

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

WELLS FARGO BANK, N.A.,

Plaintiff,

:

Case No. 3:07-cv-449

-vs-

Magistrate Judge Michael R. Merz

:

LaSALLE BANK NATIONAL
ASSOCIATION,

Defendant.

**DECISION REGARDING DESIGNATIONS IN THE DEPOSITION OF
PATRICK MIGUEL**

This case is before the Court on the parties' request that the Court rule in limine on the admission of designated and cross-designated portions of depositions to be played at trial from edited videorecordings of the depositions. The background for the procedure to be followed is set forth in the Decision and Order Vacating Trial Date (Doc. No. 229). Rulings on the depositions will be issued as completed so that the video editing process can be started as needed.

The Court rules on the objections made in the Chart (attachment to Doc. No. 225) as corrected pursuant to Doc. Nos. 226 and 231, and as further clarified by the Appendix¹ to Doc. No. 192 as subsequently numbered in Attorney Marx's email of 8/12/2009 (12:11 P.M.), as follows:

p. 23, ll. 1-8	Wells Fargo's objection is overruled
p. 31, l. 3 to p. 34, l. 25	LaSalle's objection is overruled

¹Both the numbered and unnumbered versions of this Appendix are now filed and docketed in the case for future reference at Doc. No. 241.

p. 61, ll. 1-24	Wells Fargo's objection is overruled.
p. 63, l. 17 to p. 64, l. 6	LaSalle's objection is overruled
p. 67, l. 22 to p. 68, l. 14	LaSalle's objection is overruled
p. 81, ll. 9-24	LaSalle's objection is overruled, except that it is sustained as to the l. 24.
p. 88, l. 2 to p. 89, l. 15	LaSalle's objection is sustained.
p. 91, l. 14 to p. 93, l. 1	LaSalle's objection is sustained.
p. 93, l. 19 to p. 95, l. 21 & p. 97, ll. 7-16	LaSalle's objection is overruled
p. 96, l. 8 to p. 97, l. 9	LaSalle's objection is sustained.
p. 102, l. 23 to p. 104, l. 6	LaSalle's objection to the last six lines is sustained, but otherwise overruled.
p. 106, ll. 6-12	LaSalle's objection is sustained.
p. 116, l. 20 to p. 117, l. 5	LaSalle's objection is overruled
p. 121, l. 18 to p. 122, l. 11	LaSalle's objection is overruled
p. 128, l. 13 to p. 130, l. 14	LaSalle's objection is overruled
p. 146, l. 22 to p. 147, l. 20	LaSalle's objection is overruled
p. 155, l. 22 to p. 157, l. 17	LaSalle's objection is overruled
p. 159, l. 9 to p. 161, l. 19	The objections of both parties are overruled.
p. 162, l. 24 to p. 163, l. 6	LaSalle's objection is sustained.
p. 183, l. 17 to p. 184, l. 12	LaSalle's objection to ll. 17-23 is sustained, but the balance of the objection is overruled.

p. 187, l. 1 to p. 193, l. 6	LaSalle's objection is overruled
p. 198, l. 18 to p. 200, l. 9	Wells Fargo's objection is overruled
p. 202, l. 19 to p. 206, l. 9	The objections of both parties are overruled.
p. 224, l. 11 to p. 225, l. 20	LaSalle's objection is overruled
p. 229, ll. 1-19	LaSalle's objection is overruled
p. 230, ll. 23-24	No objection is stated in Doc. No. 225-2.
p. 231, l. 22 to p. 232, l. 8	LaSalle's objection is overruled
p. 239, ll. 8-20	LaSalle's objection is overruled
p. 244, l. 8 to p. 245, l. 5	LaSalle's objection is sustained.
p. 246, ll. 2-13	LaSalle's objection is sustained.
p. 250, ll. 1-7	LaSalle's objection is overruled
p. 253, l. 18 to p. 255, l. 2	LaSalle's objection is sustained.
p. 295, l. 8 to p. 296, l. 22	Wells Fargo's objection is overruled.

October 9, 2009.

s/ **Michael R. Merz**
United States Magistrate Judge