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Video: Deposition Despots: Managing Difficult Attorneys and Witnesses

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Law Center Plus: Continuing Your Legal Education

Deposition Despots: Managing Difficult Attorneys and Witnesses

**Friday, April 17, 2015
7:30 am – 9:30 am
3305 College Avenue
Ft. Lauderdale, FL 33314**



Professor Michael Flynn

Professor Flynn teaches courses in personal injury law, including Torts, Medical Malpractice and Products Liability as well as courses in Consumer Protection Law and The Uniform Commercial Code. Professor Flynn helped to develop the Civil Pre-Trial Practice class and he teaches classes in Civil Procedure and lawyering skills including Trial Advocacy and Interviewing, Counseling and Negotiation as Civil Pre-Trial Practice. Professor Flynn also created and teaches courses in the Masters in Health Law and Masters in Education Law online programs offered at the Law Center and he created the only Personal Injury Litigation Clinic offered by any law school. He is the Director of the Consumer Protection Clinic as well.



Natalie Giachos, Esq.

Natalie Giachos is a litigation attorney with Boyar & Freeman, PA. Her focus is on Insurance Litigation and Personal Injury claims. She previously was an attorney with Paige, Trop & Ameen, PA and a paralegal for nine years prior to entering law school. She holds a BA in Political Science from Florida Atlantic University and JD from Nova Southeastern University Shepard Broad Law Center. Natalie is the President of the NSU Law Alumni Association Board of Directors.



Jeremy Singer, Esq.

Jeremy Singer is a commercial litigation attorney at the Fort Lauderdale office of Greenberg Traurig, P.A. His practice is primarily focused on complex commercial litigation matters, including merger and acquisition litigation and first-party insurance disputes. He holds a BA in Entrepreneurship from the University of Miami and a JD from NSU Shepard Broad Law Center. During law school, Jeremy was the Editor-in-Chief of the *Nova Law Review* and participated in Moot Court and Mock Trial competitions. Prior to joining Greenberg Traurig, Jeremy clerked for Chief Judge Dorian Damoorgian of Florida's Fourth District Court of Appeal. Jeremy is a member of the NSU Law Alumni Association Board of Directors.

Course Outline & Timeline

Registration & Continental Breakfast:

7:30 to 7:55 am

Atrium & Faculty Study

Welcome & Introduction:

7:55 to 8:00 am

Elena Rose Minicucci, JD Director, Alumni Relations, NSU Shepard Broad Law Center

- Welcome
- Introduce Law Professor Michael Flynn, and attorneys Natalie Giachos, Esq. and Jeremy Singer, Esq.

Seminar Presentation

8:00 am to 8:30 am

Professor Michael Flynn, JD

Natalie Giachos, Esq. (NSU JD 2006)

Jeremy Singer, Esq. (NSU JD 2011)

Role Play: A brief role-play demonstration (10 minutes) will involve Professor Flynn as Pete, the lawyer for deponent who seeks to prevent his opposing counsel, played by Jeremy Singer, from getting answers during the deposition of Pete's VIP client, played by Natalie Giachos. The case concerns a civil litigation matter where millions of dollars are at stake.

Seminar attendees will observe the role play and then Professor Flynn will demonstrate for participants how to handle obstructive behavior in accordance with the Federal Rules of Civil Procedure, Florida Rules of Civil Procedure, and Florida Rules of Professional Responsibility.

8:30 am to 9:30 am

Professor Michael Flynn

Professor Michael Flynn will discuss rules, ethics, and professionalism when taking depositions and preparing for trial:

- Federal Rule of Civil Procedure 30(c)(2) regarding noting the objection on the record but continuing the deposition
- Federal Rule of Civil Procedure 30(d)(3) regarding motion for protective order
- Local Rules – Federal District Court for Southern District of Florida – prohibited behavior during depositions Rule 30.1
- Florida Rule of Civil Procedure 1.310(d) is identical to the Federal Rule 30(c)(2) – addresses argumentative behavior and suggestive objections

- American Bar Association Rules of Professional Conduct (Preamble) – zealous representation of client has boundaries
- ABA Rule 3.1 Meritorious Claims and Contentions
- ABA Rule 3.2 Expediting Litigation
- ABA Rule 3.4 Fairness to Opposing Party and Counsel
- ABA Rule 8.4 Misconduct
- American College of Trial Lawyers Code of Pretrial Conduct – Section 5
- Joint Committee of Trial Lawyers Section, The Florida Bar, Chapter 4 “Speaking Objections” and inflammatory statements at a deposition

