

Sample for Objections to Deposition Designations

Judge Jane Triche Milazzo

Objections to deposition designations should be indicated as follows:

Color 1: Deposition testimony that one party wishes to admit and to which there is no objection.

Color 2: Deposition testimony that Plaintiff wishes to admit but to which Defendant objects. An explanation of the objection should be indicated in a corresponding text box.

Color 3: Deposition testimony that Defendant wishes to admit but to which Plaintiff objects. An explanation of the objection should be indicated in a corresponding text box.

Those portions of the deposition which are not highlighted in any color are those portions which no party wishes to admit at trial.

1 correct?

2 A. I am aware.

3 Q. Okay. And he forwarded a copy of that
4 e-mail to you, along with Rob [redacted] and Kent
5 [redacted], correct?

6 A. Yes.

7 Q. Okay. What did you do in response to
8 receiving Mr. [redacted]'s e-mail?

9 A. I don't remember.

10 Q. Okay. Do you recall any discussions
11 internally within [redacted] about Mr. [redacted]'s
12 e-mail?

13 A. I don't recall any specific ones.

14 Q. Okay. Do you recall having any
15 discussions after receiving Mr. [redacted]'s e-mail
16 about appropriate distances for pull boxes?

17 A. I can't remember any specific ones.

18 Q. Okay. Have you ever had any discussions
19 with anyone with Harper regarding the problems on
20 the ITS project?

21 A. No.

22 Q. Earlier with Jim we looked at a
23 January 28th, 2010, e-mail. I don't recall the
24 exhibit number, but it should be in front of you.

25 Okay. Exhibit 13 is what I'm referring

PCI objects to p. 344, lines 22-25, p. 345, lines 1-25, & p. 346, lines 1-3. This testimony discusses an email from Madigan to Gruber dated 1/28/2010, identified in the PTO as Exhibit JBH 7. The e-mail constitutes hearsay and no foundation is laid to establish its admissibility. Moreover, the e-mail contains hearsay within hearsay.

Harper's Response: Not being offered for truth; Madigan email is party admission.

1 to, which you've got in front of you; is that
2 correct?

3 A. Yes.

4 Q. Okay. The top e-mail is from Rob
5 to Kent with a copy to Rob
6 and you dated January 28th, 2010. Do you see that?

7 A. I do.

8 Q. Okay. And in this e-mail, Mr. [redacted]
9 describes a telephone conversation he had with Chip
10 and Todd [redacted], correct?

11 A. Correct.

12 Q. Do you know Chip and Todd to be
13 affiliated with [redacted] ?

14 A. Chip, yes. I don't know Todd [redacted].

15 Q. Okay. Do you recall Mr. [redacted]
16 advising that [redacted] was continuing to have problems
17 with expansion joints after the January inspection?

18 A. I'm reading the content of the e-mail.

19 Q. Well, other than reading the content of
20 the e-mail, do you have any recollection of being
21 apprised of that fact?

22 A. I just don't have a recollection of a
23 specific conversation about it.

24 Q. Do you recall discussing any problems
25 related to the [redacted] project with Mr. [redacted]

1 after receipt of this e-mail in January of 2010?

2 A. I don't recall specific conversations
3 about it.

4 Q. Did Mr. have any continued
5 involvement on behalf of after
6 January 28th, 2010?

7 A. As was mentioned earlier, I know he went
8 on another visit to the site.

9 Q. Did you make a visit to the site on that
10 occasion?

11 A. I did not.

12 Q. Have you ever --

13 A. I have not.

14 Q. -- been down to the job site?

15 A. I'm sorry. I did not -- I have not.

16 Q. What further involvement did you have
17 with respect to the problems on the
18 project after January 28th, 2010?

19 A. I don't remember specifically what went
20 on after that point.

21 Q. Do you remember generally any
22 involvement on your behalf, or on your part, I
23 should say?

24 A. As was mentioned earlier, I know we had
25 a brief discussion about any updates when