

# INVITED FACULTY

## Julie Braman Kane

Ms. Braman Kane practices in the areas of class action litigation, products liability, and personal injury. She serves on AAJ's Executive Committee, Budget Committee, the National College of Advocacy (NCA) Board of Trustees as cochair, and is a member of the AAJ Board of Governors. Ms. Kane has previously served as chair of both AAJ's Products Liability Section and the Women's Caucus. Ms. Kane also serves as an officer of the Miami-Dade Florida Association of Women Lawyers and sits on the Board of Directors of the Academy of Florida Trial Lawyers, where she is a past Chair of both the Young Lawyers Division and the Women's Caucus. Ms. Kane is a partner at Colson Hicks Eidson in Coral Gables, Florida.

## G. Courtney French

Mr. French concentrates his practice in nursing home, medical negligence, products liability, motor vehicle, and wrongful death litigation. He is a member of AAJ's Exchange Advisory Committee and the Board of Governors of AAJ's New Lawyers Division. He is with the firm of Fuston, Petway & French, in Birmingham, Alabama.

## Edward J. Hershewe

Mr. Hershewe has 25 years of experience in the areas of personal injury, medical malpractice, products liability, property liability and motor vehicle collisions. He is a member of the Jasper County and American Bar Associations, the Missouri Bar, and a former member of the Board of Governors of the Missouri Association of Trial Attorneys. He is certified as a Civil Trial Advocate by the National Institute for Trial Advocacy. Mr. Hershewe is with the Hershewe Law Firm in Joplin, Missouri.

## William L. Keating

Mr. Keating concentrates his practice on plaintiffs' personal injury cases including automobile and products liability litigation. He is a past president of the Colorado Trial Lawyers Association, a past member of the AAJ Board of Governors, and a past member of the Colorado Trial Lawyers Association Board of Governors. Mr. Keating is a partner with the law firm of Fogel, Keating, Wagner, Polidori, Shafner, Struthers & Heron, P.C., in Denver, Colorado.

## Christopher J. O'Brien

Mr. O'Brien concentrates his practice on cases involving automobile negligence, sexual assault and wrongful death. He is Past President of the Western Affiliate of the New York State Trial Lawyers Association (NYSTLA) and a Diplomat of AAJ's NCA. Mr. O'Brien is a frequent speaker for AAJ and NYSTLA CLE programs and is an adjunct faculty professor at SUNY at Buffalo Law School. He is a partner with O'Brien Boyd, P.C. in Buffalo, New York.

## Thomas S. McGrath

Mr. McGrath has spent the last seven years exclusively representing consumers in arbitration and litigation against building contractors, pest control companies, architects, and real estate agents in Alabama, Tennessee, and other states. He is a past member of Cumberland School of Law's Trial Team under Judge James O. Haley. Thomas S. McGrath, P.C., is in Huntsville, Alabama.

## Phillip H. Miller, Course Advisor

Mr. Miller has an exclusive personal injury practice. He has tried 46 jury trials to verdict and handled a wide range of cases including trucking litigation, nursing home claims, pharmaceutical torts, and day care center child abuse. In addition to his law practice, Mr. Miller has extensive experience working as a trial consultant on a wide variety of cases. He is a member of AAJ's NCA Board of Trustees and is with Phillip Miller & Associates in Nashville, Tennessee.

## Thomas J. Vesper

Mr. Vesper concentrates his practice on products liability, professional malpractice, medical negligence, and consumer fraud cases. He is a former member AAJ's NCA Board of Trustees, a frequent lecturer, and author of *Trial and Depositions Notebooks*. Mr. Vesper is a senior partner in the firm of Westmoreland Vesper & Quattrone in West Atlantic City, New Jersey.

## Miriam Werenbaum

Ms. Weizenbaum concentrates her practice in of Medical Negligence, Products Liability, and Catastrophic Injury litigation. Ms. Weizenbaum is a member of the Rhode Island Bar Association, the Rhode Island Superior Court Bench/Bar Committee, the Rhode Island Civil Liberties Union, and the Rhode Island Trial Lawyers. She also serves as an officer and on the Governing Board of the Rhode Island Trial Lawyers Association. Ms. Weizenbaum is a partner in the firm of DeLuca & Weizenbaum, Ltd., in Providence, Rhode Island.

