



An Excellent Resource for Litigators Preparing for Depositions

Review by Daniel E. Cummins

Whether an attorney is a new admittee preparing for the first of many depositions in a career ahead or is already experienced, with many deposition battles under his or her belt, there is always room for improvement and refinement of one's deposition skills. Now comes along a treatise titled *The A to Z of Civil Depositions in Pennsylvania* (PBI Press, the Pennsylvania Bar Institute, 2012, ISBN 2013930594, \$69) by one of Pennsylvania's leading civil litigation attorneys, Scott B. Cooper of the law firm of SchmidtKramer in Harrisburg.

The A to Z of Civil Depositions in Pennsylvania ... is an excellent resource that deserves a place within a civil litigator's easy reach to consult time and again.

Cooper specializes in personal injury law with an emphasis on motor vehicle accident and insurance matters. He brings to this book his experience from a career full of depositions and civil litigation along with a clear writing style that has already been deemed worthy of being included in other notable Pennsylvania treatises.

Cooper has exhibited his excellent writing skills as a contributing editor for the second and third editions of *Pennsylvania Motor Vehicle Insurance: An Analysis of the Financial Responsibility Law*, the leading treatise on the Pennsylvania Motor Vehicle Financial Responsibility Law. In both 2011 and 2012 he was named by Pennsylvania Super Lawyers as one of the top 100 lawyers in the Commonwealth of Pennsylvania. He may now add this excellent treatise on depositions to his list of substantial contributions to the advancement of the civil litigation bar in Pennsylvania.

After taking and defending many depositions over a career of approximately 20 years, here Cooper provides a comprehensive overview of the proper manner and technique for completing depositions in accordance with Pennsylvania law and rules of procedure. He writes in a concise, coherent style that reads as if one were listening to a fellow professional for excel-

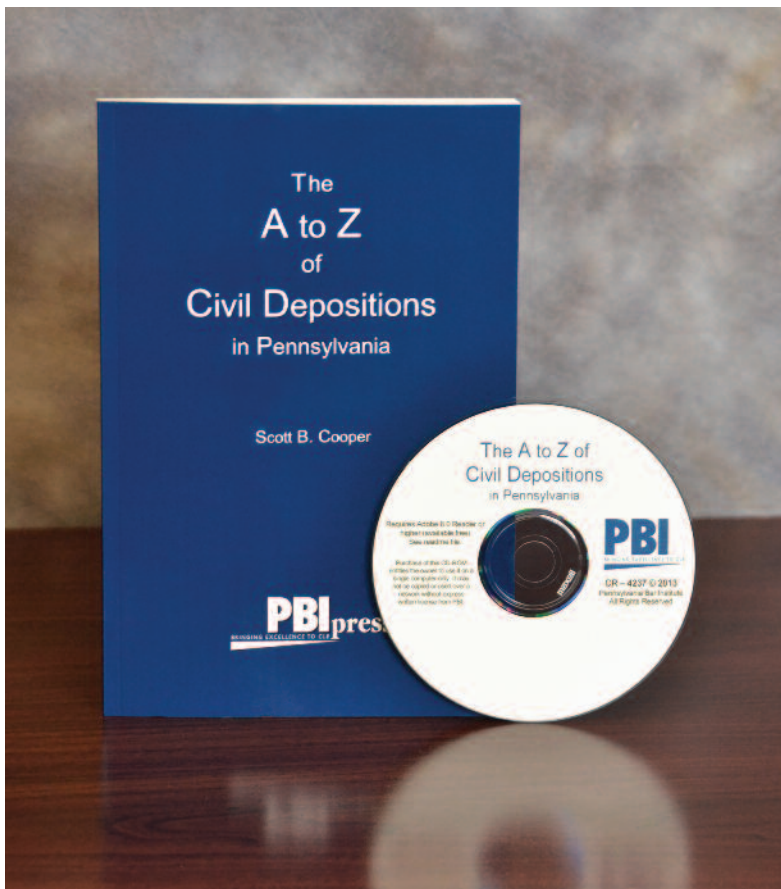


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lent advice on how to handle the particular issues that frequently arise during the course of depositions.

The treatise is broken into three main sections: (1) “The A to Z of Civil Depositions,” (2) “Deposition Checklists and Forms” and (3) “Selected State and Federal Rules of Civil Procedure.” The book also comes with a detailed subject index to allow for easy searches of particular topics.

The book begins with an overview of the rules, process and types of participants involved in civil depositions. In addition to providing excellent considerations regarding preparation of a client for a deposition, suggestions and ideas are offered on how and when to complete various types of depositions. Cooper even provides a “troubleshooting” guide for when a client has difficulty during a deposition. Advice is also offered on expert depositions, video depositions and depositions in workers’ compensation matters.

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In the section titled “The A to Z of Civil Depositions,” Cooper creatively uses each letter of the alphabet to cover an important topic in Pennsylvania state and federal court depositions (for example, “A: Adopt a plan”; “B: Benevolent. Always try to be courteous”; “C: Collect information”). This section provides an excellent overview of deposition tips for the new lawyer that are also worthy of being reiterated to seasoned lawyers.

As a quick and easy reference, this book provides an excellent compilation of selected Pennsylvania state and federal rules of civil procedure that cover essentially every issue that could come up during the course of the deposition.

In addition to useful checklists to assist lawyers in dealing with the variety of issues that typically arise with depositions, the book also provides several different useful outlines of deposition questions for a variety of scenarios. Cooper also provides sample forms, including a variety of types of notices of deposition, and a sample client handout that will prove helpful in assisting many attorneys in preparing clients for a deposition.

Even better, the book is accompanied by a CD-ROM that contains the forms noted in the treatise. The files on the CD are in WordPerfect and Microsoft Word formats and the model forms are provided as ready-made templates that save time and effort in creating the forms needed to

prepare for and participate in depositions. The inclusion of the CD could make this treatise invaluable to some litigators.

The A to Z of Civil Depositions in Pennsylvania by Scott B. Cooper deserves high marks for its clarity and creative approach to a common topic. The book excels in the manner in which it provides practical tips along with a recitation of most if not all of the applicable rules of procedure and law pertaining to depositions. It is an excellent resource that deserves a place within a civil litigator’s easy reach to consult time and again. With this material in hand, a litigator will be in a better position at the next deposition to “school” an opponent or a deponent for the benefit of his or her client. ♦



Daniel E. Cummins

Daniel E. Cummins, a partner in the Scranton law firm of Foley, Comerford & Cummins, has more than 15 years of insurance defense experience.

For ordering information on the book and CD-ROM, see the PBI website, www.legalspan.com/pbi/catalog.asp?ItemID=20130122-229194-91608.

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