Professor Michael Flynn will discuss tactics for dealing with obstructionist lawyers:

- “Top Ten, Really Eight” list covers pre-deposition agreements, protective orders, using another lawyer to “referee” the deposition, videotaping the deposition, referring the other lawyer to the rules, and other proactive and professional techniques to disarm aggressive opposing counsel.
- Seek court intervention when all else fails – be sure to create a record and submit an accurate transcript to the court

Question and Answer session:

Michael Flynn, Natalie Giachos, and Jeremy Singer

Handouts include relevant portions of the following:

1. Federal Rules of Civil Procedure
2. Local Rules – Federal Court, Southern District of Florida
3. Florida Rules of Civil Procedure
4. ABA Rules of Professional Conduct [Preamble]
5. American College of Trial Lawyers Code of Pretrial Conduct [Sec. 5]
6. Joint Committee of Trial Lawyers Section, The Florida Bar [Chapter 4]
7. “Top Ten, Really Eight” tips

9:30 am – Critique and Thank You

Excerpt from “The Fight for Information With the Obstructionist Lawyer” by Professor Michael Flynn, published in the *American Journal of Trial Advocacy*, Volume 33, a publication of Cumberland School of Law at Samford University. Used with permission of the author and publisher.

“Top 8 , Really 10 Tips for Dealing with Misbehaving Lawyers” by Michael Flynn, Esq., is used with permission of the author and the publisher of The Advocate newsletter of The Florida Bar Trial Lawyers Section, VOL.XXXIX, No. 1 (Fall 2009)

DEPOSITION ETHICS AND PROFESSIONALISM: THE OBSTRUCTIONIST LAWYER

By: Michael Flynn, Professor of Law, Nova Southeastern
University Law Center

THE OBSTRUCTIONIST LAWYER- THE STORY

Pete is the lawyer for the deponent. Pete is not confident, and neither is the deponent, about the ability of the deponent to accurately and effectively present testimony at the deposition. This deponent is one of Pete's most valued paying clients. The litigation is very important to the client and is worth a substantial amount of money. The client made known to Pete that the client/deponent is relying on Pete to make sure this litigation produces a favorable outcome.

Right from the outset, the deposition is going badly for the deponent. The deposing lawyer is well prepared, respectful but skillful and relentless in asking questions. When the questioning begins to focus on what Pete considers to be the most crucial factual and legal issue in the litigation, Pete slows the deposition down by injecting repeated objections to the form of the questions. Some of the questions are objectionable, some are not. Pete becomes more intrusive by not only objecting to questions but also by commenting on the substance of questions so that he suggests to the deponent what the answer to the question should be. At one point, Pete requests a break in the deposition while a particularly important question is pending without an answer. The deponent seconds the request for a break. Upon returning from the break, the deponent spins the question and answer expertly.

It is important to note that the deposing lawyer, first, just ignored Pete's objections and continued to politely press the deponent for answers to questions. Second, the deposing lawyer advised Pete,

on the record, that Pete should refrain from misbehaving during the deposition and particularly notes that Pete and the deponent took a break while a question was pending. Third, the deposing lawyer advised Pete that the deposing lawyer was prepared to call up a judge and have a telephone hearing on Pete's misbehavior unless it stopped.

After several minutes of misbehavior, the deposing lawyer focuses the questions on the most damaging substantive problems with the deponent's position in the lawsuit. Pete injects an objection each time a question of this type is propounded and instructs the deponent not to answer, claiming privilege. The deposing lawyer makes sure the record is clear as to Pete's instructions not to answer and then recesses the deposition to contact the judge.

The judge, who is in the courthouse but on a break from other proceedings, schedules a hearing on the matter for the next morning.

At the hearing the next morning, the judge chastises Pete for his misbehavior and sanctions Pete. The judge's sanctions include payment of the cost of the deposition and the deposing lawyer's attorney fees which amounts to over \$1,000. The judge also orders that Pete pay for the cost of a videotape deposition of his client and that the deposition reconvene in five days. The judge also orders that Pete not misbehave in the reconvened deposition or be subject to a contempt of court sanction.