# AGENDA

## Saturday, September 15

### REGISTRATION *(Continental breakfast)*

8:00 am–8:30 am

### MORNING SESSION

8:30 am–12:30 pm

Welcoming Remarks and Introductions

Addressing Bias in Depositions

- How bias affects your deposition strategy
- Using the deposition to overcome bias

Developing a Discovery Plan

- Who, what, when, where, and why to depose
- The written plan
- Sequencing your discovery
- Identifying your weakness

Ten Rules for Effective Depositions

- Controlling the environment of the depositions
- Developing goals
- Obtaining material for cross

General Considerations for Witness

Deposition Preparation

- Special considerations for client preparation

*What AAJ Is Learning:* Reframing the Debate

### WORKSHOP INTRODUCTIONS *(Lunch Included)*

12:30 pm–1:30 pm

### AFTERNOON SESSION

1:30 pm–5:15 pm

Organizing for Depositions and Planning Tactics

- Creating a deposition notebook
- Using documents and learned treatises
- Exploiting the opponent's weaknesses

Workshop on Taking Depositions

### NETWORKING RECEPTION

5:15 pm–6:15 pm

## Sunday, September 16

### MORNING SESSION *(Continental breakfast)*

8:00 am–11:45 am

Developing Your Theme in Discovery

Structuring the Deposition of a Difficult Witness

- How to identify the difficult witness
- The one fact, one question approach
- How to deal with nonresponsive answers

Adverse Lay and Expert Witness Depositions:

Techniques of Exhaustion, Boxing-in,

Summarization

- Making the witness tell you everything he or she knows
- Summarizing techniques to keep the witness from changing his or her testimony
- Cementing the witness's testimony

Record Depositions and Rule 30(b)(6)

- Deposing the "corporation"
- Depositions by designation
- Structuring a 30(b)(6) notice

### AFTERNOON SESSION

1:00 pm–5:00 pm

Dealing with the Difficult Situation and Attorney (ethics)

- *Hall v. Clifton Precision Tools*
- Handling objections
- Instructions not to answer
- Calling the judge

Workshop on Defending Depositions

## Monday, September 17

### MORNING SESSION *(Continental breakfast)*

8:00 am–2:00 pm

Deposing the Defense Medical Examiner

- Gaining concessions
- Developing cross material
- Obtaining information for use by your expert
- Discovery of economic interest

Later Use of Depositions at Settlement and Trial

Workshop on Deposing Lay and Expert Witnesses and on Boxing-In, Exhaustion, Restating, Creating Areas of Agreement

Lunch

<input type="radio"/> <b>REGISTER ME FOR AAJ's TRIAL ADVOCACY COLLEGE: DEPOSITIONS (C020)</b>	<b>September 15-17, 2007</b> <b>Hilton Long Beach &amp; Executive Meeting Center</b> <b>Long Beach, CA</b>
<b>Special Discount by Aug. 10:</b> AAJ members – \$975 Non members – \$1095	<b>Fee after Aug. 10:</b> AAJ members – \$1045 Non members – \$1165
<i>Save even more with a group discount for your firm. Register two or more lawyers from your firm at the same time, and take \$70 off the registration fee for each registrant!</i>	

## BEGIN AN AAJ MEMEBERSHIP

Yes! Begin my AAJ membership with introductory dues of \$100 (enclosed) for my first year. This qualifies me for the member registration fee for AAJ's Trial Advocacy College: Depositions.

*I certify by my signature below that I am an attorney who, for the most part, based on caseload and time, represents the plaintiff in civil litigation or represents the defendant in criminal litigation.*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Bar Date: Month \_\_\_\_\_ /Year \_\_\_\_\_ (M281 5NCM)

## PAYMENT INFORMATION

Name \_\_\_\_\_ AAJ ID # \_\_\_\_\_

Preferred First Name for Badge \_\_\_\_\_

Firm \_\_\_\_\_




Address \_\_\_\_\_

City/State/ZIP \_\_\_\_\_

Office Phone \_\_\_\_\_ Office Fax \_\_\_\_\_

E-mail \_\_\_\_\_

Check # \_\_\_\_\_ is enclosed (*payable to AAJ Education Fund*)

Charge my:      

Card # \_\_\_\_\_ Exp. Date \_\_\_\_\_

Signature \_\_\_\_\_

## REGISTER TODAY!

Four easy ways to register:

- 1. Online:** www.justice.org/education/depositions
- 2. Phone:** 800-622-1791 or 202-965-3500, ext. 612
- 3. Fax:** 202-625-7084
- 4. Mail:** AAJ Education Fund P.O. Box 3717 Washington, DC 20027-0217

Cancellations received in writing by September 7, 2007, will result in a refund less a 10% administrative charge. Cancellations received September 8–14, 2007 will result in a voucher for the entire registration fee which may be applied toward any AAJ Education College or Seminar held within one calendar year of the date of issue. No refunds or vouchers for cancellations received after September 14, 2007. Mail or fax your cancellation to the Registrar. IMMB 1EXC 10VG

