

**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  
\*  
\* SECTION: J  
\*  
\* JUDGE BARBIER  
\* MAGISTRATE SHUSHAN

\* \* \* \* \*

**ALL PARTIES OBJECTIONS TO DEPOSITION DESIGNATIONS OF  
BRAD BILLON**

<u>From</u>		<u>To</u>		<u>Objecting Party</u>	<u>Objection</u>	<u>Ruling</u>
<u>Page</u>	<u>Line</u>	<u>Page</u>	<u>Line</u>			
46	22	48	13	BP	FRE 602	
49	21	50	8	BP	FRE 602	
49	21	50	8	M-I	The question calls for the M-I witness to speculate as to BP’s state of mind.	
56	6	56	13	BP	Misstates the Record; Argumentative; Compound	
56	15	56	15	BP	Misstates the Record; Argumentative; Compound	
60	8	60	11	BP	Relevance	
61	22	62	6	M-I	The question is vague in its reference to the “pressure” potentially put on employees by a contract provision.	
71	25	72	6	BP	Argumentative; Colloquy	
73	9	73	19	BP	FRE 602	
74	7	74	16	BP	FRE 602	
97	24	98	5	BP	FRE 602; Misstates the Record; Colloquy	

97	9	97	22	M-I	The question is compound and ambiguous. The term “interested” as used in the question is vague and undefined. Additionally, counsel asked a second question (“Is that accurate?”) before the witness had an opportunity to respond to the initial question.	
98	7	98	8	BP	FRE 602; Misstates the Record; Colloquy	
99	5	99	18	M-I	The question calls for the M-I witness to speculate regarding the state of mind of employees of various entities regarding their expectations during a displacement.	
101	1	101	8	M-I	The question calls for the M-I witness to speculate regarding the state of mind of employees of Transocean and Shell.	
102	21	103	1	BP	FRE 602	
107	22	108	8	M-I	The question calls for speculation as there is no foundation to show that the witness would have knowledge of every M-I procedure.	
129	14	130	15	M-I	The line of questioning calls for speculation as there is no foundation to show that the witness would have knowledge of every facet of M-I’s business or every M-I procedure. Further, the questions call for the witness to speculate regarding the motivation of M-I employees.	
150	19	150	25	BP	FRE 602; Hearsay	
151	15	151	19	BP	Hearsay; Colloquy	
151	20	152	25	BP	Hearsay	
161	4	161	19	BP	FRE 701; FRE 602	
161	20	161	24	BP	FRE 701	

161	25	162	6	BP	Argumentative; Misstates the Record; Vague; Colloquy; FRE 701; FRE 602	
162	8	162	9	BP	Argumentative; Misstates the Record; Vague; Colloquy; FRE 701; FRE 602	
162	11	162	18	BP	Argumentative; Misstates the Record; Vague; Colloquy FRE 701; FRE 602	
162	20	162	20	BP	Argumentative; Misstates the Record; Vague; Colloquy; FRE 701; FRE 602	
165	3	165	15	Cameron	Speculation (FRE 602)	
165	17	165	25	Cameron	Speculation (FRE 602)	
178	3	178	5	BP	FRE 602	
178	7	178	14	BP	FRE 602	
179	6	179	10	BP	Hearsay	
180	16	180	23	BP	Hearsay	
185	21	185	25	BP	Argumentative; FRE 602	
185	6	185	19	M-I	The question calls for the M-I witness to speculate as to the operation of a BP management of change procedure.	
187	11	187	17	BP	FRE 602	
188	2	188	5	BP	FRE 602	
188	6	188	10	BP	FRE 602	
188	11	189	1	BP	Colloquy; FRE 602	
189	2	189	8	BP	FRE 602	
190	1	190	11	BP	FRE 602	
190	12	190	19	BP	FRE 602	
190	20	191	3	BP	Colloquy	
191	7	191	13	BP	FRE 602	
191	14	191	22	BP	FRE 602	
191	23	192	3	BP	FRE 602	
193	14	193	24	BP	FRE 602	
194	21	196	16	BP	FRE 602	
196	23	197	1	BP	FRE 602	
197	2	197	3	BP	FRE 602	
197	5	197	8	BP	FRE 602	
197	12	197	16	BP	FRE 602	
197	17	199	10	BP	FRE 602	
199	13	199	21	BP	FRE 602	