Pete informs his client of the judge's order and the monetary sanction.

The client thanks Pete for the great job he did in protecting his/her interests during the deposition and tells Pete to just add the amount of the sanction to the bill. The client also agrees to meet with Pete over the next three days to adequately prepare for the reconvened deposition.

The reconvened deposition does not go well for the deposing lawyer. The deponent is so well prepared that despite skillful questions by the deposing lawyer and his persistence in probing what the deponent knows, the deponent handles the questions flawlessly. From the deposing lawyer's perspective, the deposition, in which Pete does not misbehave, is not very useful.

I. DEPOSITION ETHICS AND PROFESSIONALISM

Federal Rule of Civil Procedure 30(c)(2) states in part that any objection during the examination of deponent during a deposition, "...must be noted on the record, but the examination still proceeds; the testimony is taken subject to any objection. An objection must be stated concisely in a non-argumentative and non-suggestive manner. A person may instruct a deponent not to answer only when necessary to preserve a privilege, to enforce a limitation ordered by the court, or to present a motion under rule 30(d)(3) [a motion for a protective order]." Further, Federal Rule of Civil Procedure 30(c)(3)(A) provides in part that during a deposition " ... the deponent or a party may move to terminate or limit it [the deposition] on the grounds that it is being conducted in bad faith or in a manner that unreasonably annoys, embarrasses, or oppresses the deponent or party...If the objecting deponent or party so demands, the deposition must be suspended for the time necessary to obtain an order.

The Federal District Court for the Southern District of Florida local rules, similar to local rules adopted in many courts, prohibit the following specific kinds of behavior during a deposition in local rule 30.1:

Objections or statements which have the effect of coaching the witness, instructing the witness concerning the way in which he or she should frame a response, or suggesting an answer to the witness.

Interrupting examination for an off-the-record conference between counsel and the witness, except for the purpose of determining whether to assert a privilege.

Instructing a deponent not to answer a question except when to preserve a privilege, to enforce a limitation on evidence directed by the Court, or to present a motion [for a protective order].

The Florida Rule of Civil Procedure 1.310(d), not unlike the rules in many states, is identical to the portion of the Federal Rule of Civil Procedure 30(c)(2) which admonishes a defending lawyer to not propound argumentative or suggestive objections.

The American Bar Association ("ABA") Rules of Professional Conduct also address the behavior of lawyer during a deposition. Paragraph 2 of the Preamble to these rules states that a lawyer should zealously advocate a client's position. Therefore, the boundary of a lawyer's zealous representation of a client is set by the ABA rules.

With this Preamble in mind, the ABA rules go on in Paragraph 9 of the Preamble to note:

"...Virtually all difficult ethical problems arise from conflict between a lawyer's responsibilities to clients, to the legal system and to the lawyer's own interest in remaining an ethical person while earning a satisfactory living. The Rules of Professional Conduct often prescribe terms for resolving such conflicts. Within the framework of these Rules, however, many difficult issues of professional discretion can arise. Such issues must be resolved through the exercise of sensitive professional and moral judgment guided by the basic principles underlying the Rules. These principles include the lawyer's obligation zealously to protect and pursue a client's legitimate interests, within the bounds of the law, while

maintaining a professional, courteous and civil attitude toward all persons involved in the legal system."

The ABA Rules go on to offer some guidance to Pete.

ABA Rule 3.1, Meritorious Claims and Contentions, prohibits a lawyer from asserting a frivolous claim or defense. Comment 1 to this rule goes on to explain that a lawyer has a duty to use legal procedure for the fullest benefit of a client's cause but also has a duty not to abuse legal procedure. This Comment concludes that even though the law is not always clear and never static, procedural law establishes the limits within which an advocating lawyer may proceed. When applied to lawyer Pete's behavior during the deposition, Pete's speaking objections and frivolous objections and instructions not to answer fall within the broad prohibitions of this ABA Rule.

ABA Rule 3.2, Expediting Litigation, requires a lawyer to expedite litigation consistent with the interests of his or her client. The Comments to this rule speak to Lawyer Pete's tactics in the deposition. Comment 1, although recognizing that postponements and other delays may be appropriate, states that delay or other tactics employed for the purpose of frustrating an opposing party's attempt to rightfully pursue a cause is not justified. The Comment goes on to say that "Realizing financial or other benefit from otherwise improper delay in litigation is not a legitimate interest of the client."

