

**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
ALLEN SERAILE**

<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>			
11	4	11	9	BP	FRE 602	
11	12	11	17	BP	FRE 602	
11	19	12	2	BP	FRE 602	
12	4	12	8	BP	FRE 602	
12	16	12	21	BP	FRE 602; Vague; Misstates the Record	
12	23	13	6	BP	FRE 602; Vague; Misstates the Record	
13	8	13	11	BP	FRE 602; Vague; Misstates the Record	
13	13	13	18	BP	FRE 602; Vague; Misstates the Record	
13	20	13	23	BP	FRE 602; Vague; Misstates the Record	
13	25	13	25	BP	FRE 602; Vague; Misstates the Record	
14	2	14	5	BP	FRE 602; Vague; Misstates the Record	
14	7	14	14	BP	FRE 602; Vague; Misstates the Record	
14	16	14	22	BP	FRE 602; Vague; Misstates the Record	
15	8	15	11	BP	FRE 602	
15	16	15	20	BP	FRE 602	

16	5	16	10	BP	FRE 602; Vague; Misstates the Record	
16	12	16	17	BP	FRE 602; Vague; Misstates the Record	
16	19	16	19	BP	FRE 602; Vague; Misstates the Record	
17	9	17	11	BP	FRE 602; Vague; Misstates the Record	
17	13	17	13	BP	FRE 602; Vague; Misstates the Record	
18	9	18	14	Transocean	Vague, ambiguous (Fed. R. Evid 602) No adverse inference against Transocean should be drawn.	
19	19	19	23	BP	FRE 602; Vague; Misstates the Record	
19	25	19	25	BP	FRE 602; Vague; Misstates the Record	
20	19	20	22	BP	FRE 602; Vague; Misstates the Record	
20	24	21	4	BP	FRE 602; Vague; Misstates the Record	
21	6	21	16	BP	FRE 602; Vague; Misstates the Record	
21	18	21	18	BP	FRE 602; Vague; Misstates the Record	
22	4	22	22	BP	FRE 602; Vague; Misstates the Record	
22	24	23	3	BP	FRE 602; Vague; Misstates the Record	
23	5	23	5	BP	FRE 602; Vague; Misstates the Record	
24	10	24	17	BP	FRE 602; Vague; Misstates the Record	
24	19	24	19	BP	FRE 602; Vague; Misstates the Record	
25	9	25	17	BP	FRE 602; Vague; Misstates the Record; Inadmissible by Statute	
25	9	25	19	Transocean	Question incorporates inadmissible JIT testimony (46 U.S.C. § 6308; Dkt. No. 5448). No adverse inference against Transocean should be drawn.	
25	19	25	19	BP	FRE 602; Vague; Misstates the Record; Inadmissible by Statute	

27	6	27	19	Transocean	Question incorporates inadmissible JIT testimony (46 U.S.C. § 6308; Dkt. No. 5448). No adverse inference against Transocean should be drawn.	
28	17	29	5	Transocean	Question incorporates inadmissible JIT testimony (46 U.S.C. § 6308; Dkt. No. 5448). No adverse inference against Transocean should be drawn.	
30	21	30	23	BP	FRE 602; Vague; Misstates the Record	
30	25	31	4	BP	FRE 602; Vague; Misstates the Record	
31	6	31	6	BP	FRE 602; Vague; Misstates the Record	
31	14	31	16	BP	FRE 602; Vague; Misstates the Record	
31	14	31	18	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
31	18	31	21	BP	FRE 602; Vague; Misstates the Record	
31	19	31	23	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
31	23	31	23	BP	FRE 602; Vague; Misstates the Record	
33	9	33	13	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
33	18	33	25	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
34	9	34	17	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
34	24	35	7	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	

36	9	36	14	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
36	22	36	25	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
37	1	37	8	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
37	23	38	4	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
38	18	38	21	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
39	4	39	9	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
41	21	41	25	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
42	1	42	5	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
44	7	44	17	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
46	17	46	21	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
46	22	46	24	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	

