

**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
ANDREA FLEYTAS**

| <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> | | | |
| 14 | 20 | 15 | 19 | Transocean | Relevance, prejudice (Fed. R. Evid. 403); no adverse inference should be drawn against Transocean. | |
| 16 | 9 | 16 | 11 | BP | Inadmissible by Statute; Testimony not admissible against BP for any purpose based on the witness’s invocation of the Fifth Amendment | |
| 16 | 9 | 16 | 25 | Transocean | Question incorporates inadmissible JIT testimony; lacks foundation; hearsay; no adverse inference should be drawn against Transocean. (46 U.S.C. § 6308; Dkt. No. 5448; Fed. R. Evid. 802 and 602). | |
| 16 | 14 | 16 | 18 | BP | Inadmissible by Statute; Testimony not admissible against BP for any purpose based on the witness’s invocation of the Fifth Amendment | |
| 16 | 20 | 16 | 25 | BP | Inadmissible by Statute | |

| | | | | | | |
|----|----|----|----|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 17 | 17 | 17 | 19 | Transocean | Question incorporates inadmissible JIT reference; lacks foundation; no adverse inference should be drawn against Transocean. (46 U.S.C. § 6308; Dkt. No. 5448; Fed. R. Evid. 602). | |
| 28 | 25 | 29 | 5 | Transocean | Vague, ambiguous; no adverse inference should be drawn against Transocean. | |
| 31 | 13 | 31 | 21 | Transocean | Lacks foundation (Fed. R. Evid. 602); no adverse inference should be drawn against Transocean. | |
| 32 | 25 | 33 | 5 | Transocean | Calls for speculation, lacks foundation (Fed. R. Evid. 602); no adverse inference should be drawn against Transocean. | |
| 34 | 1 | 34 | 9 | Transocean | Assumes facts not in evidence, calls for speculation, lacks foundation (Fed. R. Evid. 602); no adverse inference should be drawn against Transocean. | |
| 34 | 15 | 35 | 3 | Transocean | Assumes facts not in evidence, calls for speculation, lacks foundation (Fed. R. Evid. 602); no adverse inference should be drawn against Transocean. | |
| 35 | 6 | 35 | 11 | Transocean | Vague, ambiguous, lacks foundation (Fed. R. Evid. 602); no adverse inference should be drawn against Transocean. | |
| 36 | 16 | 36 | 19 | Transocean | Calls for speculation, lacks foundation (Fed. R. Evid. 602); no adverse inference should be drawn against Transocean. | |
| 37 | 2 | 37 | 4 | BP | FRE 602; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |

| | | | | | | |
|----|----|----|----|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 37 | 2 | 37 | 4 | Transocean | Assumes facts not in evidence, calls for speculation (Fed. R. Evid. 602); no adverse inference should be drawn against Transocean. | |
| 37 | 7 | 37 | 10 | BP | FRE 602; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 37 | 13 | 37 | 22 | Transocean | Calls for speculation (Fed. R. Evid. 602); no adverse inference should be drawn against Transocean. | |
| 37 | 19 | 37 | 22 | BP | FRE 602; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 37 | 19 | 37 | 22 | BP | FRE 602 | |
| 37 | 25 | 38 | 3 | BP | Vague; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 38 | 6 | 38 | 8 | BP | Vague; Assumes Fact Not in Evidence; Fifth | |
| 38 | 11 | 38 | 13 | BP | Vague; Assumes Fact Not in Evidence; Fifth | |
| 38 | 16 | 38 | 19 | BP | Vague; Misstates the Record; Assumes Fact Not in Evidence; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 39 | 14 | 39 | 17 | BP | Relevance; FRE 602; Vague; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |

