PRAISE FOR

DEPOSITION OBSTRUCTION

Mark provides solid, practical, and ethical ways to stop obstructions in deposition, but he does so much more. This book is a primer on all aspects of taking proper depositions under the rules. Every litigator should have a copy.

Mark Lanier, recipient of the American Association for Justice Lifetime Achievement Award

The birth of a classic—a manifesto of freedom from ever again being shoved around in a deposition. Deposition Obstruction enhances whatever deposition books and methods you already use, because it allows you to use them without obstruction. Mark’s thoroughly documented, clearly thought-out guide provides on-point, word-for-word instruction and in-practice examples. It’s a lucid primer as well as a comprehensive advanced resource that you need regardless of your experience or skill. Next time I see the defense successfully obstruct, I’ll know that someone has not yet read Deposition Obstruction. And I’ll tell them so. I’m grateful to Mark for this prodigious contribution.

David Ball, author of David Ball on Damages 3
With *Deposition Obstruction*, Mark has provided litigators, and the judges overseeing them, with a hornbook for dealing with behavior that flies in the face of the Rules of Civil Procedure and the case law construing them. Loaded with illuminating examples, tried-and-true techniques, and a treasure trove of supporting authority, this is a must-read, how-to manual for any litigator seeking to break through the barriers of improper objections, eliminate unnecessary verbal skirmishing, and focus on getting the truth.

Dave Jorstad, past president of the Minnesota Association for Justice

Mark has done it again. The master of depositions has written the definitive work on everything you may ever need to know about taking and defending depositions. I have been practicing for over 25 years, and I learned new things. The book is clear, concise, and practical.

Joseph Fried, founder of the Academy of Truck Accident Attorneys

Whether you are an experienced litigator or are dealing with your very first deposition “bully,” Mark provides a toolbox of options for standing up to obstructionist opponents, intimidation, and unrelenting objections. With step-by-step instructions that are easy to implement and thoroughly researched, this book will give you the upper hand. Stop playing checkers—and start playing chess—in the pretrial discovery game.

Zoe Littlepage, member of the Inner Circle of Advocates, Top 100 Trial Lawyers
Depositions are trial! As goes the deposition, so goes the value of the settlement, the solid verdict rather than defeat in the courtroom, and the result for your client. *Deposition Obstruction* is every lawyer’s road map to navigate through the minefields of opposing-lawyer-created obstacles. This book will be for trial lawyers what the navigation system is to pilots—you can’t go forward without it. Mark’s book is loaded with assessments of both substantive and procedural law and rules. It is a comprehensive, how-to manual on dealing with interfering obstructionist lawyers in setting, preparing for, and taking depositions.

John F. Romano, former president of the Academy of Florida Trial Lawyers

Mark is a great resource on how to take depositions of difficult adversaries. Now he adds to the arsenal this fine compendium of all the dirty tricks that are used to block the search for truth in depositions—and how to defeat them. Whether it be coaching objections or sneaky woodshedding during bathroom breaks, these and more obstructive techniques are brought into the light of day and beaten back with calm logic and profuse case law. This is an important book for anyone who takes depositions.

Patrick Malone, author of *The Fearless Cross-Examiner*
Mark has explored the universe of deposition conduct in this book, and it includes hundreds of related case cites. For me, the most valuable chapter is Chapter 5, “Prohibited Objections,” and I recommend that anyone read or at least skim the content before taking a deposition. Better yet, pull the cases cited and read them. It will make you a better lawyer. No one but Mark would take the effort to make this so easy for so many.

Phillip Miller, author of *Focus Groups: Hitting the Bull’s-Eye* and *Advanced Deposition Strategy and Practice*

Mark is one of the country’s foremost experts on depositions and the rules governing deposition conduct. This work summarizes research Mark has done when confronted with real-life situations over his 39-year career as a nationally recognized trial lawyer. As usual, he unselfishly shares his work and knowledge with the rest of us.

Tad Thomas, Treasurer of the American Association for Justice, 2018-19

*Deposition Obstruction* is an outstanding and comprehensive desk book for every litigator taking or defending depositions. It is on my “must have” reference shelf, next to the Harry Philo *Lawyers Desk Reference* and Mark’s 30(b)(6) book. The techniques and examples in the book are insightful, practical, and experience based. I highly recommend this treatise. Mark has done it again!

Jim Bartimus, fellow of the American College of Trial Lawyers
Deposition Obstruction is a book you will want within reach, no matter your experience level. Mark gives you practical examples and tips on how to take better depositions to obtain the truth and protect your record for the court and trial. I am a better lawyer and advocate after reading this book.

Jennifer Lipinski, named Top 40 Under 40 by the National Trial Lawyers

I had the pleasure of teaching at an AAJ Education Deposition College, alongside Mark. I was surprised at the number of new and evolving issues that both attorney participants and fellow instructors continue to face during depositions. That’s why this book is so valuable and timely, in order to help us all take more effective depositions and represent our clients better!

Navan Ward, Secretary of the American Association for Justice, 2018-2019

Eye-opening and empowering—a declaration of independence for lawyers seeking to find and prove the truth in their cases. The dark age of commonplace deposition bullying, obstruction, and concealment of the truth is over. Mark’s enlightened readers are now equipped to get what they came for in their depositions, despite the defense’s repeated attempts to obstruct them. There are now two kinds of lawyers—those who are frustrated by defense tactics and those who have read this book.

J.D. Hays, recipient of the Arkansas Trial Lawyers Association’s Young Trial Lawyer of the Year (2013)
I try to help my clients—one at a time. But Mark’s research in this book is helping tens of thousands of lawyers help their clients—one client at a time. I cannot overstate how thankful I am for Mark’s wisdom, leadership, and strategic thinking in this field.

Render Freeman, faculty member of the Gerry Spence Trial Lawyers College

On occasion, we may occupy a mansion called trial, but the house we live in day to day is the deposition house. And if you can’t safely control your own home, you won’t stand a chance when you get to the mansion. In this eloquently simple work, Mark shows us how to keep house.

Carl Bettinger, author of Twelve Heroes, One Voice

Mark’s Deposition Obstruction is the seminal book on handling the “Rambo litigator” who disrupts and obstructs depositions. It will help both new and seasoned attorneys find the truth in their cases without obstruction. The inclusion of state and federal rules and statutes makes this book valuable to attorneys practicing in all states. I unequivocally endorse this book—it is a must-have for anyone taking depositions as part of their practice.

N. John Bey, named Top 40 Under 40 by the National Trial Lawyers
Reading about great closing arguments and other trial techniques is certainly fun and can be helpful in prosecuting an injury case. However, the advice on depositions in these pages is far more beneficial in almost every case a trial lawyer handles. Another “must have” for your bookshelf.

Ken Levinson, co-author of *Litigating Major Automobile Injury and Death Cases*