



# Great Adverse Depositions

Principles and Principal Techniques

Presented by Robert Musante

Sponsored by NCADA's Young Lawyers Committee

August 9, 2018 ▪ Marriott Greensboro Downtown

High-quality adverse depositions require the conscious and conscientious application of an integrated set of logical cross-examination rules. This seminar wastes no time on entry-level wisdom, code chatter, idiosyncratic war stories, or tired maxims. Instead, using video clips from high-profile cases, it brilliantly teaches how to take adverse depositions as never before ... the one right, logical way: as an intellectually rigorous discipline.

Join us as nationally recognized teacher of deposition cross-examination, Robert Musante, teaches the logic essential to taking great adverse depositions – of fact witnesses and experts.

## SEMINAR AGENDA

8:00—8:25 a.m. Registration & Networking

8:25 a.m. Welcome & Introduction of Speaker

8:30—10:00 a.m. **PART 1**

- Deposition cross-examination: an intellectually rigorous discipline
- "Battleships": the checklist of recurring lines of inquiry in same-kind-of-case adverse depositions
- Four nearly-everybody-agrees deposition cross-examination rules
- "Grand Unified Theory" of civil litigation
- The country's #1 civil litigator deposing a brilliant adverse witness in a monumental case (the first of several video clips analyzed)
- The can't-be-beat argument vs. "the stupidest orthodoxy": saving attacks for surprise at trial
- "Whack!" defined & demonstrated in a high-profile trial cross-examination
- Seven advantages: deposition cross-examiner vs. trial cross-examiner
- The most important TEACHABLE aspect of civil litigation

10:00—10:15 a.m. Networking Break

10:15—11:15 a.m. **PART 2**

- "The Magnificent Seven" ... key rules of deposition cross-examination
- When to ask leading questions in deposition ... or at trial
- Exceptions to the leading question rule
- When the truth is not nearly enough
- Bluffing deponent into an damaging admission
- 3 high-profile examples of deception (2 blue, 1 red)
- Using rhetoric to intensify argument

11:15 a.m.—12:15 p.m. **PART 3**

- Using rhetoric to intensify argument (continued)
- "Every" cross-examiner's chief flaw re taking an adverse deposition
- Analysis of multiple video clips of the country's #1 civil litigator deposing that brilliant adverse witness in that monumental case
- An amateur cross-examiner using rhetoric ... and doing it right!
- Firewalling introduced

12:15—1:00 p.m. Networking Lunch

1:00—2:30 p.m. **PART 4**

- Firewalling and "ghost believers"
- Interrogatory-like questions
- Universal terms and nail-down terms
- A 3rd famous cross-examination analyzed
- Enumeration
- Looping
- Identifying a mediocre deposition in only 60 seconds
- Making the implied express: using lexicography
- Making the implied express: using logic

2:30—2:45 p.m. Networking Break

2:45—4:15 p.m. **PART 5**

- The transfer of information rule
- The most common dumb deposition question
- Deposition "Crap" defined
- Attacking the narrow question & question-dodging with high school grammar
- Attacking 2 answers in 1 question
- Attacking the needle and the haystack answer
- Additional wisdom re saving impeachment evidence for surprise at trial
- Conducting interviews vs. taking great adverse depositions
- Coda

### Dave Reviews!

"The practical content is great. Robert is articulate, animated and a great instructor. Much more intuitive than other full-day seminars. I look forward to incorporating Robert's ideas into my next depo." 2-year trial lawyer

"Better than any I have attended. Very practical. A lot of information!" 20-year trial lawyer

**Program Date:** Thursday, August 9, 2018 **Registration Deadline:** Tuesday, August 7, 2018 (fee includes lunch)

**MCLE Credit:** 6.5 General Credit Hours **Location:** Marriott Greensboro Downtown, 304 N. Greene St., Greensboro; 336-379-8000

**Registration Fees:**  \$225 Member  \$195 (Register 1st attendee at regular member rate & save \$30 for each additional registrant when bundled together! Separate registration form requested.)  
 \$325 Non-Member

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DEFENSE ATTORNEYS



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Robert Musante is the nation's foremost teacher of deposition cross-examination. He has taught the logic essential to taking great adverse depositions – of fact witnesses and experts – to more than 45,000 litigators in 42 states. He has made in-house presentations to the attorneys-general of 11 states and to the partners and associates of 80+ litigation law firms.

*About our Speaker:*