]
- Why get the witness comfortable??

4

Q: "State your name"

A: "Dr. Gray"

Q: "Isn't it true it would be speculation to say Ms. Wright had a pulmonary embolism?"

A: "yes sir"

Q: "now, let's get your background, where did you go to med school?"

5

In fact, make them un-comfortable

- 12 **Q. And then where did you -- what did you do from there?**
- 13 A. From there, I went to medical school at Western
- 14 University of Health Sciences. College of Osteopathic Medicine
- 15 of the Pacific in Pomona, California, and I graduated from
- 16 there in 2003.
- 17 **Q. How many medical schools did you apply to?**
- 18 A. Over seven.
- 19 **Q. How many were you admitted to?**
- 20 A. Two.
- 21 **Q. Which two?**
- 22 A. West Virginia Osteopathic Medical School and Western
- 23 University.

6

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 \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Overcoming the Problem Witness

Also available as part of the eCourse

[Hooked on CLE: October 2023](#)

First appeared as part of the conference materials for the
2023 Winning at Deposition: Skills and Strategy session
"Overcoming the Problem Witness"