200	2	200	4	BP	FRE 602	
200	5	200	11	BP	FRE 602	
201	15	201	16	BP	Vague	
201	19	201	23	BP	Vague	
201	25	202	1	BP	Vague	
202	3	202	16	BP	FRE 602	
202	18	202	19	BP	FRE 602	
202	21	203	1	BP	FRE 602	
203	2	203	11	BP	Vague; FRE 602	
203	13	203	15	BP	Vague; FRE 602	
203	17	204	3	BP	FRE 602	
204	11	204	16	BP	FRE 602	
204	17	204	23	BP	FRE 602	
204	25	205	1	BP	FRE 602	
205	11	206	1	BP	FRE 701; FRE 602	
206	6	207	1	BP	FRE 602	
207	2	208	21	BP	FRE 602	
208	22	209	5	BP	Inadmissible by Statute	
210	10	210	18	BP	FRE 602	
212	10	212	12	BP	FRE 602	
212	15	212	18	BP	FRE 602	
212	19	212	23	BP	FRE 602; Argumentative; Compound	
212	19	212	23	M-I	The objectionable testimony is a narrative by Counsel, which should be stricken.	
213	1	213	2	BP	FRE 602; Argumentative; Compound	
213	4	213	4	BP	FRE 602; Argumentative; Compound	
213	12	213	14	BP	Vague; Compound	
213	16	213	16	BP	Vague; Compound	
213	18	214	2	BP	FRE 602	
258	7	258	11	BP	Assumes Facts Not in Evidence; Argumentative; Hearsay	
258	13	258	20	BP	Assumes Facts Not in Evidence; Argumentative; Hearsay	
258	24	259	22	BP	Assumes Facts Not in Evidence; Argumentative; Hearsay	

259	23	260	1	BP	Misstates the Record; Hearsay	
260	3	260	7	BP	Misstates the Record; Hearsay	
264	22	265	12	M-I	The question mischaracterizes the witness's testimony and assumes facts not in evidence, namely that the spacer was comprised only of LCM material.	
267	10	267	11	BP	Hearsay	
267	13	267	17	BP	Hearsay	
267	10	267	17	M-I	The question calls for a hearsay response.	
268	22	268	11	Cameron	Question mistates prior testimony	
271	2	272	12	M-I	This line of questions calls for speculation as counsel asks the witness to opine on the meaning of emails to which he was not a party.	
275	2	276	12	M-I	This line of questions calls for speculation as counsel asks the witness to determine what another employee was thinking.	
278	12	278	14	BP	Vague	
278	16	278	16	BP	Vague	
278	18	278	19	BP	Vague	
278	21	278	22	BP	Vague	
279	13	279	19	BP	Misstates the Record	
279	23	280	2	BP	Vague; FRE 602	
280	4	280	4	BP	Vague	
280	4	280	4	BP	FRE 602	
280	6	280	8	BP	FRE 602	
280	6	280	8	BP	Vague; FRE 602	
281	4	281	17	BP	FRE 701; FRE 602; Hearsay	
281	18	281	21	BP	FRE 602	
288	13	288	14	BP	FRE 602	
288	16	288	18	BP	FRE 602	
288	20	288	21	BP	FRE 602	
288	23	289	5	BP	Asked and Answered; FRE 602	
314	13	314	17	BP	FRE 602	

