

[Your Name/Law Firm]
[Your Address]
[City, State, Zip Code]
[Phone Number]
[Email Address]

[Date]

[Opposing Counsel Name]
[Opposing Law Firm]
[Address]
[City, State, Zip Code]

Re: [Case Name and Court Case Number]

Subject: Meet and Confer Regarding Misconduct During Deposition of [Witness Name]

Dear [Opposing Counsel Name],

I am writing to meet and confer regarding the improper use of electronic devices to coach the witness, [Witness Name], during the deposition held on [Date].

During the testimony, it was observed that [describe the observation, e.g., you were transmitting text messages/emails to the witness or the witness was viewing a private chat window] while a question was pending. Specifically, this occurred at [Time/Page and Line Number of Transcript].

This conduct violates [State Local Rule or Federal Rule of Civil Procedure], which prohibits private conferences between an attorney and a deponent regarding the substance of testimony, as well as the general prohibition against witness coaching. Such actions undermine the integrity of the discovery process and the veracity of the record.

To resolve this matter without court intervention, I request that you:

- Provide a written declaration confirming the nature of the communications sent to the witness during the deposition;
- Produce all electronic communications exchanged with the witness during the duration of the deposition;
- Agree to a re-examination of the witness regarding the content of these communications at your client's expense.

Please provide your response by [Date/Time]. If we cannot reach an agreement, I will have no choice but to seek a protective order and sanctions from the Court, including a request for the costs and fees associated with this motion and the reconvening of the deposition.

I am available to discuss this via telephone on [Date] at [Time].

Sincerely,

[Your Signature]

[Your Printed Name]