



THE
FLORIDA
BAR
CLE

The Florida Bar Continuing Legal Education Committee and
the Business Law Section present

Deposition Boot Camp: Basics to Advanced

COURSE CLASSIFICATION: INTERMEDIATE LEVEL

One Location:

Friday, May 19, 2017 • Loews Sapphire Falls Resort
6601 Adventure Way • Orlando, FL 32819 • 888-430-4999

Course No. 2215R



8:30 a.m. – 9:00 a.m.

Registration, Welcome, and Introductions

9:00 a.m. – 9:50 a.m.

“Nuts and Bolts”—Deposition Basics

Bradford Kimbro, Holland & Knight, Tampa
Joe Varner, Holland & Knight, Tampa

Topics: (1) Who can you depose; (2) Purpose of depositions; (3) Notice requirements; (4) Deposition jargon; (5) Timing and strategy; (6) Format (video/verbal); (7) Applicable rules and limitations; (8) Scope of examination; (9) Protective orders; (10) Ability of non-deponents to attend; (11) Compelling attendance; (12) Production of documents at deposition; and (13) General advantages/disadvantages of depositions.

9:50 a.m. – 10:40 a.m.

Lay Witness Depositions (Part 1)

Melanie Griffin, Dean Mead, Tampa
Alicia Koepke, Trenam, Tampa

Michael Schofield, Clark Partington, Pensacola

Topics: (1) Preparing your client to be deposed; (2) Preparing to take a deposition, including creating outlines based on legal elements, timelines, relationship charts, identifying opponent's fact/legal theories, reviewing pleadings and document productions; (3) Taking the deposition, including stipulations, proper style/tone based on witness as friendly/hostile, how to deal with objections (especially speaking or argumentative objections), proper use of documents at deposition (including authentication, impeachment, refreshing recollection, etc.); (4) Issues in depositions of corporations, including designations, duty to prepare etc.; and (5) Issues surrounding substantive errata sheet changes.

10:40 a.m. – 11:00 a.m.

Break

11:00 a.m. – 11:50 a.m.

Lay Witness Depositions (Part 2)

Melanie Griffin, Dean Mead, Tampa
Alicia Koepke, Trenam, Tampa

Michael Schofield, Clark Partington, Pensacola

Continuation of same topics in Part 1.

12:00 p.m. – 1:15 p.m.

Lunch (included with registration)

1:20 p.m. – 2:10 p.m.

Expert Witness Depositions

Soneet Kapila, Kapila & Company, Fort Lauderdale
Damien Prosser, Morgan & Morgan, Orlando
Hon. Dan Traver, Circuit Judge, Orlando

Topics: (1) Expert discovery; (2) Goals in deposing expert; (3) Advantages and disadvantages of lengthy expert depositions; (4) Daubert/Frye and deposition strategy; (5) Allocation of costs in expert discovery; and (6) Preparing your expert for deposition.

2:10 p.m. – 3:00 p.m.

Ethical Considerations in Depositions

LaShawnda Jackson, Rumberger, Orlando

Topics: (1) Dealing with opposing counsel (including inappropriate objections, instructions not to answer, when to involve presiding judge); (2) What to do if your client intends to lie; (3) Professionalism issues in scheduling and conducting depositions; (4) Deposition issues that can result in sanctions.

3:00 p.m. – 3:15 p.m.

Break

3:15 p.m. – 4:05 p.m.

Using Depositions in Court Proceedings

James Gassenheimer, Berger Singerman, Miami
Mike Vitale, Baker Hostetler, Orlando

Benjamin Webster, Morgan & Morgan, Orlando

Topics: (1) Use in motions for summary judgment; (2) Use at trial or evidentiary hearing, including absent witness, basis for proffer, use as party statement, refresh recollection, as testimony of witness whose memory cannot be refreshed, impeachment; (3) Deposition designations and rulings on objections to same; and (4) Presenting deposition testimony at trial.

4:05 p.m. – 5:00 p.m.

Networking Reception

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Melanie Damian, Miami — Chair-elect

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