

From: Paul Dulberg <pdulberg@comcast.net>
Subject: **Fwd: Deposition**
Date: December 28, 2016 11:12:36 AM CST
To: paul_dulberg@comcast.net

From: Paul Dulberg <pdulberg@comcast.net>
Date: January 25, 2013 at 9:03:00 AM CST
To: Hans Mast <hansmast@comcast.net>
Subject: **Re: Deposition**

Morning Hans,
Yes, I'm curious and nervous, how bad did I screw up yesterday?
Paul

Paul Dulberg
847-497-4250
Sent from my iPad

On Jan 17, 2013, at 12:46 PM, Hans Mast <hansmast@comcast.net> wrote:

Thanks for the update. When you are better call my assitant Sheila to schedule another preparation meeting. You are a nice person, but in law, nice people finish last. You need to think a lot about coming in with a more laid back and non-responsive approach. The more you talk in a deposition, the more you are losing the case. I think I want to be more strict with you on the "5 words" rule, and have you get comfortable with not exceeding 5 words in any answer. Im gonna ask a lot of you, but you need to do this in order to maximize your recovery in the case.

Here are some thoughts and examples of how you need to testify:

Best 3 responses: "Yes" "No" or "I don't know"

Otherwise, answer only that which is asked - no more

If asked for your name - give your name, not anything more (ie. Address...date of birth..)

Give answers 5 or less words in length

Don't use "because" or ever explain your answers.

If asked to explain, say only what is necessary in 5 words or less

Remember, your purpose is not to make sure the other attorney understands what you are saying. This is not your concern. If the attorney does not understand you, it is HIS job to ask the questions to make him understand. Your only purpose is to answer questions. Therefore, you should not be concerned if the attorney is not understanding you. Therefore, do not worry about explaining yourself in the best most understanding way. Just simply answer the questions.

Do NOT speculate about anything. If you do not know something, say so - Don't guess!

The more you talk, the more information you are giving to be used later against you - it doesn't matter if you think you are saying things to help your case since the more information you give the more the attorney will ask questions and delve into matters that may not otherwise come up - ultimately obtaining information that could be damaging to your case.

Your job at the deposition is only to answer the questions asked of you

Your purpose at the deposition is NOT to explain, convince, argue or otherwise defend your case. If the attorney questioning you does not seem to understand something about your case, TOO BAD. Unless asked a specific question on a matter, you are not to explain or clarify things voluntarily.

The attorney's job is to disbelieve you. Don't think you will convince him/her to change his mind. Don't worry about this.

EXAMPLES

Q: How did your accident happen?

BAD RESPONSE: I was walking out of the store and I wanted to get to the car so I walked down the sidewalk and didn't see anything until after I fell.

GOOD RESPONSE: I was walking down the sidewalk.

REASONING: You were not asked what you were intending to do or what you were thinking.

QUESTION: Did you miss any work due to the accident?

BAD RESPONSE: Yes, I did not go back to work for 2 weeks and lost about \$800.

GOOD RESPONSE: Yes.

REASONING: You were not asked how long you missed from work or how much income you lost. Therefore, don't volunteer this info.

QUESTION: Were you injured in the accident?

BAD RESPONSE: Yes, I hurt my head, back and neck.

GOOD RESPONSE: Yes

Get the idea? If not, we can discuss any questions you have. Please call.

Thanks Paul

----- Original Message -----

From: Paul Dulberg <pdulberg@comcast.net>

To: Hans Mast <hansmast@comcast.net>

Sent: Thu, 17 Jan 2013 18:05:39 -0000 (UTC)

Subject: Deposition

Hi Hans,

Just wanted to say its a good thing we rescheduled the deposition because I'm simply not doing well today at all after having the hemroids removed yesterday. I wouldn't have been able to make it in today at all and from what the surgeon said, I wont be able to walk or sit very well for 3 to 5 days. Let me know when you want to do another practice session but its probably best to do anytime after this weekend.

Thanks for all your help,

Paul

Paul Dulberg

847-497-4250

Sent from my iPad