

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**In re: Oil Spill by the Oil Rig
“Deepwater Horizon” in the Gulf
Of Mexico, on April 20, 2010**

Applies to: *All Cases.*

* **MDL No. 2179**
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* **SECTION: J**
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* **JUDGE BARBIER**
* **MAGISTRATE SHUSHAN**

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**ALL PARTIES OBJECTIONS TO DEPOSITION DESIGNATIONS OF
RICKEY MORGAN**

<u>From</u>		<u>To</u>		<u>Objecting</u> <u>Party</u>	<u>Objection</u>	<u>Ruling</u>
<u>Page</u>	<u>Line</u>	<u>Page</u>	<u>Line</u>			
37	1	37	8	HESI	Speculation: The examining attorney asks Morgan about Ronnie Faul's state of mind and intentions, which requires speculation on Morgan's part.	
43	3	43	7	BP	FRE 602	
64	5	64	7	BP	Non-responsive; FRE 702	
73	2	73	4	BP	Non-responsive; FRE 602	
97	15	97	18	BP	Non-responsive; FRE 602	
122	14	122	17	BP	Non-responsive	
133	17	133	19	BP	Non-responsive; FRE 602	
134	1	134	7	BP	FRE 602	
147	18	147	20	BP	Non-responsive; FRE 702	
168	9	168	15	BP	FRE 702	
177	3	177	5	BP	Vague	

179	11	179	19	HESI	Speculation; assumes facts not in evidence; vague and ambiguous: The examining attorney asks Morgan to speculate regarding what somebody else would or would not be able to do. The question also assumes that the YP calculated by Morgan indicates a problem with the slurry. Morgan's remaining testimony does not support that conclusion (See 180:5-11); read together with 178:18-179:1). Further, it is vague and ambiguous.	
182	9	182	13	HESI	Vague and ambiguous: The question is vague and ambiguous; it is not clear to what job the examining attorney is referring. As worded, it is confusing and misleading.	

					<p>Argumentative; assumes facts not in evidence; misstates the evidence; speculation; foundation; vague and ambiguous: Counsel asks a series of questions attempting to get the witness to agree to "instability of the foam cement" as "a contributing cause." The questioning is argumentative, assumes facts not in evidence, and misstates the evidence, which is that the actual testing of the final slurry showed that it was stable. Further, Morgan testified that he was not involved with any cement jobs on the Macondo well prior to the blowout. (13:17-21). Accordingly, he has no knowledge of the condition of the slurry; thus, the questioning necessarily calls for speculation, and there is no foundation for him to testify on these matters. Furthermore, the questioning improperly assumes that the foam cement was unstable and that the witness's work actually replicated the slurry used. The questioning is also vague and ambiguous as worded, making the testimony confusing and misleading.</p>	
186	24	187	11	HESI		
191	19	191	22	BP	FRE 602	
195	4	195	7	BP	FRE 702	
195	9	195	9	BP	FRE 702	
195	21	195	25	BP	Vague; FRE 602	
196	2	196	4	BP	Vague; FRE 602	