



The Voice of the
Defense Bar

DRI Deposition Institute

**4:1 Student-to-
Faculty Ratio**

- Small-group, skills-based training designed *specifically* for defense lawyers
- Take mock depositions of a plaintiff and an actual expert
- Participants depart with transcripts and video footage of their depositions

October 18–20, 2017

Hosted by Veritext Legal Solutions | Chicago, IL

DRI delivers **resources** to build your practice ■

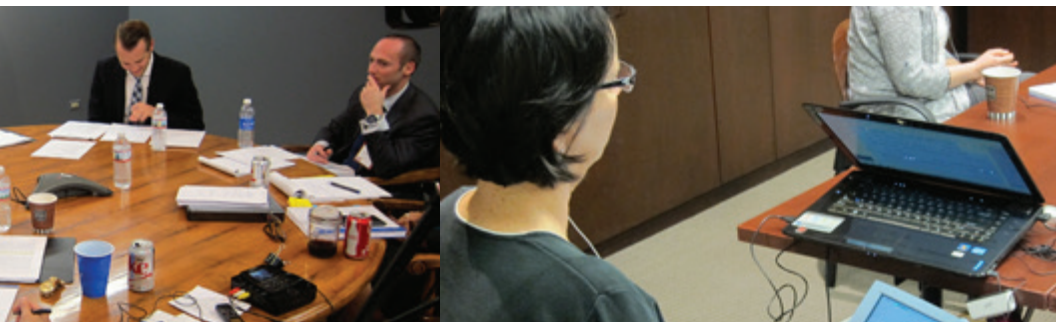
DRI returns with its acclaimed skills-based, hands-on Deposition Institute. Experienced trial lawyers training promising young trial lawyers. The DRI way. As it should be.



DRI is proud to present its fourth annual Deposition Institute.

DRI recognizes that depositions of parties, fact witnesses, and experts largely dictate a litigator's success in each case. Depositions inform defense lawyers in seeking summary judgment, obtaining a favorable outcome at mediation, leveraging for outright case dismissal, or, once at trial, critically impeaching a witness on cross-examination. Notwithstanding the importance of this skill set, emerging litigators often receive inadequate deposition training. Law schools routinely conduct trial advocacy classes, but they rarely provide deposition skills training. Likewise, in-firm mentor programs produce uneven success in the deposition training arena, with one study indicating that as many as 57 percent of lawyers take their first deposition without any training.

Designed specifically for the blossoming defense lawyer, this intensive three-day program fills the deposition training void. Students will attend a series of entertaining, informative, and interactive lectures covering all aspects of deposition taking. They will observe live deposition demonstrations conducted by experienced defense trial lawyers. And, utilizing small groups and a low faculty-to-student ratio, students will apply these lessons while participating in workshops providing hands-on training in taking and defending party and expert depositions, dealing with difficult witnesses and adversary counsel, and preparing witnesses



for depositions—all under the tutelage of an experienced team leader and utilizing a litigation fact pattern designed to make the experience as real as possible.

Students will depart with court reporter transcripts and videos of their workshop depositions, a new network of trial lawyer colleagues, and, most importantly, improved deposition skills.



E. Todd **Presnell**
Program Chair



Patrick M. **Causey**
Program Vice Chair

PRESENTED BY **DRI's**
Trial Tactics
Committee




The DRI Deposition Institute will be held in Veritext's downtown Chicago offices (see *General Information* for address).



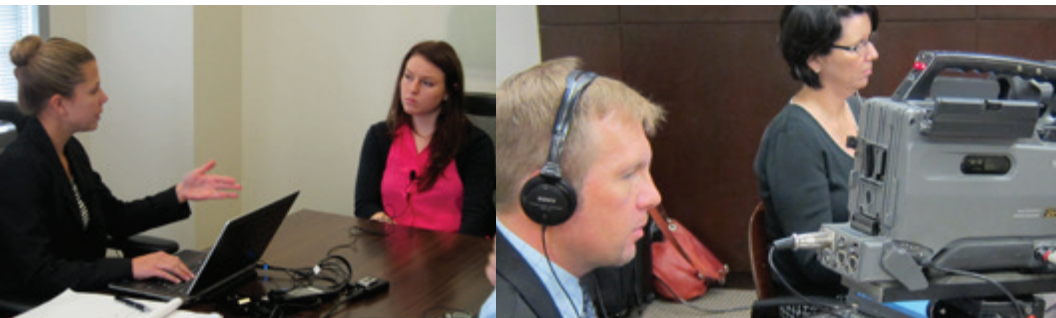
What You Will Learn

- How to prepare for and take expert depositions
- Methods for preparing for and defending depositions of corporate representatives
- Effective use of depositions at hearings, mediations, and trials
- Techniques for preparing clients and witnesses for depositions
- How to assert and defend deposition objections
- Ways to deal with a less-than-civil adversary counsel

