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10,000 Depositions Later: 33 Tips for Taking Superior Depositions

Jim Garrity

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This book contains nearly three dozen strategies and techniques – proven effective in thousands of depositions – you can use to achieve striking improvements in the testimony and cooperation you get from deponents. They work in every type of case and require no learning curve. All can be implemented beginning with your next round of depositions.
My high-volume practice allows me to experiment freely with novel tactics. It became obvious over thousands of depositions which worked and which didn't. These 33 tips are the best of the best.
Depositions are the new trials. Fewer than five percent of cases in state and federal court cases now end in trial. Depositions are the only place most witnesses ever testify. So most outcomes are driven by depositions, not trials.
Some of the powerful techniques you'll read about:
• Why you must always discuss the oath and the only correct way to do it (and why you should never mention penalties of perjury)
• The "power seat" in depositions you should always take that sharply increases witness cooperation
• Fourteen questions you must ask in every telephone deposition
• Critical demonstrative evidence from every deposition that all lawyers ignore, and that you should never overlook again (if you want a huge advantage in mediations and trials)
• Five valuable sources of evidence on deposition day you can only collect outside the deposition room
• A tactic you should regularly use with your own client that most lawyers only consider when their client is about to die
• The "toolkit" to carry to every deposition to stop misconduct by opposing lawyers
Existing books and seminars address the basics of depositions –organizing documents, marking exhibits. Practicing lawyers don't need this advice. It's the insights about proven tactics that have worked thousands of times against the toughest witnesses and brightest opposing lawyers that need to be shared. Whether you're new to the practice of law, and want to rocket ahead of your peers in deposition skills, or whether you're very experienced and looking for new strategies, this book is for you.

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