

## Adverse Witness Depositions: Advanced Techniques in Exhaustion, Boxing-In, and Summarizing

### Strafford Webinars

Webinar

08.09.2022

A live 90-minute CLE video webinar with interactive Q&A

1:00pm-2:30pm EDT, 10:00am-11:30am PDT

Early Registration Discount Deadline, Friday, July 22, 2022

This CLE course will cover advanced deposition techniques in litigation. The panel will discuss strategies for getting the most out of depositions, including exhaustion, boxing-in, and summarization techniques for ordinary, hostile, or evasive witnesses.

### Description

Depositions are an essential tool for gathering the information **to prove the client's case, disprove or undercut the adversary's positions**, pin down the critical facts of the case, and tee up a settlement or dispositive motion.

Depositions set the stage both for pre-trial resolutions and victory at trial. The value of deposition testimony is directly proportional to the examining attorney's goals and techniques. Commercial litigators who hone their skills to elicit the testimony and evidence they desire will **significantly increase the likelihood of a favorable disposition** of the case.

Counsel must be proficient in exhaustion, boxing-in, and summarizing techniques. These techniques will give the litigator the **best shot at gathering vital information from even the most difficult or evasive deposition witnesses if implemented optimally**. If the desired information is not forthcoming, these techniques may expose witnesses acting in bad faith and being less than open, providing ammunition for impeachment.

Listen as our experienced panel introduces the best methods for using techniques without tipping off the deponent and provides real world demonstrations of how they work. Depositions are an essential tool for gathering the information **to prove the client's case, disprove or undercut the adversary's positions**, pin down the critical facts of the case, and tee up a settlement or dispositive motion.

### Outline

1. Introduction

2. Exhaustion
3. Restating/summarizing
4. Boxing-in
5. Structuring depositions for difficult and evasive witnesses

## Benefits

The panel will review these and other key issues:

- How exhausting the subject prevents surprises at trial and aids impeachment
- Using these techniques with the evasive witness
- The art of boxing in the evasive or hostile witness
- The "summarizing" strategy that can prevent witnesses from changing positions later in the case

## Faculty

- **Lynne Berabei**, *Partner*, Bernabei & Kabat
- **Anthony L. Cochran**, *Partner*, Smith Gambrell & Russell
- **Stephen E. Fox**, *Partner*, Sheppard Mullin
- **Michael R. Gordon**, *Founder and Managing Partner*, GordonLaw

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Early Discount (through 07.22.22)

## Attorneys

Stephen E. Fox

## Practice Areas

Labor and Employment

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Litigation