

**1.25 OPTIONAL CHARGE CONCERNING VIDEO RECORDED
TESTIMONY (04/2016)**

Members of the Jury, under certain circumstances, a party to a lawsuit has the right to present testimony through the use of a video recorded deposition. This is done instead of bringing the witness physically to the courtroom to testify. A video recorded deposition is sworn testimony subject to direct and cross-examination in the same way a witness who took the witness stand would be under oath and subject to direct and cross-examination. Counsel in this case have taken a video recorded deposition which you are about to see on the television monitor(s)/screen(s) in front of you.

You are to treat the testimony and evidence presented to you by way of a video recorded deposition in the same fashion as you treat any of the other evidence being presented to you in this case.