FOR AAJ USE ONLY    CHK# \_\_\_\_\_    CHK DATE \_\_\_\_\_    CHK AMT \_\_\_\_\_



The Leonard M. Ring Law Center  
1050 31st Street, NW  
Washington, DC 20007

NON PROFIT ORG  
US POSTAGE  
PAID  
PERMIT #53692  
BOSTON, MA

## AAJ EDUCATION PROGRAMS

### Rules of the Road Seminar

September 15-16 • Atlanta, GA  
Grand Hyatt Atlanta in Buckhead

### Case Workshop

September 27-30 • Louisville, KY  
Hyatt Regency Louisville

### Nursing Home Seminar

September 27-28 • Las Vegas, NV  
Mirage Las Vegas

### Trial Advocacy

#### College: Damages

October 5-8 • Keystone, CO  
Keystone Resort  
and Conference Center

### Weekend with the

#### Stars Seminar

December 8-9 • New York, NY  
Sheraton New York Hotel & Towers

#### Pharmaceutical Seminar

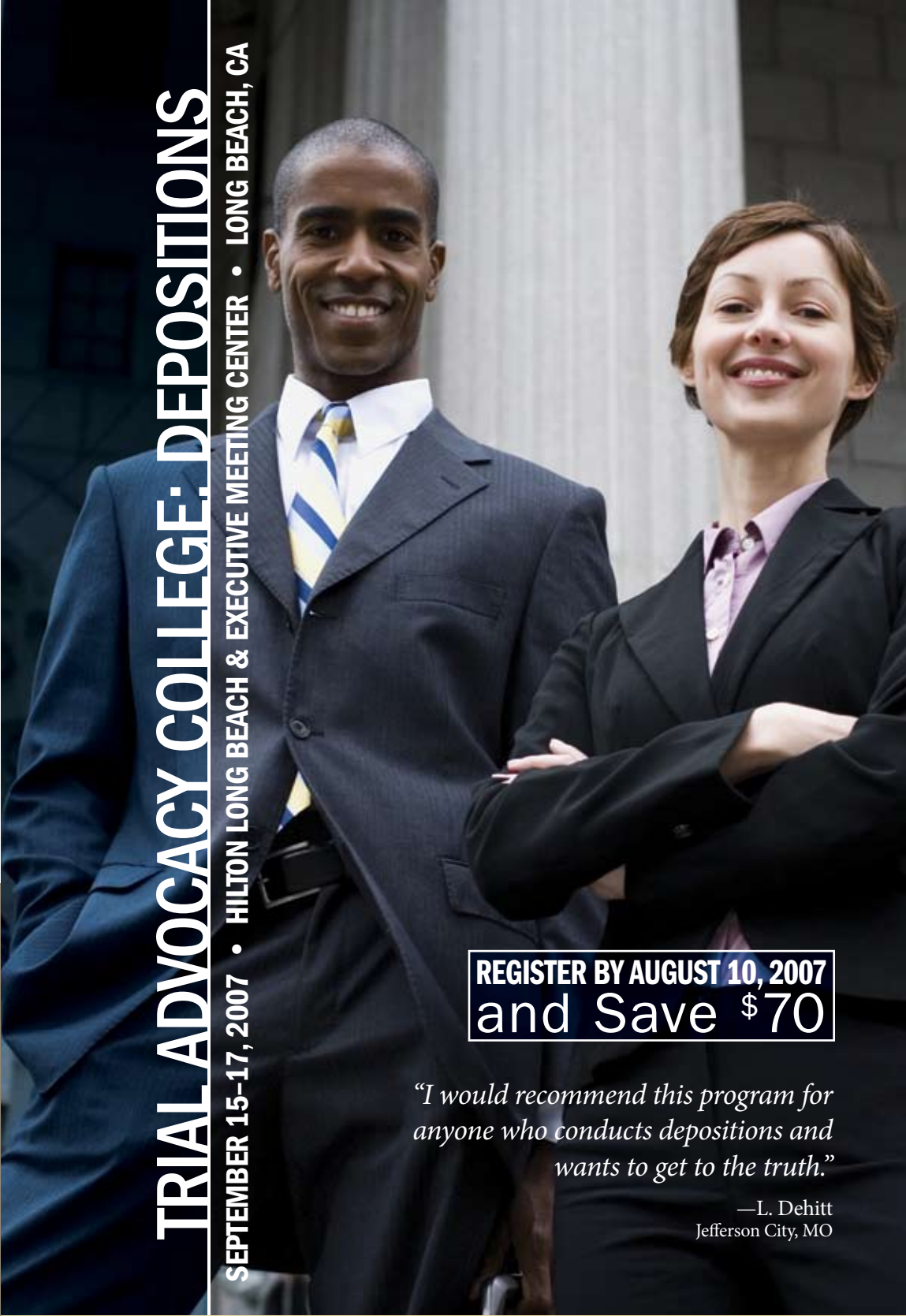
February 16-17 • Las Vegas, NV  
Wynn Las Vegas