47	1	47	19	Transocean	Lacks foundation (Fed. R. Evid. 602); hearsay (Fed. R. Evid. 802). No adverse inference against Transocean should be drawn.	
49	1	49	8	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
49	9	49	11	BP	FRE 602; Vague; Misstates the Record	
49	13	49	16	BP	FRE 602; Vague; Misstates the Record	
49	14	49	19	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
49	19	49	23	BP	FRE 602; Vague; Misstates the Record	
49	25	50	3	BP	FRE 602; Vague; Misstates the Record	
50	5	50	5	BP	FRE 602; Vague; Misstates the Record	
50	13	50	17	BP	FRE 602; Vague; Misstates the Record	
50	19	50	19	BP	FRE 602; Vague; Misstates the Record	
50	19	50	25	Transocean	Argumentative, vague and ambiguous (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
51	19	52	1	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
52	2	52	8	Transocean	Argumentative; lacks foundation; calls for speculation (Fed. R. Evid. 602) No adverse inference against Transocean should be drawn.	
52	9	52	16	Transocean	Argumentative; lacks foundation; calls for speculation (Fed. R. Evid. 602) No adverse inference against Transocean should be drawn.	

52	17	52	24	Transocean	Argumentative; lacks foundation; calls for speculation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
56	17	56	20	BP	FRE 602	
56	25	57	2	BP	FRE 602	
56	25	57	4	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
57	4	57	4	BP	FRE 602	
58	1	58	5	BP	FRE 602	
58	1	58	7	Transocean	Argumentative; lacks foundation; calls for speculation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
58	7	58	7	BP	FRE 602	
62	25	63	4	Transocean	Question incorporates inadmissible JIT testimony (46 U.S.C. § 6308; Dkt. No. 5448). No adverse inference against Transocean should be drawn.	
64	13	64	16	BP	FRE 602	

					<p>This testimony should be stricken as not relevant under Federal Rule of Evidence 402. See Fed. R. Evid. 402. Additionally, no adverse inference should be imputed against M-I for this witness' invocation of the Fifth Amendment because this witness (1) is not a current or former employee of M-I, (2) was not under M-I's control, and (3) does not have compatible interests with M-I in this litigation. See <i>FDIC v. Fid. & Deposit Co. of Md.</i>, 45 F.3d 969, 977-78 (5th Cir. 1995); see also <i>LiBuitti v. United States</i>, 107 F.3d 110, 123 (2nd Cir. 1997). Furthermore, there is no independent evidence to corroborate this adverse inference against M-I. See <i>State Farm Life Ins. Co. v. Gutterman</i>, 896 F.2d 116, 119 n.3 (5th Cir. 1990). Finally, imputing an adverse inference from this unaffiliated, third-party witness to M-I would be significantly more prejudicial than probative under Federal Rule of Evidence 403. See Fed. R. Evid. 403.</p>	
64	13	64	16	M-I		
64	13	64	16	Transocean	Vague and ambiguous (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
65	5	65	9	BP	FRE 602	

					<p>This testimony should be stricken as not relevant under Federal Rule of Evidence 402. See Fed. R. Evid. 402. Additionally, no adverse inference should be imputed against M-I for this witness' invocation of the Fifth Amendment because this witness (1) is not a current or former employee of M-I, (2) was not under M-I's control, and (3) does not have compatible interests with M-I in this litigation. See FDIC v. Fid. & Deposit Co. of Md., 45 F.3d 969, 977-78 (5th Cir. 1995); see also LiBuitti v. United States, 107 F.3d 110, 123 (2nd Cir. 1997). Furthermore, there is no independent evidence to corroborate this adverse inference against M-I. See State Farm Life Ins. Co. v. Gutterman, 896 F.2d 116, 119 n.3 (5th Cir. 1990). Finally, imputing an adverse inference from this unaffiliated, third-party witness to M-I would be significantly more prejudicial than probative under Federal Rule of Evidence 403. See Fed. R. Evid. 403.</p>	
65	5	65	9	M-I		
65	13	65	20	BP	FRE 602	
65	13	65	16	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
65	17	65	20	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
66	9	66	14	Transocean	Lacks foundation; vague; ambiguous (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	

