



INFORMATION TO KNOW BEFORE YOUR CAMEO REMOTE DEPOSITION

Our Cameo remote deposition platform through Remote Counsel has been built to incorporate the scalability, ease of use and ubiquity of Zoom with security protocols to protect our clients and their proceedings.

All of our events are private and the link is only sent to the parties that our client specifies.

Our meeting links are never posted in a way that the general public can access or search for them.

Our unique meeting URLs or links are valid only on the day of the proceeding, thereby making it even more secure.

Every event is hosted. Hosts have total control over the meeting and invites.

If joining the meeting by a Windows or Mac computer, click on the link on the invite and follow the download prompts to launch the meeting. If attending by I-Pad, iPhone, Android tablet or phone, download Zoom Cloud Meetings from the app store or the play store and then click on the link.

Once in the meeting room, make sure you're seeing the participants through speaker view rather than gallery view for a better video conferencing experience.

We ask also for the best remote deposition experience that your computer is located as close to your home router as possible.

People always ask how do I handle exhibits?

Documents to be marked as exhibits can be emailed to the office and we will forward these to the court reporter. You can request these to be pre-marked or marked at the deposition. Additionally, electronic exhibits can be shared online during the deposition as well.

At the bottom of the screen will be a Chat Feature. If you would like to send a document to the participants during the deposition, click on "Chat" on the meetings controls at the bottom of the screen, a screen on the right will appear and you will see "File" at the bottom of the screen. Once you click "File" please select "my computer" then navigate to the location of your file on your computer and click "open". Each participant can then save this document to their computer. Once the meeting is concluded the documents will go away.

If you don't see the "File" icon when you click "Chat" then you need to update your Zoom software to the latest version, please close the Zoom software (leave meeting) and you will be prompted to update your Zoom software. Please update it and rejoin the meeting.

If you would like to share electronic exhibits during the deposition, please open the file that you would like to share then click "Share Screen" on the meeting controls at the bottom of the screen and select the file you would like to share, then click "Share".

Unless the parties stipulate otherwise, the location of the deposition on the caption/appearance page will be the location from which the deponent testifies. This will be indicated as the city and state.

The court reporter will put a statement on the record that the parties stipulate on the record agreeing to the deposition to be held remotely.

New York Law on Remote Depositions

Pursuant to CPLR 3113(d), the officer administering the oath and transcribing the testimony must be physically present at the location where the deponent is testifying. Put simply, the statute does not permit the officer to be at a remote location and accessible by telephone. The rationale makes sense: the officer who swears in the witness must have proof that the person before them is the actual witness. Significantly, however, the statute allows the parties to stipulate otherwise (CPLR 3113[d]; *In re Estate of Smith*, 29 Misc 3d 832, 834 [Sur Ct 2010] [The court notes that “unless otherwise stipulated to by parties, the officer administering the oath shall be physically present at the place of the deposition”]). CPLR 3113(d), in part, states that “[u]nless otherwise stipulated to by the parties, the officer administering the oath shall be physically present at the place of the deposition and the additional costs of conducting the deposition by telephonic or other remote electronic means, such as telephone charges, shall be borne by the party requesting that the deposition be conducted by such means.”