

VIRTUAL DEPOSITIONS

NOVEMBER 11, 2021

ERIN PELLETERI HOWSER
SHAREHOLDER
NEW ORLEANS
504.566.5287
epelleteri@bakerdonelson.com

TODAY'S PRESENTATION

**Preparing to take
a virtual
deposition**

**Taking a virtual
deposition**

**Defending a
virtual
deposition**

PREPARING TO TAKE A VIRTUAL DEPOSITION

Technology

- Court Reporter
- Web Platform
- Videographer
- Create a back-up plan

Logistics

- Negotiate issues in advance (i.e., protocol for swearing in witnesses)
- Discuss potential stipulations
- Deposition Notices



**NOTICE OF DEPOSITION OF
PLAINTIFF, JOHN DOE**

PLEASE TAKE NOTICE that ABC Company will take the oral deposition of plaintiff, John Doe, for all purposes pursuant to the Louisiana Code of Civil Procedure on March 5, 2022, beginning at 9:30 a.m., and continuing from day to day thereafter until complete in a virtual conference room via Zoom, with Zoom details to follow. The deposition will be taken before a duly authorized court reporter or other officer authorized to administer oaths. This deposition may be videotaped.

NOTICE IS FURTHER GIVEN that this deposition is being conducted using the secure web-based video or video teleconferencing service specified above to provide remote/virtual access for the parties in light of the ongoing COVID-19 pandemic. The parties are advised that in lieu of a paper set of exhibits, exhibits will be provided, shared, and displayed digitally through the Zoom platform to the court reporter/deposition officer, deponent, parties, and counsel. All attendees, including the deponent, parties, and their counsel, are responsible for ensuring they have adequate technology to participate by video, including accessing, receiving, and reviewing deposition exhibits virtually. Undersigned counsel will virtually share exhibits through the virtual platform, and marked exhibits will be made available via upload to a secure _____ ShareFile site. Attendees and their counsel are responsible for providing their e-mail addresses to Jane Q. Attorney at jattorney@bakerdonelson.com to allow credentials for their secure access to the ShareFile site and exhibits placed there. The exhibits will be provided by undersigned counsel to and compiled by the court reporter/deposition officer for the purposes of exhibit stamping and ultimate production of the final certified transcript.

TAKING A VIRTUAL DEPOSITION

- Have a laptop
- Connect to audio via telephone
- Opening Remarks
- Objections
- Interruptions
- Preparation of exhibits



PREPARATION OF EXHIBITS

Determine format
(electronic or hard-
copy)

Pre-marking exhibits

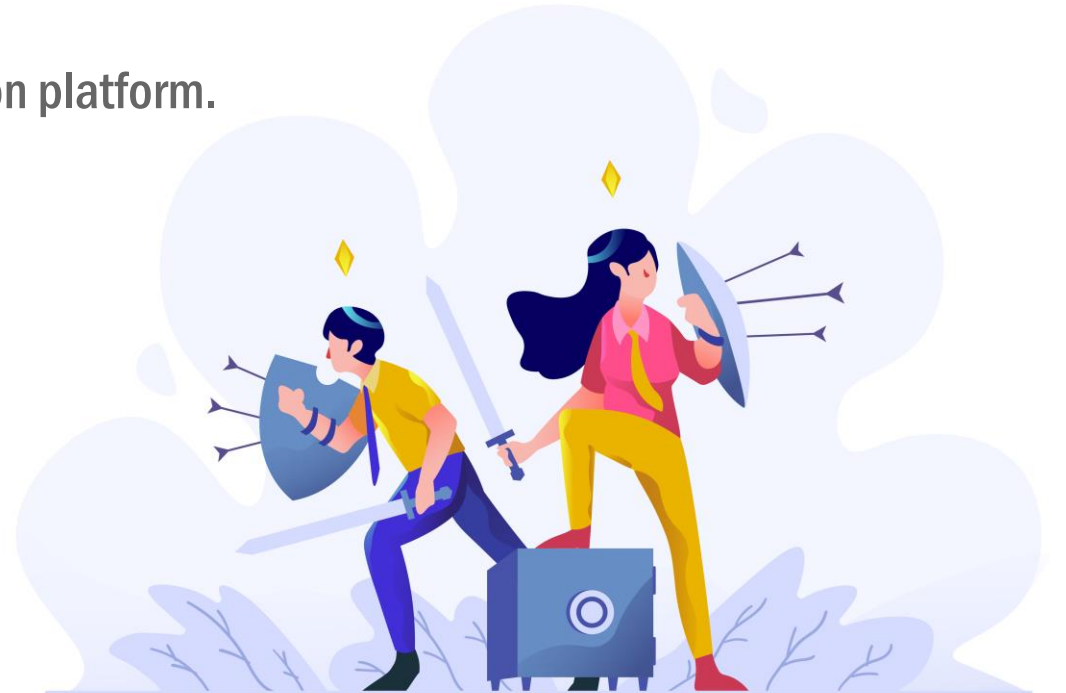
Disclosure of Exhibits



Image source: <https://www.ru.nl/theology/society/imagining-the-inquisition/inquisition-film/flying-circus/>

DEFENDING A VIRTUAL DEPOSITION

- Assess your witness's technology/bandwidth.
- Ensure that your witness will be in a space free from distractions and secluded.
- Consider having shorter preparation sessions using the deposition platform.
- Have a plan to communicate with your witness during breaks.



Q&A DISCUSSION

PRESENTER



Erin Pelleteri Howser

Shareholder

New Orleans

504.566.5287

epelleteri@bakerdonelson.com

BAKER DONELSON

CONNECT WITH US



WEBSITE



FACEBOOK



LINKEDIN



TWITTER

Baker Donelson is among the 80 largest law firms in the country, with more than 650 attorneys and public policy advisors representing more than 30 practice areas to serve a wide range of legal needs. Clients receive knowledgeable guidance from experienced, multi-disciplined industry and client service teams, all seamlessly connected across 21 offices in Alabama, Florida, Georgia, Louisiana, Maryland, Mississippi, South Carolina, Tennessee, Texas, Virginia and Washington, D.C.