

# EXHIBIT SHARE FAQs

## EXHIBIT SHARE BENEFITS:

- Save enormous amounts of time and money around organizing, shipping and introducing exhibits.
- Gain control of exhibit-intensive proceedings.
- Manage your deposition exhibits more effectively allowing you to concentrate on your winning strategy.

## What is Veritext Exhibit Share?

Exhibit Share is a software tool that allows attorneys to introduce and share exhibits electronically to all attending parties, including the witness and all other counsel, regardless of location. This easy-to-use tool replaces the need for attorneys to bring multiple copies of potential exhibits.

## What equipment and other technology does an attorney need to use Exhibit Share?

Any laptop or tablet with internet access will be able to access the platform. If using an Android tablet, the participant must download the Egnyte app.

## How much notice does Veritext need to set up Exhibit Share?

Veritext requires 72 hours' advance notice to set up and support a proceeding using Exhibit Share.

## Should an attorney bring a hard copy for the witness?

It is highly recommended that an attorney bring a paper copy for any witnesses who are not technologically versed or are unable to operate a computer. This precaution will prevent any complications with the proceeding.

## Can the witness bring their own laptop, or does the scheduling attorney need to bring one?

The witness can certainly bring their own laptop, or Counsel can provide it. Veritext Exhibit Share works on all modern-day browsers including Google Chrome, Safari, Edge, and Firefox.

## How is Exhibit Share accessed? Is there a separate login? How many people can use it?

After scheduling an Exhibit Share, the Veritext Tech team will email secure account links to the attorney and other participants so that they may set up and access their account.

- Attorneys will need to setup an Exhibit Share (Egnyte) account and synch it to their MyVeritext account. This will enable them to access Exhibit Share within MyVeritext.
- There are an unlimited number of users during a deposition, providing that each user has security rights to participate.

## Can folders on one's computer be uploaded into Exhibit Share?

Yes, they can. Just drag and drop the folder into the platform and the entire folder structure will upload swiftly.

## Can a participant print an exhibit from Exhibit Share at the depo?

Attorneys can download the exhibits and send them to a secure printer.

**NOTE:** Once a file is put into the "Introduced" folder it cannot be deleted and replaced from that folder. Contact our tech team to delete any document.

## In which folder do attorneys upload their potential exhibits?

Each firm will have a Private folder. Potential exhibits are loaded in this folder. Other parties cannot view your Private folder.

**CAUTION:** Do not upload documents directly to the "!!Marked Exhibits" folder. That folder and its contents can be viewed by all parties and is reserved for marked exhibits.

## How does an attorney introduce an exhibit?

The attorney will begin the deposition or proceeding and introduce and mark the exhibits:

- The attorney must select the file to introduce.
- From the pop-up menu they click "Introduce Exhibit."
- A new window will open with a preview of the document.
- A panel on the left of the document will enable the attorney to customize the Exhibit Sticker.
- Click "Add Stamp" to stamp the document. The stamp can be moved by clicking and dragging.
- The attorney clicks the "Introduce Exhibit" button to introduce and distribute the file.
- The attorney introduces the exhibit into the record, e.g., "I am introducing this document as Exhibit 1, which is a Memo dated December 15, 2022."
- The attorney should instruct the witness and all other parties to please click on the exhibit to display it on your screen.

The exhibit is then introduced and all parties have access to it.

## How does a participant annotate an exhibit?

Once an exhibit is introduced, users can collaboratively annotate it. To do this:

- Select the document from the "Marked Exhibits" folder.
- From the pop-up menu, click "Annotate Document".
- The user who introduced the exhibit will be the Session Leader and control access to the annotation tools.
- Other users (including the witness) select the same document, and also click "Annotate Document" from the pop-up menu.

- The Session Leader can enable annotation rights for select participants using the “Collaboration” window on the left.
- Adding a check mark next to the name, will enable that user to create annotations. Removing the check mark will remove their rights to annotate, but keep their annotations on the document.
- Once annotations are complete, the Session Leader can finalize the file by clicking the “Finalize File” button.
- The finalized file is added to the “Marked Exhibits” folder. The letter “a” is added to the exhibit number, as well as an indication with the date the annotations were created.
- The new file can be marked as an exhibit, by following the “Introduce an Exhibit” steps listed above.

