



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 10, 2010**

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
- Effective ordering of 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”
- The exaggerating witness

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!

LIVE PRESENTATION

Portland – 12/10/10
Oregon Convention Center
777 NE MLK Jr. Blvd.

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 – 1/7/11
Replay 8:30 a.m.
Bryant Lovlien & Jarvis
591 Mill View Way

Eugene – 12/17/10
Replay 8:30 a.m.
Harrang Long Gary & Rudnick PC
360 East 10th Avenue, Ste. 300

Medford – 12/17/10
Replay 8:30 a.m.
Kellington Krack Richmond
Blackhurst & Glatte LLP
23 Newtown Street

Portland – 12/17/10
Replay 9:00 a.m.
Oregon Law Institute
Gus J. Solomon Courthouse
620 SW Main Street, Ste. 706

About the Speaker

David Markowitz is a founding partner of the business litigation firm Markowitz, Herbold, Glade & Mehlhaf, P.C. He shepherded the firm from its beginning as an ambitious two-attorney litigation shop, to its present status as one of the premier business litigation firms in the region.



Dave has received numerous awards and recognition, not only for his outstanding trial work, but also for his efforts in mentoring and educating attorneys at all levels.

Some of his accolades include: recognized by *Chambers USA* as one of the top two commercial litigators in Oregon; recognized in *The Best Lawyers in America* as Portland's 2010 "Bet-the-Company" Litigator of the Year and recognized as a top 10 Oregon Super Lawyer by *Super Lawyers* magazine; selected as one of the Top Ten Oregon Litigators by the National Law Journal; selected as one of Lawdragon's *500 Leading Litigators in America*, and *500 Leading Plaintiffs' Lawyers in America*; recognized as one of Oregon's 50 Great Leaders for Oregon by *Oregon Business* magazine; received *Commerce Magazine's* Rainmaker Mentor Award and the Oregon State Bar President's Special Award of Appreciation for devoting significant time and energy to CLE training for Oregon attorneys. He is a Fellow of the American College of Trial Lawyers and a Member of the *Litigation Journal's* editorial board since the publication's inception.

Dave frequently acts as a mediator and arbitrator to resolve commercial disputes, and served as a pro-tem judge in Multnomah County for nine years. He also is an expert on attorney fees, providing courtroom testimony in legal fee award disputes.

Troy S. Moody, President of Naegeli Trial Technologies, 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 Dave Markowitz

Friday, December 10, 2010

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.)

- \$179 Early registration *(received by December 6, 2010)*
- \$139 Early registration for new attorneys (admitted 2008–2010) and legal staff *(received by December 6, 2010)*
- \$90 Legal aid attorneys *(received by December 6, 2010)*
- \$15 OLI Annual Passholder (OLI Pass No. _____)
- \$20 Add to above tuition if registration received *after December 6, 2010*

PRODUCT ORDER

I am unable to attend. Please send me:

- \$199 Audio CDs and course materials
- \$329 DVDs and course materials
- 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. # _____
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Return this form with payment to:
OLI Registrar
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.

**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.**

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 6, 2010.

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.