

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

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**IN RE: Oil Spill by the Oil Rig** : **MDL No. 2179**  
**“Deepwater Horizon” in the Gulf of Mexico,** :  
**On April 20, 2010** : **SECTION: J**  
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**This Document Relates to:** : **JUDGE BARBIER**  
**No. 10-2771** : **MAG. JUDGE SHUSHAN**  
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**THE BP PARTIES’ GENERAL OBJECTIONS TO DEPOSITION DESIGNATIONS  
AND THE BP PARTIES’ CONDITIONAL COUNTER-DESIGNATIONS  
FOR THE DEPOSITION OF PAUL TOOMS**

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As an initial matter, the objections BP may now raise in regard to other parties’ deposition designations, as well as the choices BP may now make in its own deposition designations, shall not be construed as BP’s agreement that any such designations be admitted into evidence during the Phase 2 trial.

The BP Parties<sup>1</sup> generally object to the testimony designated by other parties, including exhibits<sup>2</sup> 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;

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

<sup>2</sup> BP’s objections to exhibits accompanying other parties’ deposition designations include, but are not limited to, those listed in “BP’s 1/14/2013 Objections to Good Faith Phase Two Trial Exhibit Lists - First Installment” and “BP’s 4/19/2013 Objections to Good Faith Phase Two Trial Exhibit List - Second Installment.”

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;
6. reference the Baxter investigation;
7. relate to a former or current BP employee's salary or compensation;
8. reference whether BP's actions were "willful or intentional misconduct," "negligent," or "grossly negligent";
9. 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;
10. are inconsistent with any 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; or
11. relate to issues reserved by the Court for determination during Phase 1 or later trial Phases, including Phase 3.

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.

BP reserves the right: (1) to join objections by other parties; (2) to add and/or remove objections based on any party's motions in limine or rulings on such motions by the Court; (3) to add and/or remove objections in light of other parties' pre-trial filings, exhibit lists, physical exhibits, photographs, and demonstratives, as well as the evidence and arguments presented by other parties at trial; (4) to add and/or remove objections based on documents produced by other parties recently, or documents identified in connection with the completion of Phase 2 discovery; (5) to object to documents addressed in BP's motions in limine; (6) to object to exhibits that set forth full or partial deposition testimony, page and line deposition designations, or deposition narrative summaries; (7) to object to exhibits that the Court has previously ruled are inadmissible; (8) to object to any exhibit that any party has insufficiently or incorrectly identified on its exhibit list, or that it has not yet produced; and (9) to introduce at trial any exhibit to which BP has objected (*e.g.*, a document may be offered as an admission against another party but may be hearsay with regard to BP).

Respectfully submitted,

/s/ J. Andrew Langan

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