Get Started

- 1 Share this brochure with colleagues
- 2 **Register online** or complete the **form in the back**
- 3 Share on social media   

“Overall, I thought this was a very productive and instructive program, and I would recommend it to any new associate as a ‘must attend.’”



PROGRAM SCHEDULE*Click on any speaker name to view bio.***TUESDAY, OCTOBER 17**

- 5:30 p.m. **Registration**
- 6:00 p.m. **Group Welcome Dinner**

WEDNESDAY, OCTOBER 18

- 7:30 a.m. **Light Continental Breakfast Service**
- 8:00 a.m. **Welcome and Introduction**
E. Todd Presnell, *Bradley Arant Boult Cummings LLP*, Nashville, TN
- 8:30 a.m. **Ready for Battle: Deposition Preparation for the Trial Lawyer**
 Noted trial lawyer Abraham Lincoln once quipped, “Give me six hours to chop down a tree and I will spend the first four hours sharpening the axe.” Lincoln’s frontier adage applies with equal force to lawyers taking depositions. Thorough deposition preparation produces positive results, both expected and unexpected, while inadequate or misguided preparation will surely result in missed opportunities. This presentation discusses techniques, strategies, and philosophies for lawyers preparing for depositions.
Katie S. Phang, *Berger Singerman LLP*, Miami, FL
- 9:30 a.m. **Lights, Camera, Action! The Dos, Don’ts, and Hows of Preparing Witnesses for the Deposition Experience**
 There is more to witness deposition preparation than instructing the witness not to volunteer information. Deposition preparation of witnesses involves ethical considerations, knowing your adversary, understanding the witness’s immediate and long-term importance to your case, and other concerns. This presentation will discuss the myriad issues that arise in witness preparation and provide tips for ensuring that your witness performs when the lights come on.
Patrick J. Sweeney, *Sweeney & Sheehan PC*, Philadelphia, PA
- 10:30 a.m. **Refreshment Break**
- 10:45 a.m. **Privileges, Bullies, and Objections: The Subterranean Facets of Deposition Taking**
 Civil litigation too often occurs in an uncivilized manner, with adversaries flouting the objection rules, bullying witnesses and lawyers, and generally engaging in questionable conduct. Evidentiary privileges present practical and academic issues that frequently confound lawyers and result in privilege waiver. This presentation discusses handling privilege issues, witness coaching, objections, when to call the

judge, and other issues that operate to derail lawyers when taking or defending depositions.

Gretchen N. Miller, *Greenberg Traurig LLP*, Chicago, IL

11:45 a.m. **Group Lunch**

1:15 p.m. **Intelligent and Strategic Preparation for Deposing Plaintiff's Experts**

Expert depositions present defense lawyers with problems and opportunities, as the expert's testimony may produce a variety of results ranging from a *Daubert* motion to a summary judgment motion to difficult trial cross-examination or to immediate settlement. Knowing what you want from the plaintiff's expert requires intuitive and learned skills, and this presentation discusses how to prepare to take the deposition of plaintiff's liability and damage experts.

Heidi G. Goebel, *Goebel Anderson PC*, Salt Lake City, UT

1:45 p.m. **Where Intelligence Meets Arrogance: Taking Expert Depositions That Produce Success**

Now fully prepared, it's time to actually depose the plaintiff's expert. Implementing that preparation, however, requires additional skill and expertise. This presentation will provide practical tips for actually extracting the desired expert testimony. You will learn how to structure the examination, gain valuable admissions, cabin useful testimony, when to press for an answer and when to stop, and other practical know-hows that will produce a successful deposition transcript.