ABA Rule 3.4, Fairness To Opposing Party And Counsel, provides in part that:

A lawyer shall not:

(a) unlawfully obstruct another party's access to evidence or

unlawfully alter, destroy or conceal a document or other material having potential evidentiary value. A lawyer shall not counsel or assist another person to do any such act; knowingly disobey an obligation under the rules of a tribunal ...in pretrial procedure, make a frivolous discovery request or fail to make reasonably diligent effort to comply with a legally proper discovery request by an opposing party...

Comment 1 to this ABA Rule specifically remarks that this Rule prohibits concealment of evidence, improperly influencing witnesses and obstructive tactics in discovery procedure. Lawyer Pete's conduct during the deposition arguably fits each one of these prohibitions. This Comment goes on to note that fair competition in the adversary system of justice is founded on these prohibitions. Therefore, Pete's misconduct can be viewed as an attempt to corrupt the legal system.

ABA Rule 8.4, Misconduct, declares that it is professional misconduct for a lawyer to violate the ABA Rules and to:

...(c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation;

(d) engage in conduct that is prejudicial to the administration of justice

Comment 1 to this rule states that this Rule prohibits a lawyer to knowingly assist or induce another to violate the ABA Rules or to violate the ABA Rules through the acts of another person.

The American College of Trial Lawyers adopted a Code of Pretrial Conduct. This Code of Pretrial Conduct addresses the conduct of lawyers in a deposition. Specifically, Section 5(e) titled Depositions in sub-section (5) declares that during a deposition

"Objections should not be used to obstruct questioning, to improperly communicate with the witness, or to disrupt the search for facts or evidence germane to the case."

The Handbook of Discovery Practice developed by the Joint Committee of the Trial Lawyers Section of The Florida Bar and the Conference of Circuit and County Court Judge in Chapter 4 titled, "Speaking Objections and Inflammatory Statements at a Deposition" condemns speaking objections and provides citation to the civil procedure rule and case law which support this position. Further, Chapter 5 of the Handbook titled, "Instructing a Witness Not to Answer Questions at a Deposition", citing civil procedure rules and case law, explains that an instruction not to answer is only appropriate to claim a privilege or to enforce a court ordered limitation in discovery.

II. TACTICS FOR DEALING WITH OBSTRUCTIONIST LAWYERS

The following is a "Top Ten, Really Eight" list of tactics for dealing with the misbehaving lawyer. These tactics are listed in chronological order, beginning with pre-deposition tactics followed by tactics that can be used during the deposition.

Number 1: If a deposing lawyer, through experience or investigation, has a reasonable basis to suspect misconduct by an opposing lawyer then seeking a pre-deposition protective order may be effective in stopping the misbehavior before it starts. Such protective orders, granted upon a showing of good cause, should set out the parameters within which the deposition will be conducted. This order may even include the presence of another lawyer or magistrate to act as a "referee" regarding objections and other matters that may come up during the deposition.

The deposing lawyer faced with this circumstance may also want

to first attempt to get the opposing lawyer to agree in writing to abide by and refrain from certain conduct during the deposition.

Such an agreement might reference state or local deposition conduct guidelines and civil procedure rules and may be enough to permit a court to sanction a breach of this agreement. The unwillingness to enter into this type of agreement or to stipulate on the record to this kind of agreement can be persuasive evidence in the event the refusing lawyer misbehaves. However, court approval of such an agreement is an extra precaution that sets up, upon violation of the order, compelling proof of contempt of court. In some courts, a standing discovery order renders the need for a protective order covering deposition conduct moot.

Number 2: If a deposing lawyer anticipates misconduct by an opposing lawyer, then videotaping the deposition may thwart the misbehavior. In most instances, the presence of the camera seems to have a leveling influence and encourage proper behavior by not only opposing lawyers but by deposing lawyers and deponents as well. Not always, but sometimes. The tactic of videotaping a deposition is a popular option to curb deposition misconduct because videotaping can be done relatively cheap. Further, the camera does not lie, which gives a reviewing court solid evidence of potentially sanctionable misconduct. Also, holding the deposition in a room at the courthouse may also deter a lawyer from misbehaving.