| | | | | | | |
|----|----|----|----|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 39 | 14 | 39 | 17 | Transocean | Mischaracterization of evidence by counsel; no adverse inference should be drawn against Transocean. | |
| 49 | 2 | 49 | 21 | BP | Best Evidence; Colloquy; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 49 | 3 | 49 | 21 | Transocean | Objection to the extent counsel paraphrases or mischaracterizes contents of document offered; no adverse inference should be drawn against Transocean. | |
| 56 | 7 | 56 | 11 | Transocean | Calls for speculation (Fed. R. Evid. 602); no adverse inference should be drawn against Transocean. | |
| 56 | 14 | 56 | 17 | Transocean | Vague, ambiguous, calls for speculation (Fed. R. Evid. 602); no adverse inference should be drawn against Transocean. | |
| 59 | 11 | 60 | 2 | Transocean | Calls for speculation, lacks foundation (Fed. R. Evid. 602); no adverse inference should be drawn against Transocean. | |
| 61 | 18 | 62 | 1 | Transocean | Calls for speculation, lacks foundation (Fed. R. Evid. 602); no adverse inference should be drawn against Transocean. | |
| 62 | 4 | 62 | 17 | BP | Inadmissible by Statute; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |

| | | | | | | |
|----|----|----|----|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 62 | 7 | 62 | 17 | Transocean | Question incorporates inadmissible JIT testimony; lacks foundation; hearsay; no adverse inference should be drawn against Transocean. (46 U.S.C. § 6308; Dkt. No. 5448; Fed. R. Evid. 802 and 602). | |
| 62 | 19 | 62 | 20 | BP | Inadmissible by Statute; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 62 | 22 | 62 | 25 | BP | Inadmissible by Statute; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 63 | 3 | 63 | 5 | BP | Inadmissible by Statute; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 63 | 7 | 63 | 10 | BP | Inadmissible by Statute; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 63 | 15 | 64 | 2 | BP | Inadmissible by Statute; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 63 | 18 | 64 | 2 | Transocean | Question incorporates inadmissible JIT testimony; lacks foundation; hearsay; no adverse inference should be drawn against Transocean. (46 U.S.C. § 6308; Dkt. No. 5448; Fed. R. Evid. 802 and 602). | |
| 64 | 16 | 65 | 9 | BP | Inadmissible by Statute; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |

| | | | | | | |
|----|----|----|----|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 64 | 21 | 65 | 9 | Transocean | Question incorporates inadmissible JIT testimony; lacks foundation; hearsay; no adverse inference should be drawn against Transocean. (46 U.S.C. § 6308; Dkt. No. 5448; Fed. R. Evid. 802 and 602). | |
| 68 | 6 | 69 | 13 | BP | Inadmissible by Statute; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 68 | 6 | 69 | 13 | Transocean | Question incorporates inadmissible JIT testimony; lacks foundation; hearsay; no adverse inference should be drawn against Transocean. (46 U.S.C. § 6308; Dkt. No. 5448; Fed. R. Evid. 802 and 602). | |
| 75 | 19 | 75 | 21 | BP | Vague; Misstates the Record; FRE 602; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 75 | 25 | 76 | 3 | BP | FRE 602; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 77 | 1 | 77 | 3 | BP | FRE 602; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 77 | 5 | 77 | 7 | BP | FRE 602; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 77 | 9 | 77 | 11 | BP | FRE 602; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth | |

| | | | | | | |
|----|----|----|----|----|------------------------------------------------------------------------------------------------------------------------------|--|
| | | | | | Amendment | |
| 77 | 13 | 77 | 15 | BP | FRE 602; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 77 | 17 | 77 | 21 | BP | FRE 602; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 77 | 23 | 78 | 1 | BP | FRE 602; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 78 | 12 | 78 | 16 | BP | FRE 602; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 78 | 25 | 79 | 3 | BP | FRE 602; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 79 | 5 | 79 | 7 | BP | FRE 602; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 79 | 9 | 79 | 12 | BP | FRE 602; Vague; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |
| 79 | 20 | 79 | 24 | BP | FRE 602; Testimony not admissible against BP for any purpose based on the witness's invocation of the Fifth Amendment | |