66	15	66	18	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
66	19	66	22	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
67	5	67	8	BP	FRE 602; FRE 701	
67	5	67	8	Transocean	Lacks foundation; calls for speculation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
67	10	67	13	BP	FRE 602; FRE 701	
67	10	67	15	Transocean	Lacks foundation; calls for speculation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
67	15	67	15	BP	FRE 602; FRE 701	
67	16	67	18	BP	FRE 602	
67	16	67	20	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
67	20	67	20	BP	FRE 602	
78	15	78	25	BP	FRE 602; Multiple Hearsay	
78	15	78	25	Transocean	Hearsay (Fed. R. Evid. 802). No adverse inference against Transocean should be drawn.	
79	15	79	18	BP	FRE 602; FRE 701	
79	20	80	1	BP	FRE 602; FRE 701; Misstates the Record; Vague	
80	3	80	7	BP	FRE 602; FRE 701; Misstates the Record; Vague	
80	9	80	12	BP	FRE 602; FRE 701; Misstates the Record; Vague	
80	14	80	14	BP	FRE 602; FRE 701; Misstates the Record; Vague	
80	25	81	2	BP	FRE 602; FRE 701; Misstates the Record; Vague	

81	4	81	6	BP	FRE 602; FRE 701; Misstates the Record; Vague	
81	8	81	12	BP	FRE 602; FRE 701; Misstates the Record; Vague	
81	14	81	16	BP	FRE 602; FRE 701; Misstates the Record; Vague	
81	18	81	20	BP	FRE 602; FRE 701; Misstates the Record; Vague	
81	22	82	1	BP	FRE 602; FRE 701; Misstates the Record; Vague	
81	23	82	1	M-I	<p>This testimony should be stricken as not relevant under Federal Rule of Evidence 402. See Fed. R. Evid. 402. Additionally, no adverse inference should be imputed against M-I for this witness' invocation of the Fifth Amendment because this witness (1) is not a current or former employee of M-I, (2) was not under M-I's control, and (3) does not have compatible interests with M-I in this litigation. See <i>FDIC v. Fid. & Deposit Co. of Md.</i>, 45 F.3d 969, 977-78 (5th Cir. 1995); see also <i>LiBuitti v. United States</i>, 107 F.3d 110, 123 (2nd Cir. 1997). Furthermore, there is no independent evidence to corroborate this adverse inference against M-I. See <i>State Farm Life Ins. Co. v. Gutterman</i>, 896 F.2d 116, 119 n.3 (5th Cir. 1990). Finally, imputing an adverse inference from this unaffiliated, third-party witness to M-I would be significantly more prejudicial than probative under Federal Rule of Evidence 403. See Fed. R. Evid. 403.</p>	

82	3	82	5	BP	FRE 602; FRE 701; Misstates the Record; Vague	
					<p>This testimony should be stricken as not relevant under Federal Rule of Evidence 402. See Fed. R. Evid. 402.</p> <p>Additionally, no adverse inference should be imputed against M-I for this witness' invocation of the Fifth Amendment because this witness (1) is not a current or former employee of M-I, (2) was not under M-I's control, and (3) does not have compatible interests with M-I in this litigation. See <i>FDIC v. Fid. & Deposit Co. of Md.</i>, 45 F.3d 969, 977-78 (5th Cir. 1995); see also <i>LiBuitti v. United States</i>, 107 F.3d 110, 123 (2nd Cir. 1997). Furthermore, there is no independent evidence to corroborate this adverse inference against M-I. See <i>State Farm Life Ins. Co. v. Gutterman</i>, 896 F.2d 116, 119 n.3 (5th Cir. 1990). Finally, imputing an adverse inference from this unaffiliated, third-party witness to M-I would be significantly more prejudicial than probative under Federal Rule of Evidence 403. See Fed. R. Evid. 403.</p>	
82	3	82	5	M-I		
82	7	82	9	BP	FRE 602; FRE 701; Misstates the Record; Vague	

