

Deposition Techniques and Strategy

Register at www.osbar.org/seminars (search for DEP23)



Friday, December 1, 2023

8:55 a.m.–4:45 p.m. PST

Oregon State Bar Center

16037 SW Upper Boones Ferry Rd., Tigard
or Via Live Webcast

CLE credits: 6.5 Practical Skills

MCLE ID #: 105604

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Depositions can make or break your case. That's why it's important to get it right every time. Taught by Markowitz Herbold trial lawyers David Markowitz, Laura Salerno Owens, and Kyle Busse, this day-long course will provide invaluable information to new and experienced litigators alike. They will discuss:

- Taking and Defending depositions
- How to ask effective questions
- Dealing with the problem witness
- Accomplishing deposition goals on remote platforms

This presentation will demonstrate practical methods for getting the most out of your depositions, including the best ways to defend depositions, depose expert witnesses, and effectively use depositions at trial. Whether you are new to trial practice or want to refresh your deposition skills, this course is an opportunity not to be missed.



IN-PERSON EVENT

\$125	ONLD member
\$200	OSB member
\$210	Non-OSB member
\$20	Box lunch

Electronic materials are included with your registration.



LIVE WEBCAST

\$125	ONLD member
\$200	OSB member
\$210	Non-OSB member

Webcast registration includes online access to the recorded seminar for 60 days after the event.

50-Year and Active Pro Bono OSB members and Oregon judges and their lawyer staff – please call the OSB CLE Service Center at (503) 431-6413 or (800) 452-8260, ext. 413 to register for the seminar.



Questions or need help with registration?

Call or email the OSB CLE Service Center:
(503) 431-6413 or (800) 452-8260, ext. 413, or
cle@osbar.org

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Schedule

- 8:00 Registration and Continental Breakfast**
- 8:55 Welcome**
- 9:00 Taking Depositions Part I: Deposition Goals—Ten Important Goals to Accomplish**
- Determining goals and objectives
 - Accomplishing desired goals
 - Avoiding undesired results
- 10:20 Break**
- 10:30 Taking Depositions Part I (continued): How to Ask Questions Effectively**
- Correct question structure
 - Dealing with evasive and incomplete answers
 - Asking the most important questions
 - Big questions—if, how, and when to ask them
 - Techniques the best lawyers use
- 12:15 Lunch** (*brown bags are welcome at the OSB Center or you may order a box lunch when registering.*)
- 1:00 Taking Depositions Part II: Dealing with the Problem Witness**
- The lying witness
 - The witness who “doesn’t remember”
 - When to stop asking questions
 - Getting it all—deposition thoroughness
- 2:30 Break**
- 2:40 Accomplishing Deposition Goals on Remote Platforms**
- 3:25 Defending Depositions**
- Goals
 - Preparing your client for deposition
 - Protecting your client during deposition, including proper objections
- 4:45 Adjourn**

Presenters:

Kyle Busse, *Markowitz Herbold PC, Portland*

David Markowitz, *Markowitz Herbold PC, Portland*

Laura Salerno Owens, *Markowitz Herbold PC, Portland*

Special Promotion

Announcing the upcoming release of the 6th edition of the Deposition Handbook, authored by our presenters David Markowitz and Kyle Busse, in collaboration with attorneys Dennis Suplee, Nicole Reimann, and Alison Gutierrez. The comprehensive book provides invaluable insights, strategies, and tips for successful depositions, as well as the latest updates on legal procedures. Use the below QR code or visit the Trial Guides website, www.trialguides.com, and use the discount code **DepoHandbook6** to pre-order your copy.



Coupon Code: DepoHandbook6

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David Markowitz is considered by his peers to be among the finest trial lawyers in the country. His commanding presence and strategic thinking have made him a courtroom icon. Over the last four decades, Dave has guided Markowitz Herbold

from its beginning as an ambitious two-attorney litigation shop to its present status as the premier business litigation boutique in the region. As reported by the prestigious *Chambers USA*, “Dave earns his status as a litigation legend every day. His wise, measured advice to clients is always spot-on,” and “David is the best trial lawyer in Oregon.” Portland publication *Willamette Week* calls Dave a “legendary litigator” and “famed trial lawyer.”



Kyle Busse is a seasoned trial attorney with more than 15 years of extensive experience in handling complex commercial litigation cases and employment-related matters. He is widely recognized for his representation of

clients in some of the firm’s most high-profile cases. Kyle has earned prestigious accolades including acknowledgement as a Notable Practitioner by the prestigious *Chambers USA*. He has consistently received recognition from Super Lawyers®, earning the titles of both “Rising Star” and “Super Lawyer” for an impressive fifteen consecutive years. Since 2016, Kyle has held a place of distinction in the Best Lawyers in America® list for Employment Law and Labor and Employment Litigation.



Laura Salerno Owens is a Shareholder and Firm President of Markowitz Herbold. She is a trial lawyer who has represented employers and employees in hundreds of disputes, ranging from single-person contract disputes to multi-thousand-

person class actions, and covering issues as diverse as misappropriation of trade secrets, wage and hour disputes, discrimination charges, sexual harassment allegations, whistleblower claims, and noncompetition/nonsolicitation agreements. She also helps clients navigate a variety of non-employment-related business disputes. Laura has been a featured speaker at more than 100 presentations and continuing education courses on various topics, is a sought-after speaker at conferences and business associations. She has been recognized by the Oregon Commission for Women, *Chambers USA*, *Best Lawyers in America*, and *Oregon Super Lawyers* for her legal work and community involvement.

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General Information

Cancellations: Cancellation requests must be received at least 72 hours prior to the date of the seminar to qualify for a refund. Refunds are subject to a \$25 cancellation fee. To cancel, please call the OSB CLE Service Center at (503) 431-6413 or (800) 452-8260, ext. 413.

Tuition Assistance: Email a request stating your financial situation to cle@osbar.org or call the OSB CLE Service Center at (503) 431-6413 or (800) 452-8260, ext. 413, no later than one week before the seminar.

Dietary Restrictions or Accessibility

Accommodations: Please call (503) 431-6375 or (800) 452-8260, ext. 375, at least 72 hours before the date of the seminar.

Hotel Accommodations: Special rates starting at \$139 plus tax are available at The Grand Hotel at Bridgeport, 7265 SW Hazel Fern Rd., Tigard, OR 97224. Call 503-968-5757 / toll free 1-866-968-5757 and reference the Oregon State Bar rate or [click here](#) to reserve online.

Products

DEP23.CD

Audio CDs with electronic materials..... \$200

This seminar will be available on-demand after the live program. Please visit www.osbar.org/seminars and search for DEP23. On-demand access is available for 60 days after the date of purchase.



Upcoming Seminars

December 8

Relationship Status? It's Complicated for Nonprofits!
Nonprofit Organizations' Relationships with Volunteers,
Staff, Independent Contractors, and More
(NOLS23)

Register now at www.osbar.org/seminars
and search by program code.

Save the Date

February 23-24, 2024

Litigation Institute & Retreat
Salishan Coastal Lodge, Gleneden Beach, OR