314	19	314	22	BP	FRE 602	
318	16	318	16	BP	Vague; FRE 602	
320	17	321	2	BP	FRE 602	
328	3	328	6	BP	Assumes Facts Not in Evidence; Compound; Colloquy; Argumentative; FRE 602; Hearsay	
332	12	332	15	BP	Assumes Facts Not in Evidence; Argumentative	
332	17	332	19	BP	Assumes Facts Not in Evidence; Argumentative	
333	9	333	13	BP	Misstates the Record; Argumentative	
333	15	333	15	BP	Misstates the Record; Argumentative	
336	16	336	19	BP	Misstates the Record	
362	16	362	17	BP	Hearsay	
362	19	363	2	BP	Hearsay	
363	13	363	16	BP	Hearsay	
370	13	370	19	BP	Hearsay	
371	16	371	19	BP	FRE 701; FRE 602	
373	23	374	3	BP	Hearsay	
388	24	389	4	BP	FRE 701	
391	16	391	21	BP	FRE 701; FRE 602; Vague; Ambiguous	
391	23	391	25	BP	FRE 701; FRE 602; Vague; Ambiguous	
398	19	398	23	BP	Misstates the Record; Argumentative	
399	1	399	3	BP	Misstates the Record; Argumentative	
400	10	400	12	BP	Asked and Answered	
400	14	400	14	BP	Asked and Answered	
400	10	400	14	M-I	The question mischaracterizes the witness's testimony as the witness had already confirmed that a benefit of using the spacer was to minimize waste.	
411	6	411	14	BP	Hearsay	

424	24	425	5	M-I	The question calls for speculation as no foundation has been established that this witness knows how or when to perform a negative test.	
426	19	426	21	BP	Hearsay	
426	23	427	7	BP	Hearsay	
439	25	440	4	BP	Argumentative; FRE 701; FRE 602	
440	7	440	8	BP	Argumentative; FRE 701; FRE 602	
440	10	440	13	BP	Argumentative; FRE 701; FRE 602	
459	15	459	18	BP	Argumentative; Vague; FRE 701; FRE 602	
459	20	459	21	BP	Argumentative; Vague; FRE 701; FRE 602	
508	15	510	11	M-I	This line of questions calls for speculation, as the witness is asked to determine what a BP employee thought or knew based upon an email to which he was not a party.	
509	13	510	19	HESI	Speculation; foundation; compound; argumentative; repetitive: Counsel asks a series of questions regarding an email to which the witness was not a party. He repeatedly asks what the words in the email mean and attempts to get the witness to agree with his interpretation of the email's meaning. The questioning calls for speculation, and there is no foundation for this witness to respond to these questions. Further, the questioning is compound and assumes facts not in evidence, in that it attempts to equate BP with Mr. LeBleu, the author of the email. It is argumentative and repetitive, as the questions are asked and answered more	

					than once.	
519	1	519	6	Cameron	Vague; Ambiguous (FRE 403)	
524	1	525	4	HESI	Vague and ambiguous; speculation; foundation: Counsel asks a series of questions regarding the incentives to BP in the contract between BP and M-I Swaco. The questions are vague and ambiguous and, as worded, are confusing. Further, the questioning calls for speculation with regard to incentives to BP, as Billon is an M-I Swaco employee. There has been no foundation for the witness to testify as to BP's incentives or intentions.	
524	1	525	4	M-I	This line of questions calls for speculation, as counsel's questions are directed at the incentives that BP employees may have. M-I's witness would have no knowledge of the incentives of BP employees.	
526	12	526	20	HESI	Legal conclusion; foundation; speculation: Counsel asks whether the witness casts "any blame on BP for accepting [M-I Swaco's] suggestion of using LCM as spacer in this application." This question calls for a legal conclusion which this witness does not have the requisite knowledge or expertise to give. Therefore, there is a lack of foundation, and the question necessarily calls for speculation.	
528	16	528	19	BP	FRE 701	
528	21	528	25	BP	FRE 701	
529	21	530	3	BP	FRE 701	
530	5	530	5	BP	FRE 701	

530	7	530	13	BP	FRE 701	
532	2	532	3	BP	Misstates the Record; Argumentative; Leading; FRE 701; FRE 602	
532	6	532	8	BP	Misstates the Record; Argumentative	
532	6	532	8	BP	FRE 701	
532	10	532	11	BP	FRE 701	
532	10	532	11	BP	Misstates the Record; Argumentative	
536	16	536	18	BP	FRE 602	
536	22	537	25	BP	FRE 602	
549	25	550	4	BP	FRE 701; Argumentative	
550	7	550	10	BP	FRE 701; Argumentative	