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SendTo: CN=Tom Samoluk/O=ARRB @ ARRB
CopyTo:
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BlindCopyTo: CN=R ecord/O=ARRB
From: CN=Jeremy Gunn/O=ARRB
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Subject: Groden Deposition
TO: KERMIT @ HOMANITEST.COMHOMES.OMIO-STATE.EDU @ INTERNET @ WORLDCOMM. INTERNET-BOARD,
David Marwell/ARRB From: Jeremy Gunn/ARRB Date: 08/09/96 07:05:16 AMSubject: Groden
DepositionKermit:I am writing in response to your telephone call stating that you wish to attend the Groden
deposition. In order for you to make your plans, the details are as follows: the deposition is scheduled for 9:00
a.m. on Tuesday, August 20, at the U.S. Attorney's Office on the Third Floor of the Earle Cabell Federal Building
at 1100 Commerce Street in Dallas. This is the same building where the Dallas hearing was held. As I said to
you, I believe that all Board members are fully entitled to attend the depositions. I would, however, like to
express some thoughts that I have. First, to the extent that you desire to be informed about what transpires in
the depositions, the transcripts have always been and will continue to be fully available to you and the other
members of the Board. I urge you to read them and I would be very interested in your comments, suggestions,
and observations on them. Reading the transcripts is certainly an easier, cheaper, faster, and more efficient
way to obtain the information than attending the depositions.Second, I appreciate your statements that your
desire to attend the deposition has nothing to do with the (unsigned) letter about the medical depositions that
was circulated at the Board's last hearing and that you do not wish to "micro-manage" the work I am
doing.Third, David and other staff members have attended some of the prior depositions that were held in the
Washington area. I always find it valuable to get their thoughts, suggestions, observations, insights, and
proposed questions. I have no doubt that you would be able to contribute as well.However, I frankly am
concerned that your presence might be a distraction to me. When I am preparing for and conducting a
deposition, I try to focus as single-mindedly as I can on the witness and on the issues that need to be
addressed. It is obvious that you are a man of strong convictions and that you do not hesitate to express your
convictions in strong terms, particularly when you disapprove of something. I am concerned that during the
deposition my focus might shift from the witness to attempting to anticipate your reactions and potential
disapprobation.In saying this, I should nevetheless add that I have conducted more than a hundred
depositions in extremely difficult situations. One example occurred during a multi-million dollar lawsuit against
my client, a prominent French corporation. Depositions were scheduled in Paris for a two week period in
which I had to prepare 10 witnesses (including two former Presidents of the corporation) for depositions and
to conduct the depositions in both French and in English. The depositions were at the General Counsel's office
in Paris, and attorneys for the corporation attended the depositions. But in these and other depositions, I
never had the sense that my clients -- who were understandably interested in and concerned about what was
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