					<p>This testimony should be stricken as not relevant under Federal Rule of Evidence 402. See Fed. R. Evid. 402. Additionally, no adverse inference should be imputed against M-I for this witness' invocation of the Fifth Amendment because this witness (1) is not a current or former employee of M-I, (2) was not under M-I's control, and (3) does not have compatible interests with M-I in this litigation. See <i>FDIC v. Fid. & Deposit Co. of Md.</i>, 45 F.3d 969, 977-78 (5th Cir. 1995); see also <i>LiBuitti v. United States</i>, 107 F.3d 110, 123 (2nd Cir. 1997). Furthermore, there is no independent evidence to corroborate this adverse inference against M-I. See <i>State Farm Life Ins. Co. v. Gutterman</i>, 896 F.2d 116, 119 n.3 (5th Cir. 1990). Finally, imputing an adverse inference from this unaffiliated, third-party witness to M-I would be significantly more prejudicial than probative under Federal Rule of Evidence 403. See Fed. R. Evid. 403.</p>	
82	7	82	9	M-I		
82	11	82	15	BP	FRE 602; FRE 701; Misstates the Record; Vague	

					<p>This testimony should be stricken as not relevant under Federal Rule of Evidence 402. See Fed. R. Evid. 402. Additionally, no adverse inference should be imputed against M-I for this witness' invocation of the Fifth Amendment because this witness (1) is not a current or former employee of M-I, (2) was not under M-I's control, and (3) does not have compatible interests with M-I in this litigation. See FDIC v. Fid. & Deposit Co. of Md., 45 F.3d 969, 977-78 (5th Cir. 1995); see also LiBuitti v. United States, 107 F.3d 110, 123 (2nd Cir. 1997). Furthermore, there is no independent evidence to corroborate this adverse inference against M-I. See State Farm Life Ins. Co. v. Gutterman, 896 F.2d 116, 119 n.3 (5th Cir. 1990). Finally, imputing an adverse inference from this unaffiliated, third-party witness to M-I would be significantly more prejudicial than probative under Federal Rule of Evidence 403. See Fed. R. Evid. 403.</p>	
82	11	82	11	M-I		
82	17	82	19	BP	FRE 602; FRE 701; Misstates the Record; Vague	
82	21	82	23	BP	FRE 602; FRE 701; Misstates the Record; Vague	
82	25	82	25	BP	FRE 602; FRE 701; Misstates the Record; Vague	
85	20	85	23	BP	FRE 602; FRE 701; FRE 702; Misstates the Record; Vague	
85	25	85	25	BP	FRE 602; FRE 701; FRE 702; Misstates the Record; Vague	

86	1	86	3	BP	FRE 602; FRE 701; Misstates the Record; Vague	
86	5	86	8	BP	FRE 602; FRE 701; Misstates the Record; Vague	
86	10	86	13	BP	FRE 602; FRE 701; Misstates the Record; Vague	
86	15	86	23	BP	FRE 602; FRE 701; Misstates the Record; Vague	
87	20	87	23	BP	FRE 602; FRE 701; Misstates the Record; Vague	
87	25	87	25	BP	FRE 602; FRE 701; Misstates the Record; Vague	
88	7	88	10	BP	FRE 602; FRE 701; Misstates the Record; Vague	
88	12	88	12	BP	FRE 602; FRE 701; Misstates the Record; Vague	
88	17	88	19	BP	FRE 602; FRE 701; Misstates the Record; Vague	
88	21	88	21	BP	FRE 602; FRE 701; Misstates the Record; Vague	
89	5	89	8	BP	FRE 602; FRE 701; Misstates the Record; Vague	
89	5	89	8	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
89	14	89	16	BP	FRE 602; FRE 701; Misstates the Record; Vague	
89	18	89	18	BP	FRE 602; FRE 701; Misstates the Record; Vague	
100	11	100	17	Transocean	Lacks foundation; calls for speculation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
102	20	102	22	Transocean	Vague and ambiguous (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
108	6	108	9	Transocean	Hearsay (Fed. R. Evid. 802); vague (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	