**What happens if someone brings a paper exhibit (not in the Exhibit Share platform)?**

Paper exhibits should be handled in the traditional manner, where the court reporter marks the exhibits and then forwards it to Veritext. Hard copies should be shared with all parties.

**Can a participant word search the exhibits or annotate the exhibits?**

- All documents will be automatically OCR’ed when added to Exhibit Share, and can be searched from within the platform
- A participant may download the exhibit to their own device and annotate it. Those annotations are on the participant’s own downloaded copy and are not viewable by anyone else.

**If a document is introduced and the attorney does not want to mark it, what happens with it?**

Files in the “Introduced” folder cannot be removed. They are viewable by all parties. If not introduced/ marked, the attorney should email the Veritext Tech Team [remote@veritext.com](mailto:remote@veritext.com) informing them to remove the file.

**Can participating attorneys drag and drop an exhibit from Veritext Exhibit Share to the desktop?**

The participating attorney cannot drag and drop an exhibit from the platform to their desktop. However, they can download the exhibit to their desktop by clicking the small box next to the exhibit and selecting download.

**Does Exhibit Share work with only certain file types?**

Exhibit Share will open all files in their native format (e.g., Word, Excel, etc.), regardless of whether the software is on the computer/tablet.

**Can a paralegal, who has access to Exhibit Share, upload documents the day of the deposition?**

If the paralegal was given credentials to the Private Folder, then they can upload exhibits the day of and, in fact, during the deposition. These documents will be uploaded into the “private” folder for the attorney to access.

**Does everyone leave the deposition with a set of exhibits?**

If the parties wish to download the exhibits during the deposition, they can do so. After the deposition, the exhibits will be available in MyVeritext.

**If opposing counsel does not want to use Exhibit Share, will there be hard copies of the exhibits for their use during the deposition?**

Opposing counsel should be informed through the deposition notice that electronic exhibits will be used. Below is an example of suggested text to use in the notice.\*

It is the scheduling attorney’s choice to use Exhibit Share. A hard copy should be provided by the scheduling attorney if they are aware of opposing counsel’s desire not to use Exhibit Share.

“The deposition will be recorded by stenographic means by a court reporter certified to record depositions in the State of {STATE}, and deposition exhibits will be presented and exchanged electronically.”

**What happens when the witness annotates a hard copy exhibit, yet the attorneys are using Exhibit Share to view that same exhibit?**

The witness’s marked up copy is considered to be the authentic exhibit. The physical copy must be provided to the reporter for marking. The reporter will send the exhibit to Veritext who will replace the electronic version with a new pdf of the authentic exhibit.

**Is there capability to access previously marked exhibits in a case, or only the current exhibits being marked?**

If it is an ongoing case, Veritext will provide access to previously marked exhibits upon request. However, in most cases, only the exhibits that the attorney has uploaded to their “private” folder for that particular deposition will be accessible.

**Does the witness or attorney who is viewing the introduced exhibit automatically keep a copy? Can this be restricted if the introducing attorney doesn’t want the exhibits to be kept by the witness?**

The witness or attorney does not get an automatic copy. Any participant is able to download an exhibit onto their computer if they so choose. This is not able to be restricted.

**What kind of encryption is utilized for Exhibit Share?**

Our ExhibitShare platform (Egnyte), is always configured for AES 256-bit encryption.

**Which of AES’s available modes are utilized?**

ExhibitShare on Egnyte currently uses CBC mode.

**Is the data is ever de-crypted?**

The data is never decrypted.

**How are the exhibits handled once the deposition is over?**

The data is transported to Veritext’s processing systems via a TLS 1.2 encrypted connection from reporters and videographers. All data stored at Veritext hosting centers is encrypted at rest in AES 256-bit CBC mode.

*\*NOTE: The materials available or information discussed are for informational purposes only and not for the purpose of providing legal advice. You should not act upon any such information without first seeking qualified professional counsel on your specific matter or reviewing the rules in your jurisdiction.*