

IMPEACHMENT PROBLEM 5: JOHN ANDERSON

Assume that Mr. Anderson testified on direct examination that he asked Mr. Jackson for additional collateral for the loan, but Mr. Jackson said he had no additional collateral available, that he was “tapped out.”

- (a) For Flinders, conduct a cross-examination and impeachment of Mr. Anderson.
- (b) For Mismo, conduct a redirect examination to the extent necessary to rehabilitate.

CONFIRM the lie told at trial:

You just testified that you asked Mr. Jackson for additional collateral for the loan.

Impeachment:

Isn't it true that you have previously testified that you did not ask for additional collateral for the loan?

If he answers “no”, CREDIT his deposition.

CONFRONT him with his prior inconsistent statement at page 16, lines 9-10.