108	10	108	16	Transocean	Lacks foundation; calls for speculation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
108	17	108	21	Transocean	Lacks foundation; calls for speculation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
120	21	122	19	M-I	This testimony should be stricken as not relevant under Federal Rule of Evidence 402. See Fed. R. Evid. 402. Additionally, no adverse inference should be imputed against M-I for this witness' invocation of the Fifth Amendment because this witness (1) is not a current or former employee of M-I, (2) was not under M-I's control, and (3) does not have compatible interests with M-I in this litigation. See <i>FDIC v. Fid. & Deposit Co. of Md.</i> , 45 F.3d 969, 977-78 (5th Cir. 1995); see also <i>LiBuitti v. United States</i> , 107 F.3d 110, 123 (2nd Cir. 1997). Furthermore, there is no independent evidence to corroborate this adverse inference against M-I. See <i>State Farm Life Ins. Co. v. Gutterman</i> , 896 F.2d 116, 119 n.3 (5th Cir. 1990). Finally, imputing an adverse inference from this unaffiliated, third-party witness to M-I would be significantly more prejudicial than probative under Federal Rule of Evidence 403. See Fed. R. Evid. 403.	
121	5	121	8	Transocean	Calls for speculation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	

124	20	124	23	Transocean	Lacks foundation; calls for speculation (Fed. R. Evid. 602); hearsay (Fed. R. Evid. 802). No adverse inference against Transocean should be drawn.	
124	24	125	4	Transocean	Calls for speculation; vague (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
134	4	134	25	Transocean	Lacks foundation; vague (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
135	1	135	3	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
137	9	137	12	BP	FRE 602; FRE 701; Misstates the Record; Vague	
137	14	138	3	BP	FRE 602; FRE 701; Misstates the Record; Vague	
138	5	138	9	BP	FRE 602; FRE 701; Misstates the Record; Vague	
138	11	138	15	BP	FRE 602; FRE 701; Misstates the Record; Vague	
138	17	138	17	BP	FRE 602; FRE 701; Misstates the Record; Vague	
138	21	138	23	BP	FRE 602; FRE 701; Misstates the Record; Vague	
138	25	139	4	BP	FRE 602; FRE 701; Misstates the Record; Vague	
139	6	139	6	BP	FRE 602; FRE 701; Misstates the Record; Vague	
139	24	140	17	BP	FRE 602; FRE 701; Misstates the Record; Vague	
141	10	141	13	BP	FRE 602; FRE 701; Misstates the Record; Vague; FRE 702	
143	3	143	9	BP	FRE 602; FRE 701; Misstates the Record; Vague	
143	10	143	12	BP	FRE 602; FRE 701; Misstates the Record; Vague	

143	13	143	15	BP	FRE 602; FRE 701; Misstates the Record; Vague	
145	13	145	25	BP	FRE 602; FRE 701; Misstates the Record; Vague	
150	8	150	11	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
150	19	150	21	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
152	3	152	9	BP	FRE 602;	
152	10	152	16	BP	FRE 602; FRE 701; FRE 702; Hearsay	
154	15	154	18	Transocean	Knowing the witness will plead the Fifth, counsel asks a question the witness lacks foundation to answer. No adverse inference should be drawn. Fed. R. Evid. 602.	
154	19	154	23	Transocean	Lacks foundation; vague (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
154	24	156	3	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
156	4	156	17	BP	FRE 602; FRE 701; FRE 702	
156	19	156	23	BP	FRE 602; FRE 701; FRE 702	
156	25	157	3	BP	FRE 602; FRE 701; FRE 702	
157	5	157	9	BP	FRE 602; FRE 701; FRE 702	
157	6	157	18	Transocean	Lacks foundation (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
157	11	157	15	BP	FRE 602; FRE 701; FRE 702	
157	17	157	24	BP	FRE 602; FRE 701; FRE 702	
157	19	158	1	Transocean	Lacks foundation, vague (Fed. R. Evid. 602). No adverse inference against Transocean should be drawn.	
158	1	158	1	BP	FRE 602; FRE 701; FRE 702	