For more information,  
visit [www.justice.org/education](http://www.justice.org/education)

REGISTER BY AUGUST 10, 2007  
and Save \$70

# TRIAL ADVOCACY COLLEGE: DEPOSITIONS

SEPTEMBER 15-17, 2007 • HILTON LONG BEACH & EXECUTIVE MEETING CENTER • LONG BEACH, CA



REGISTER BY AUGUST 10, 2007  
and Save \$70

*"I would recommend this program for anyone who conducts depositions and wants to get to the truth."*

—L. Dehitt  
Jefferson City, MO

#### HIGHLIGHTS

- Ten Rules for Effective Depositions
- Techniques of Exhaustion, Boxing-in and Summarizing
- Deposing the Defense Medical Examiner
- Record Depositions and Rule 30(b)(6)
- Demonstrations of Lay and Expert Depositions



Formerly the Association of Trial Lawyers of America

AAJ Education Endowed  
by Power Rogers & Smith

## ABOUT THE PROGRAM

Taking and defending depositions well are among the most critical skills every trial lawyer needs—and are abilities seldom acquired in law school.

This program combines lectures, demonstrations, and small interactive workshops to offer you a special opportunity to increase your deposition skills, led by masters of the art. Over the course of three days, top trial lawyers will guide you through a variety of deposition techniques and strategies. Your videotaped workshops will allow you to practice defending depositions and taking depositions of both lay and expert witnesses.

*Learn how to master these critical deposition skills:*

- Obtaining complete information
  - Boxing-in
  - Exhaustion
  - Restating/Summarizing
- Structuring the deposition of a difficult witness

#### Who Should Attend

This trial skills college will benefit lawyers at all levels of experience. By networking and interacting with experienced trial lawyers in the field, every participant will find answers to even the most challenging issues.

#### Your registration includes:

- Approximately 20 hours of leading-edge instruction and intensive practice sessions (including 1 hour of ethics credit)
- Workshops with feedback on DVD
- Reference Materials
- “Meet the faculty” networking reception and box lunches
- Complimentary continental breakfasts and coffee breaks

Register today!

To register, visit [www.justice.org/education/depositions](http://www.justice.org/education/depositions) or call AAJ Education at 800-622-1791 or 202-965-3500, ext. 612

## TRAVEL & CLE

A limited number of rooms will be held at the Hilton Long Beach & Executive Meeting Center in Long Beach, CA until August 22, 2007. To receive AAJ's special group rate of \$154 single/double occupancy, plus 15.05% sales tax, complete your travel arrangements online at [www.exctravel.com/meetings/aaaj](http://www.exctravel.com/meetings/aaaj) or download the housing form at [www.justice.org/education/hotelreservation.pdf](http://www.justice.org/education/hotelreservation.pdf). Fax the completed form to ETA at 202-785-5256.

**Hilton Long Beach & Executive Meeting Center**  
701 W. Ocean Blvd.  
Long Beach, CA 90831

If you must cancel your hotel reservations, please call ETA at 800-577-7539 or 202-828-0114 weekdays, 8:30 am-6:00 pm ET. If you change your hotel reservations **within 72 hours** before the start of the program, please call the hotel directly at 562-983-3400.

#### MCLE/NCA Requirements

Earn approximately 20\* CLE credits to be applied to your participation in the NCA's Achievement Recognition Program. For more information about AAJ's professional recognition programs, visit [www.justice.org/recognition](http://www.justice.org/recognition). AAJ Education programs are routinely accredited by states requiring continuing legal education. We will assist you in obtaining appropriate credit. CLE questions may be addressed by calling the CLE Assistant at 800-622-1791 or 202-944-2877.

#### Special Assistance

AAJ Education will make every effort to ensure that its meetings are held in facilities that are fully accessible to persons with mobility disabilities. If you plan to attend our program and need special facilities or assistance relating to a disability, please call 800-622-1791 or 202-965-3500, ext. 612.

*"While it's great to learn about taking depositions with lectures, it was invaluable being provided the opportunity to incorporate the techniques with the guidance of those teaching them still readily available."*

—Paige H. Platten  
Cleveland, OH

\* Number of credits may be greater depending on calculation method used by accreditation agency. AAJ is a State Bar of California MCLE-approved provider.