

Preparing For A Deposition/Interview

Purpose of a Deposition

The primary purpose of a deposition is for the other party to learn about the case -- the facts of the case, your view of the facts and how you intend to present the facts. A deposition also makes a record of your testimony, so it is important that your answers to interrogatories, answers to deposition questions and ultimate trial testimony be consistent.

Procedure: Listen... Think... Answer... Stop.

1. Listen... to the question asked.

Listen to the entire question carefully. Do not answer the question unless you understand it fully. Make sure you agree with the premise of the question. If the question assumes facts that you do not agree with, let the examiner know. Do not help the examiner rephrase the question.

2. Think...

Principles: Be Truthful And Precise.

- Be truthful.

Not only is it the right thing to do, the punishment for perjury is not worth the risk. Just ask Martha Stewart, Marion Jones, Lewis "Scooter" Libby and the host of others who have been convicted of making false statements to federal prosecutors. In a civil matter the risk of being impeached is usually far worse than a truthful answer...

* For the complete document, and to discuss preparing for a deposition or interview, contact your counsel at Mirick O'Connell.

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