

RULE CV-30. DEPOSITIONS UPON ORAL EXAMINATION

(a) **Notice.** The notice for a deposition shall be in the form prescribed in Federal Rule of Civil Procedure 30, and in addition shall state the identity of persons who will attend other than the witness, parties, spouses of parties, counsel, employees of counsel, and the officer taking the deposition. If any party intends to have any other persons attend, that party must give reasonable notice to all parties of the identity of such other persons.

(b) **Procedures, Examinations and Objections.** The parties are permitted to stipulate on the record of a deposition any agreement regarding the rules for the deposition. Absent an agreement by the parties, objections to questions during a deposition are limited to “Objection, leading” and “Objection, form.” Objections to testimony during a deposition are limited to “Objection, nonresponsive.” Any objections to the form of the question or responsiveness of the answer are waived if not properly stated during a deposition. All other objections need not be made or recorded during a deposition to be later raised with the court. An attorney shall not, in the presence of a deponent, make objections or statements that might suggest an answer to the deponent. An attorney for a deponent shall not initiate a private conference with the deponent regarding a pending question, except for the purpose of determining whether a claim of privilege should be asserted. An attorney who instructs a deponent not to answer a question shall state, on the record, the legal basis for the instruction consistent with Federal Rule of Civil Procedure 30. If a claim of privilege has been asserted as a basis for an instruction not to answer, the attorney seeking discovery shall have reasonable latitude during the deposition to question the deponent and establish relevant information concerning the appropriateness of the assertion of privilege, including (i) the applicability of the privilege being asserted, (ii) the circumstances that may result in the privilege having been waived, and (iii) circumstances that may overcome a claim of qualified privilege. A violation of the provisions of this Rule may be deemed to be a violation of a court order and may subject the violator to sanctions under Federal Rule of Civil Procedure 37.

(c) **Recorded Depositions.** If a deposition is to be recorded, the party requesting the recording shall be responsible for ensuring that the equipment used is adequate to produce a clear record. If the deposition is to be video recorded, the procedures set out in Appendix I shall govern the deposition proceedings, except upon stipulation of the parties or order of the court upon motion and showing of good cause.