Thomas J. Hurney, Jr., *Jackson Kelly PLLC*, Charleston, WV

2:45 p.m. **Refreshment Break**

3:00 p.m. **Selection, Preparation, and Implementation: Defending the Corporate Representative's Deposition**

Defending the deposition of your client's corporate representative requires more than a preparation meeting—much more. A successful corporate representative deposition requires identifying and selecting the appropriate representative(s), knowing and asserting the proper objections, handling broader privilege and work-product issues, and presenting the corporation's position. This presentation will offer strategies for handling these preparation issues.

Heidi G. Goebel, *Goebel Anderson PC*, Salt Lake City, UT

3:30 p.m. **Open Forum: Question and Answer Session About Depositions Past, Present, and Future**

C.S. Lewis called experience the "most brutal of teachers." This panel of defense trial lawyers has an individual and collective wealth of deposition experience. These attorneys will provide a general discussion of the role of depositions in civil litigation and how their deposi-

tion experience shaped their growth as trial lawyers. This group will then engage in a question and answer session with the attendees, drawing from the day's discussions.

MODERATOR | **Patrick J. Sweeney**, *Sweeney & Sheehan PC*, Philadelphia, PA

Heidi G. Goebel, *Goebel Anderson PC*, Salt Lake City, UT

Thomas J. Hurney, Jr., *Jackson Kelly PLLC*, Charleston, WV

Gretchen N. Miller, *Greenberg Traurig LLP*, Chicago, IL

Katie S. Phang, *Berger Singerman LLP*, Miami, FL

4:30 p.m. **Adjourn**

5:00 p.m. **Team Meetings**

6:00 p.m. **Dine-Arounds**

THURSDAY, OCTOBER 19

7:30 a.m. **Light Continental Breakfast Service**

8:00 a.m. **Opening Remarks**

E. Todd Presnell, *Bradley Arant Boult Cummings LLP*, Nashville, TN

8:05 a.m. **Different Aspects of Social Media**

Nicholas G. Rennillo, *Regional Vice President, Veritext Legal Solutions*, Cleveland, OH

8:30 a.m. **Demonstration: Deposing a Party Plaintiff**

Gretchen N. Miller, *Greenberg Traurig LLP*, Chicago, IL

Katie S. Phang, *Berger Singerman LLP*, Miami, FL

9:45 a.m. **Refreshment Break**

10:00 a.m. **Demonstration: Deposing an Expert**

Heidi G. Goebel, *Goebel Anderson PC*, Salt Lake City, UT

Thomas J. Hurney, Jr., *Jackson Kelly PLLC*, Charleston, WV

11:30 a.m. **Group Lunch**

1:00 p.m. **Workshop—Individual Team Breakouts***

Six teams, each composed of four participants, will convene in small group settings with their individual Team Leader and depose a party-plaintiff and a liability expert. With real, experienced experts and actors portraying the plaintiff's role, these depositions provide each student with hands-on, active opportunities to take meaningful depositions under a faculty member's tutelage. A stenographer

* Expert witnesses provided by S-E-A

and videographer will record the depositions to further teaching opportunities.

5:00 p.m. **Team Meetings**

5:30 p.m. **Adjourn**

FRIDAY, OCTOBER 20

7:30 a.m. **Light Continental Breakfast Service**

8:00 a.m. **Opening Remarks**

E. Todd Presnell, *Bradley Arant Boult Cummings LLP*, Nashville, TN

8:15 a.m. **Workshop—Individual Team Breakouts**
(continued from Thursday afternoon)

11:00 a.m. **Concluding Session**

During this plenary concluding session, the teams and their leaders will convene to engage in a final discussion. The discussion will include the best (and worst?) war stories arising from the workshop depositions.

12:30 p.m. **Adjourn**

“I loved that this was a smaller group than most conferences and seminars. It really gave me a chance to meet people and make meaningful connections. ... I also thought that it was really beneficial to meet people outside of my practice area and outside of my geographic area. Working in groups also allows people to open up when they would not normally.”

FACULTY/TEAM LEADERS

Click on any name to view bio.

Patrick M. Causey, Trenam Law, Saint Petersburg, FL

Heidi G. Goebel, Goebel Anderson PC,
Salt Lake City, UT

Thomas J. Hurney, Jr., Jackson Kelly PLLC,
Charleston, WV

Gretchen N. Miller, Greenberg Traurig LLP, Chicago, IL

Katie S. Phang, Berger Singerman LLP, Miami, FL

E. Todd Presnell, Bradley Arant Boult Cummings LLP,
Nashville, TN

Nicholas G. Rennillo, Regional Vice President,
Veritext Legal Solutions, Cleveland, OH

Patrick J. Sweeney, Sweeney & Sheehan PC,
Philadelphia, PA

View faculty bios on the **Deposition Institute webpage**; click on “View speakers” button.

