

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

..... :
: :
IN RE: Oil Spill by the Oil Rig : **MDL No. 2179**
“Deepwater Horizon” in the Gulf of Mexico, :
On April 20, 2010 : **SECTION: J**
: :
: :
This Document Relates to: : **JUDGE BARBIER**
No. 10-4536 : **MAG. JUDGE SHUSHAN**
: :
..... :

**BP EXPLORATION & PRODUCTION INC.’S GENERAL OBJECTIONS TO
DEPOSITION DESIGNATIONS
AND BP EXPLORATION & PRODUCTION INC.’S CONDITIONAL COUNTER-
DESIGNATIONS
FOR THE DEPOSITION OF ADMIRAL JAMES WATSON**

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

BPXP generally objects to the testimony designated by other parties, including exhibits¹ 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

¹ BPXP’s objections to exhibits accompanying other parties’ deposition designations include, but are not limited to, those listed in “BPXP’s 10/8/2014 Objections to Good Faith Penalty Phase Trial Exhibit Lists - First Installment,” as well as any subsequently-filed objections to exhibits on any party’s trial exhibit list .

Texas City, Prudhoe Bay, Endicott Island, or Grangemouth given that BPXP has a pending motion to strike evidence relating to these instances;

4. reference or concern other instances of prior alleged improper conduct by the BP Parties unrelated to the Macondo Well incident other than the events concerning Texas City, Prudhoe Bay, Endicott Island, or Grangemouth given that the Court's Minute Order re the March 21, 2014 Status Conference and Motion Hearing (Rec. Doc. 12592) limits the United States "to presenting evidence on the 4 prior incidents it has identified (Texas City, Prudhoe Bay, Endicott Island, and Grangemouth);"
5. reference or concern instances of prior adverse criminal, civil, or regulatory proceedings related to the Macondo Well incident given that the parties stipulated that such instances are not admissible;
6. reference or concern settlement discussions or agreements related to any claims in this litigation;
7. relate to a former or current BP employee's salary or compensation;
8. 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;
9. are inconsistent with any motions filed by BPXP or that may be filed by BPXP 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
10. relate to issues reserved by the Court for determination during Phase 1, Phase 2, or later trial Phases. BPXP reserves its right to designate testimony related to Phase 1 and Phase 2 in the event the Court denies BPXP's motion on prior incidents.

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

BPXP 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 Penalty Phase 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; and (9) to introduce at trial any exhibit to which BPXP has objected

(e.g., a document may be offered as an admission against another party but may be hearsay with regard to BPXP).

Date: December 5, 2014

Respectfully submitted,

/s/ J. Andrew Langan

Richard C. Godfrey, P.C.

J. Andrew Langan, P.C.

Hariklia Karis, P.C.

Kirkland & Ellis LLP

300 North LaSalle Street

Chicago, IL 60654

312-862-2000 (Tel)

312-862-2200 (Fax)

and

Robert C. "Mike" Brock

Joseph A. Eisert

Kirkland & Ellis LLP

655 15th Street, NW

Washington, DC 20005

202-879-5000 (Tel)

202-879-5200 (Fax)

Don K. Haycraft (Bar #14361)

R. Keith Jarrett (Bar #16984)

LISKOW & LEWIS

701 Poydras Street, Suite 5000

New Orleans, Louisiana 70139-5099

(504) 581-7979 (Tel)

(504) 556-4108 (Fax)

Attorneys for BP Exploration & Production Inc.