



Oregon Law Institute
of Lewis & Clark Law School

DEPOSITION TECHNIQUES

STRATEGIES • TACTICS • TECHNIQUES

featuring

David B. Markowitz

*“Brilliant, thorough,
prepared, articulate—
and practical!
David Markowitz
is incredible!”*

*“It’s like being
with a mentor
all day.”*

*“I’ve seen him
three times and I
learn something
new each time!”*

**Whether you’re facing
your first or 500th
deposition, you’ll come
away more confident,
with new techniques
and skills you’ll want
to try right away!**

**FRIDAY,
DECEMBER 7, 2012**

Oregon Convention Center
777 NE Martin Luther King Jr. Blvd.
Portland, Oregon

6 General or Practical Skills
MCLE Credits

SCHEDULE

8:30 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS

9:00–12:00 MORNING SESSION

There will be a 15-minute break during the morning session.

Deposition Goals—Ten Important Goals to Accomplish

- Determining goals and objectives
- Accomplishing desired results
- Avoiding undesired results

How to Ask Questions Effectively

- Correct question structure
- Dealing with evasive and incomplete answers

What to Ask

- Formulating tough and thorough questions
- Asking the most important questions
- Big questions—if, how, and when to ask them
- Techniques the best lawyers use

Questions & Answers

12:00–1:15 LUNCH (on your own)

1:15–4:15 AFTERNOON SESSION

There will be a 15-minute break during the afternoon session.

Dealing with the Problem Witness

- The lying witness
- The witness who “doesn’t remember”

When to Stop Asking Questions

Getting it All— Deposition Thoroughness

Style and Demeanor

Defending Depositions

- Goals
- Pre-deposition meetings with witnesses
- Teaching your client how to be a terrific deposition witness
- Protecting your client during deposition—including proper objections

At this one-day seminar you'll learn:

- How to set deposition goals and accomplish them using good questioning strategies
- How to control the deposition
- How to structure and formulate questions effectively
- How to ask the "big" question
- How to listen effectively
- How to know when to stop talking
- How to teach your client to be a terrific deposition witness
- How to handle objections and instructions not to answer
- How to deal with difficult attorneys
- How to deal with the lying witness and the witness who doesn't remember

Develop and Improve Your Skills in Taking and Defending Depositions

For more than 30 years David Markowitz has been studying deposition and trial techniques and has presented dozens of seminars to improve the skills of practicing attorneys. He has a keen ability to communicate and persuade, and he will demonstrate powerful, practical methods for getting the most out of your depositions.

And he's back with this popular presentation that is clear, well-organized, and packed with information—and entertaining while informative!

MCLE CREDIT

Deposition Techniques will receive **6** General or Practical Skills MCLE credits.

PROGRAM PRODUCTS

Even if you cannot attend, you can still get the program on CDs or DVDs. Use the order form in this brochure to order your set today! OLI Annual Passholders may purchase OLI program products at 50% off the full retail price.

QUESTIONS?

Please call OLI at (503) 768-6580 in Portland or toll-free in Oregon at (800) 222-8213, e-mail us at oli@lclark.edu, or visit our website at <http://go.lclark.edu/oli>.

VIDEO REPLAYS

Please register at least one week prior to the replay date.

Bend – 12/21/12

Replay 8:30 a.m.

Bryant Lovlien & Jarvis
591 Mill View Way

Eugene – 12/14/12

Replay 8:30 a.m.

Harrang Long Gary & Rudnick PC
360 East 10th Avenue, Ste. 300

Portland – 12/20/12

Replay 9:00 a.m.

Oregon Law Institute
Gus J. Solomon Courthouse
620 SW Main Street, Ste. 706

About the Speaker

Dave Markowitz is considered to be among the best trial lawyers in the Northwest. His commanding presence and keen instincts have made him a courtroom icon. He is a partner in the law firm of Markowitz, Herbold, Glade & Mehlhaf, PC, where he focuses on commercial litigation, including contract, tort, and statutory



claims, trust litigation, professional malpractice, and real estate disputes. Dave is recognized in *The Best Lawyers in America* for “bet-the-company litigation,” is a fellow of the American College of Trial Lawyers, is a member of the prestigious International Academy of Trial Lawyers, and is recognized by *Chambers USA* as one of the top commercial litigators in the U.S.

He was recognized by *Super Lawyers Magazine* as the top Oregon litigator for 2012 and was honored by the *Daily Journal of Commerce* for “Leadership in Law” 2011.

In addition to his active trial schedule, Dave is a popular, nationally sought-after speaker. He has been cataloging his observations of deposition techniques and strategies for more than 30 years—and he’s ready to share his experience with you!

STEVEN J. SPEAR, Vice President of Naegeli Trial Division, will be assisting Mr. Markowitz with the technology of the seminar throughout the day as well as joining him in a discussion of technology regarding taking and showing depositions at trial.

Deposition Techniques

featuring David B. Markowitz

Friday, December 7, 2012

Name _____ OSB No. or Profession _____

Firm/Organization _____

Street Address _____ City/State/Zip _____

Phone _____ E-Mail _____

Please "✓" appropriate box below:

 Live presentation Video replay. Location: _____ Date: _____

Please register at least one week prior to the replay date.

TUITION *Prices apply to live and video replays.*

- \$189 Early registration (*received by December 3, 2012*)
- \$139 New attorneys (admitted 2010–2012) and legal staff (*received by December 3, 2012*)
- \$95 Legal aid attorneys (*received by December 3, 2012*)
- \$15 OLI Passholder (OLI Pass No. _____) and Oregon judges and their lawyer staff (*received by December 3, 2012*)
- \$20 **Add to above tuition if registration received after December 3, 2012**

COURSE MATERIALS *Included with registration. Please select one:*

- Electronic course book (*a link to a PDF of the materials will be emailed no later than 48 hours prior to the seminar date*)
- Print version

LIVE WEBCAST REGISTRATION

This program will be broadcast LIVE over the internet on Friday, December 7, 2012, starting 9:00 a.m. Pacific Time. You may access this event from anywhere with an established internet connection. The webcast will include video and audio of the speakers and seminar handout materials — all on your computer! To register for the live webcast, please click [here](#) or go to our website at <http://go.lclark.edu/oli> and click on "Webcasts."

PRODUCT ORDER *I am unable to attend. Please send me:*

- \$209 Audio CDs and print course book
- \$329 DVDs and print course book
- Deduct 50% from product order if you are an OLI Passholder (OLI Pass No. _____)
- \$7.00 Note: Add \$7.00 shipping & handling fee to above product orders.**

ENCLOSED IS \$ _____ BY:

 Check payable to Oregon Law Institute (OLI) Credit Card: Acct. # _____ - _____ - _____ VISA MasterCard Discover AmEx

Exp. Date: _____ Signature: _____

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620 SW Main Street, Ste. 706
Portland, OR 97205-3037

...or fax (503-768-6585) or e-mail
(oli@lclark.edu) this registration form to
OLI, including credit card information.

CONFIRMATION: Confirmation will be sent via e-mail.**CANCELLATION POLICY:** Tuition minus a \$20 handling charge will be refunded if the cancellation request is written and received by Monday, December 3, 2012.**NEED ASSISTANCE:** If you are a person with a disability, please let OLI know in time to make any necessary accommodations for you.**TUITION ASSISTANCE:** A limited number of scholarships are available based on financial need. Contact OLI.**QUESTIONS?** Call (503) 768-6580 or (800) 222-8213. Check out our website at <http://go.lclark.edu/oli> or e-mail us at oli@lclark.edu.