

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!

5

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

RESEARCH AND ORGANIZE

6

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