

**Federal Court Trial Academy
Deposition Skills Training Program
November 13 - 15, 2014**

I. Reading:

The Effective Deposition, Fourth Edition, NITA

Case File: Flinders Aluminum Fabrication Corp. v. Mismo Fire Ins. Co., Ninth Edition,
NITA

II. Schedule

Thursday, November 13 [in Federal Courthouse]

Faculty: J. Foley D. McCarten
 MJ Sullivan S. Kilpatrick
 P. Rocha M. DeSisto

12:40 - 1:00 pm Student Check-in

1:00 - 1:50 pm Lecture #1: Deposition Overview; Admonitions

J. Smith: Introductions and welcome to the program
B. Magratten / N. Kuckes: Program Overview, logistics
J. Foley: Deposition Admonitions

2:00 - 3:30 pm Workshop #1: Admonitions

Flinders and Mismo counsel will conduct the first five to ten minutes of the depositions of Arthur Jackson and Marie Williams. Participants are not yet to conduct substantive examinations, just practice the greeting and basic admonitions.

3:40 - 4:30 pm Lecture #2: Deposition Ethics

J. McConnell

4:30 - 5:00 pm Strategy Sessions:

Flinders & Mismo counsel meet separately with N. Kuckes and B. Magratten

5:00 pm Conclusion of Day One

Friday, November 14 [in Federal Courthouse]

Faculty: M. Weizenbaum J. Murphy
 J. Smith M. Oliverio
 D. Sherman S. Nakasian
 D. McCarten (a.m.)

9:00 a.m. Students arrive

9:00 - 9:50 am Lecture #3: Funnel Method: Top of the Funnel Examinations

Dennis McCarten

10:00 - 12:00 pm Workshop #2: Top of the Funnel Examinations

Participants will practice the beginning 10 – 15 minutes of a substantive examination of Arthur Jackson or Marie Williams. Focus will be on open-ended questions and exhausting the witnesses' knowledge.

Flinders counsel may question Marie Williams on any of the following topics:

- Williams' affair with A. Jackson
- Williams' knowledge of Flinders finances
- Jackson's hiring of George Avery
- Jackson's efforts to refinance Flinders' debt
- Williams's suspicions of arson

Mismo counsel may question Arthur Jackson on any of the following topics:

- His affair with Marie Williams
- Flinders' financial difficulties preceding the fire
- Jackson's attempts to refinance Flinders' debt
- Jackson's hiring of George Avery
- The events of the evening of the fire

12:00 - 1:00 pm Lunch on your own

1:00 - 1:50 pm Lecture #4: Middle of the Funnel: follow-up; filling in gaps; theory testing

M. Weizenbaum

2:00 - 4:00 pm Workshop #3: Middle of the Funnel Examinations; Using Exhibits

Flinders and Mismo counsel continue their examinations of Arthur Jackson and Marie Williams, following up with the witnesses for details, filling in gaps in testimony, theory testing and using exhibits.

4:10 - 5:00 pm Lecture #5: Witness Preparation; Defending the Deposition

J. Murphy

5:00 p.m Conclusion of Day Two

Saturday, November 15 – at Roger Williams University School of Law

Faculty: MJ Sullivan S. Kilpatrick
M. DeSisto J. Foley
J. Murphy J. Smith

9:00 a.m. Students arrive

9:00 - 9:50 am Lecture #6: Bottom of the Funnel: Locking in Admissions

MJ Sullivan

10:00 - 12:00 pm Workshop #4: Bottom of the Funnel Examinations

Flinders and Mismo counsel conclude their examinations of Arthur Jackson and Marie Williams, distilling their testimony to the critical points and locking in admissions.

12:00 pm Program concludes