Number 3: Some deposing lawyers have requested, prior to the beginning of a deposition that the opposing lawyers and the deponent agree that all objections to questions be made with the deponent not in the deposition room. For this procedure to be binding, the lawyers and the deponent would have to agree to it. Although known to have happened, it would seem that securing this kind of agreement may be difficult. Further, many courts may look at this process as not very effective. Certainly such an

agreement would limit the ability of a deponent's lawyer to coach a witness while a question is pending through a speaking objection. However, this kind of process begs for an opposing lawyer to object as often as necessary to disrupt the flow of deposition questioning resulting in a disjointed deposition. Therefore, before proposing such a procedure, the deposing lawyer would have to gauge the pluses and the minuses of taking a deposition this way with this particular deponent and opposing lawyer.

Number 4: One of the conventional rules of deposition questioning is friendly and informal first. This axiom may not only apply to the deposing lawyer's behavior towards a deponent but also the deposing lawyer's approach to opposing counsel. Many times a friendly and solicitous approach to a deponent's lawyer can set the tone for proper behavior during a deposition. For the most part, this kind of approach cannot hurt. A deposing lawyer who is considerate and cooperative towards both a deponent and a deponent's lawyer may diffuse existing or perceived animosity and the temptation of an opposing lawyer to be inconsiderate and uncooperative. A tangential benefit may be that even if only the deponent buys into the approach offered by the deposing lawyer and the deponent's lawyer does not for vice-versa, this can create a rift between the deponent and the deponent's lawyer. In either case, such a rift can benefit the deposing lawyer when the deponent or the deponent's lawyer chooses to behave appropriately despite the other's attempt to engage in inappropriate behavior. From the deposing lawyer's perspective, the creation of cognitive dissonance can, with patience, produce the desired result of an incident-free deposition.

Number 5: To combat lawyer misconduct during the deposition, the deposing lawyer's first option should be to ignore the deponent's lawyer, look directly at the deponent and ask for an answer to a question. The rationale for this tactic is multi-faceted.

First, assuming the deponent lawyer at the beginning of the deposition has discussed and obtained the agreement of the deponent to answer the questions posed, the deponent lawyer insisting on an answer from the deponent is in effect insisting that the deponent live up to the agreement to answer questions. Second, since under the civil procedure rules, an objection or other comment regarding a question does not permit a deponent to refuse to answer a question absent a claim of privilege or perhaps undue harassment or a court-imposed limitation on discovery, the deposing lawyer is entitled to an answer to the question. Further, by ignoring the deponent's lawyer, perhaps the defending lawyer will tire of misbehaving. The key to this tactic is to avoid responding, arguing or otherwise discussing an objection or other comment made by the deponent's lawyer with the deponent's lawyer. Brendan Sullivan, the lawyer for Oliver North, bemoaned this tactic by stating on the record that he was not a potted plant. However, from the perspective of the deposing lawyer, a misbehaving lawyer is a potted plant and initially should be ignored to see if that stops the misbehavior. Although not a foolproof tactic, ignoring the deponent lawyer's misconduct first, and then insisting the deponent answer a question, may work and allow the deposing lawyer to gather information. To be most effective, this tactic requires the deposing lawyer to be patient and even-tempered. Regardless, a deposition transcript that reveals this tactic is a solid first step in making the record of a misbehaving lawyer.

Number 6: If ignoring the deponent lawyer's misbehavior does not work, then the deposing lawyer must make a reasoned decision to do something more. This decision should be based on the fact the defending lawyer's misbehavior has escalated to the point that the deposing lawyer cannot gather information from the deponent or the testimony proffered by the deponent is not the deponent's testimony but rather the testimony of the deponent's lawyer.

The first option may be to speak to the deponent's lawyer politely

and request that the lawyer refrain from the misbehavior. The deposing lawyer has the option of having this conversation on or off the record. This is a judgment call. Having the conversation off the record may not be enough to impress upon the defending lawyer that the misbehavior must stop. However, having the conversation on the record may just entice the defending lawyer to engage the deposing lawyer further and delay the deposition.

In either instance, a conversation that is hostile, confrontational or anything other than professional will most likely not be effective. Many lawyers choose to have this kind of conversation outside the presence of the deponent so that both the deposing lawyer and the deponent's lawyer are not influenced or distracted by the presence of the deponent.

