

**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**

: **MDL No. 2179**

: **SECTION: J**

:
: **This Document Relates to:**
: **No. 10-2771**

: **JUDGE BARBIER**

: **MAG. JUDGE SHUSHAN**
:
:

**THE BP PARTIES’ GENERAL OBJECTIONS TO DEPOSITION DESIGNATIONS
AND THE BP PARTIES’ CONDITIONAL COUNTER-DESIGNATIONS
FOR THE DEPOSITION OF STEVE BERTONE**

The BP Parties¹ generally object to the testimony designated by other parties, including exhibits accompanying other parties’ deposition designations, to the extent the designations:

1. recite, reference or concern the Joint Investigation Report or testimony or other documents generated in connection with the Joint Investigation;
2. recite, reference or concern reports or other material generated in connection with other governmental or regulatory inquiries, including but not limited to, reports generated by the Chemical Safety Board, the Presidential Commission, and the Republic of the Marshall Islands;
3. reference or concern other instances of prior alleged improper conduct by the BP Parties unrelated to the Macondo Well incident, including but not limited to events concerning Grangemouth, Prudhoe Bay and Texas City;
4. reference or concern instances of prior adverse criminal, civil, or regulatory proceedings unrelated to the Macondo Well incident;
5. reference or concern settlement discussions or agreements related to any claims in this litigation;

¹ The BP Parties consists of BP Exploration & Production Inc., BP America Production Company, and BP p.l.c.

6. are inconsistent with the Court's many rulings to date concerning the relevance or discoverability of documents or information, any undue prejudice that may result from the use or reference to documents or information, or the privileged nature of any documents or information;
7. are inconsistent with any of the pending motions filed by BP or that may be filed by BP in accordance with the Court-ordered schedule for the presentation of pre-trial evidentiary issues via motions in limine or so-called *Daubert* motions;
8. form the basis of any party's request for an adverse inference against the BP Parties, or any current or former employee, director or officer of the BP Parties, based on the witness's invocation of his/her Fifth Amendment rights; or
9. relate to issues reserved by the Court for determination during later trial Phases, including Phases II and III.

To the extent that the BP Parties have provided counter-designations or affirmative designations regarding the foregoing subject matters or any other matter objected to by the BP Parties in their specific page/line objections to other parties' designations, such designations by the BP Parties are contingent on, subject to, and without waiver of the BP Parties' specific and general objections.

Respectfully submitted,

/s/ J. Andrew Langan

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