GENERAL INFORMATION

Seminar Location

Veritext, 1 N. Franklin St. #3000, Chicago, IL 60606.

CLE Accreditation

This seminar has been approved for MCLE credit by the State Bar of California for up to **16.25** hours. Accreditation has been requested from every state with mandatory continuing legal education (CLE) requirements. Certificates of attendance will be provided to each attendee. Attendees are responsible for obtaining CLE credits from their respective states. Credit availability and requirements vary from state to state; please **check the DRI website at dri.org** for the latest information for your state.

Registration Policy

The registration fee is **\$1,895** for members and nonmembers. The registration fee includes course materials, continental breakfasts, refreshment breaks, networking reception/dinner, and group lunches. If you wish to have your name appear on the registration list distributed at the conference and receive the course materials in advance, DRI must receive your registration by **October 1, 2017** (*please allow 10 days for processing*). Space is limited to 24 attendees and will be registered on a first-come, first-serve basis.

Free seminar certificates cannot be used or applied towards registration for the Deposition Institute.

Refund Policy

The registration fee is fully refundable for cancellations received on or before **October 1, 2017**. Cancellations received after **October 1, 2017**, will not receive a refund. All cancellations and requests for refunds must be made in writing. Fax (312.795.0747) or email (seminars@dri.org) to DRI's Accounting Department. Processing of refunds will occur within four weeks after the date of the seminar. All refunds will be processed in the same method that the payment was received. Substitutions may be made at any time without charge and must be submitted in writing.

Discounts

Travel Discounts DRI offers discounted meeting fares on various major air carriers for **DRI Deposition Institute** attendees. To receive these discounts, please contact Direct Travel, DRI's official travel provider, at 800.840.0908. As always, to obtain the lowest available fares, early booking is recommended.

- The taping or recording of DRI seminars is prohibited without the written permission of DRI.
- Speakers and times may be subject to last-minute changes.
- DRI policy provides there will be no group functions sponsored by others in connection with its seminars.

Hotel Accommodations

A limited number of discounted hotel rooms have been made available at **Hotel Allegro, 171 W. Randolph Street, Chicago, IL 60601** ([click here](#) to view hotel photos).

Take advantage of the group rate of **\$229 Single/Double** in one of two ways:

- 1) Reserve online: [Click here](#) or visit dri.org and go to the **DRI Deposition Institute page** and click on the "Book hotel" button.
- 2) Or **contact the hotel directly at 1-800-KIMPTON** and mention the **DRI Deposition Institute**.

The hotel block is limited and rooms and rates are available on a first-come, first-served basis. You must make reservations by **September 26, 2017**, to be eligible for the group rate. Requests for reservations made after **September 26, 2017**, are subject to room and rate availability.

“Given the intensity of the program, I got to know the individuals in my small group really well in a short period of time. I was able to form some real friendships that I think will continue into the future.”

THANK YOU TO:

Sponsor and host:



Sponsor and expert witness provider:



Diversity and Inclusion in DRI: A Statement of Principle

DRI is the largest international membership organization of attorneys defending the interests of business and individuals in civil litigation.

Diversity is a core value at DRI. Indeed, diversity, which includes sexual orientation, is fundamental to the success of the organization, and we seek out and embrace the innumerable benefits and contributions that the perspectives, backgrounds, cultures, and life experiences a diverse membership provides.

Inclusiveness is the chief means to increase the diversity of DRI's membership and leadership positions. DRI's members and potential leaders are often also members and leaders of other defense organizations. Accordingly, DRI encourages all national, state, and local defense organizations to promote diversity and inclusion in their membership and leadership.

Harassment and Discrimination

DRI is committed to the policy of equal opportunity regardless of race, color, religion, sex, sexual orientation, gender, national origin and disability in all of its programs and activities, as well as maintaining an environment in our programs and activities which is free from all forms of harassment or discrimination of any kind. Pursuant to this policy, if any person who attends our programs or activities experiences unlawful discrimination or harassment, this should be reported to the Executive Director so that appropriate action may be taken.