Number 7: If a polite and courteous conversation in which the deposing lawyer requests that the defending lawyer refrain from misbehavior does not work, then the next step in the progression of tactics is to make a record. Frankly, the deposing lawyer should always be record conscious in any deposition but most assuredly from the moment a defending lawyer begins to misbehave. However, at this point in the progression of tactics, the deposing lawyer becomes more assertive and consciously decides to escalate tactics by making the record.

The key to making a useable record is at least three-fold. First, the deposing lawyer must chose to make a record of an incident of misconduct that is truly misconduct. When in doubt, avoid making a mistake and either ignore the potential misconduct or pause to evaluate more fully the potential misconduct. Second, pick a good incident. The deposing lawyer must evaluate if the misbehavior is clear enough in context to be worthy of note. Petty or other kinds of silly misbehavior should not be the focus of making a record unless there are a substantial number of these instances that prevent the gathering of information. Third, the deposing lawyer must be able to describe accurately without inflammatory

comment, what happened. There is no margin for exaggeration or misspeak.

When making a record, it is the factual description of the incident that means the most. However, in addition, it may also be helpful for the deposing lawyer to make reference to the civil procedure rules or other ethical or professionalism rules and guidelines that apply and prohibit such misconduct. Finally, in this record the deposing lawyer may choose to remind the defending lawyer of his or her obligation to refrain from such misbehavior. The danger in this last part of making the record is that such a reminder may just trigger the deponent's lawyer to instigate an argument and more commentary.

The making of a record is especially important when dealing with an inappropriate instruction not to answer. Aside from the foregoing admonitions about making a record, the first step for the deposing lawyer is to confirm on the record that the defending lawyer is instructing the deponent not to answer a question. Second, despite this instruction, the deposing lawyer should look to the deponent and ask the deponent to answer the question. Sometimes this works and the deponent may go ahead and answer the question contra to the defending lawyer's instruction. Assuming the deponent follows the defending lawyer's instruction, the next step in making the record is for the deposing lawyer to request the defending lawyer state with specificity the legal and factual basis for instructing the deponent not to answer a question. By obtaining this information, the deposing lawyer can evaluate if the instruction not to answer is really inappropriate and if not, how to rephrase a question to avoid this objection.

Again making a useable record takes patience and thought. One tool that is helpful in making a record is the court reporter and the ability to look at a real time transcript. Although expensive, an instantaneous review of a transcript can be helpful to not only

making the decision to make a record but to also review the deposing lawyer's attempt to make that record.

The foregoing suggestions for making a record of lawyer misconduct details the ideal circumstance. In fact, misbehaving lawyers often do not cooperate and do not present the ideal record for description or court review. However, with some reflection and thought, a deposing lawyer can make an effective record even if not the ideal record.

Number 8: If after exhausting patience, the aforementioned tactics and an attempt to question the deponent as fully as possible and the obstructionist behavior of the defending lawyer still does not stop, the next step is to recess the deposition and seek court intervention. The deposing lawyer should not adjourn the deposition at this point but merely recess the deposition to set up immediate court intervention. This means that the deposing lawyer must have planned ahead enough to know that a judge or magistrate is available and willing to intervene in a deposition incident. An empty threat of court intervention will most likely not be effective.

To present deposition misconduct to the court for review requires that an accurate transcript be produced and delivered to the court. Here the capability of the court reporter is crucial. The ability to electronically or otherwise transmit promptly to a judge an accurate transcript is best. The deposing lawyer must be selective to include the cleanest instances of lawyer misconduct in the portion of the deposition transcript delivered to the court. Make the court's job of reviewing the transcript as easy as possible. Further, the deposing lawyer should not go to the court for intervention unless there is more than one instance of lawyer misconduct. The exception to this rule may be if the single instance of misconduct covers a lynchpin issue in a lawsuit. The real point here is that judges and magistrates do not like to referee discovery disputes. However, if a

deposing lawyer can present to a court a series or pattern of clear lawyer misconduct, then the court is more likely to be receptive. Finally, in order to minimize the loss of the opportunity to question the deponent without delay, the deposing lawyer should request an immediate court ruling and continue the deposition immediately.

This list is certainly not exclusive or exhaustive. There is probably no end to the inventiveness of lawyers who choose to obstruct a deposition. However, hopefully this list of tactics is helpful.



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