

Deposition in Aid for Lotane Events Practice Script

Script Key	
Example Text	Text to be Read Verbatim
✓	Action Item
📌	Important Note

Script

1.Greet the Participants

Breakout Room Notice

Hi (Name of attendee), I'm [Your Name] and I'm the digital reporter for today. Just to let you know, everything in this main room is being recorded today. Anything prior to the official on the record will not be saved, but while we're waiting for everyone else, I can also place you in a breakout room as conversations are not recorded there, or feel free to mute your microphone while we wait.

📌 Unless a private breakout room is requested, put all participants in the same breakout room.

After breakout room has been assigned and opened

There should be a button asking you to join a room now. I'll be here if you need anything, you can leave the breakout room any time and you'll be placed back here.

CNA | Certificate of Non Appearance

Counsel, how long would you like us to wait for [Name of Witness] to appear? And at that time, would you like me to issue a CNA?

Today is Monday. It is [MONTH] [DAY], 2025 the time is 00:00am ([TIME ZONE]). We are present to record the

Deposition of [WITNESS NAME] which was scheduled for 00:00am ([TIME_ZONE]).

Attendees in this call include [say the name of every attendee present in the zoom call]. [WITNESS NAME] has failed to appear and accordingly at this time I will be issuing a certificate of non-appearance.

✓ Note the exact time the CNA was called on the event form under *How did the event end?* In the *Time of declaration of CNA* section.

✓ Confirm attendees list is complete and accurate on the reporter form located on the Reporter platform.

✓ Be ready to review and sign CNA asap, as it will be sent to you quickly via email.

2.Start of the Deposition

✓ Spotlight the witness before going on the record.

1. Intro

Good morning/afternoon, we are now on the record. Today is [Day of Week]. It is [MONTH] [Day],[Year], the time is [HH:MM] am/pm ([Time Zone]). We are present to record a Discovery

deposition in the case of [NAME] Lotane & Associates Deposition in Aid of Execution, court case number [XXXXX]. My name is [DR NAME], I will be the Digital Reporter for today's deposition.

2. Appearances

Please identify yourself for the record and spell your last name defense counselor?

✓ pause to allow attorney(s) for defense to enter appearance

Thank you. Counsel for Plaintiff, would you please identify yourself and spell your last name?

✓ pause to allow attorney(s) for plaintiff to enter appearance

 All attorneys' appearance must be entered on the record. Introduction of co-counsel by another attorney is acceptable.

3. Stipulation

For the record, do all parties stipulate to this deposition being conducted remotely?

 pause to allow all named parties to respond affirmatively

Alternative Scenarios

Interpreter Present

Would the interpreter please identify themselves and spell their last name for the record?

 pause to allow interpreter to respond

Raise your right hand, (pause). Do you solemnly swear that you will interpret the following questions from English into (language), and the answers from (language) into English to the best of your ability?

 pause to allow interpreter to respond

 periodically pause during witness swear in to accommodate interpreter translations.

Guardian Present | Minor Witness

Would the guardian for the witness identify yourself, confirm the nature of your relationship with the minor, and spell your last name for the record?

 pause to allow guardian to respond

Mr/Ms. [WITNESS NAME] can you please hold a valid government photo identification up to the screen for verification? Guardian has presented a ____ state identification. ID # ____.

 If the guardian does not have valid, ID counsel may stipulate to their

identity on the record. See “No ID” section below.

Do you consent to this deposition being conducted for [WITNESS NAME]?

☒ pause to allow guardian to respond affirmatively

3. Witness ID

Would the witness please identify themselves and spell their last name for the record?

Mr./Ms. [WITNESS NAME], can you please hold a valid government photo identification up to the screen to verify your identity?

Witness has presented a _____ for verification. ID # is _____.

No ID

For the record, the witness has not presented a valid ID for verification. Accordingly, do both sides stipulate that this is the witness noticed in this deposition.

☒ pause to allow both sides to respond affirmatively

Expired ID

For the record, the witness has presented an expired ID for verification. Accordingly, do both sides stipulate to my administering the oath to this witness.

☒ pause to allow both sides to respond affirmatively

4. Witness Oath

Thank you. Mr./Ms. [WITNESS NAME], Please raise your right hand. Do you swear or affirm to tell the truth, the whole truth and nothing but the truth during this Deposition?

☒ pause to allow witness to answer affirmatively

Whenever you are ready, counsel, you may proceed with questioning

✓ mute your microphone and remain on camera while on the record.

✓ log minute timestamps of on/off record, exhibits, special occurrences using the online reporter form.

✓ monitor audio integrity and request repetition or clarification, as necessary.

Thank you for remaining professional and attentive throughout the entire proceeding!

5. Breaks

We are now OFF the record and the time is 00:00am ([TIME ZONE]).

We are back ON the record and the time is 00:00am ([TIME ZONE]).

👉 Breaks must be unanimous, if there is an objection from either side, objection must be resolved before reading off the record.

6. Conclusion

✓ confirm all counsel have completed questioning.

✓ confirm exhibits/spellings, if necessary.

May I please confirm if the witness will read or waive the transcript of today's deposition if it is ordered? And if yes, please confirm the email address to which the transcript is to be sent?

👉 if the witness is represented by an attorney, the attorney may decide on the witness' behalf if they will read or waive.

✓ check the corresponding checkbox on the event form if the witness chooses to read.

Optional: Read/Waive Explanation

If you choose to read, a copy of the transcript will be sent to you for review IF and When the transcript is ordered. However, if you choose to waive, a transcript can still be ordered and created but you trust that the information is valid.

Transcript Orders

Are there any Certified transcript orders at this time? [If yes]

Would you like the standard turnaround of 7-10 business days? We also offer 3-5 business days or 1 business day.

As a reminder, if you are a Depositions by Filevine client with an account, you will be able to access the rough draft transcript in your account in the next few hours.

 Mark the turnaround time for the corresponding attendee in the event form.

 Depositions by Filevine's standard turnaround time is 7-10 business days. Expedited turnaround times of 3-5 business days or 1 business day are available for an additional cost. All transcripts are delivered electronically. Transcript orders can also be placed after the event on Depositions by Filevine's website, using a link that will be emailed to the attorneys. Cost inquiries and other questions can be sent to depositions@filevine.com . Exhibits can be sent to exhibits@filevine.com .

 Check the corresponding checkbox on the event form if a transcript is ordered. Note the email address and name of the individual who ordered a transcript in the notes text box.

If there is nothing further, please allow me to take us off the record. At this time, the deposition is coming to an end. It is [HH:MM] am/pm (EST) and we are now off the record.

 Exhibits not already provided should be sent to exhibits@filevine.com.

 Transcript orders, special requests, cost breakdown inquiries, etc. should be sent to depositions@filevine.com.

7. After The Event

- ☒ confirm counsel has no outstanding questions or concerns, before leaving the meeting.
- ☒ review event form for accuracy and submit.
- ☒ if transcript is ordered, please prioritize review and signature of COTT.