

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

TERRANCE RABON and  
KATHLEEN RABON

PLAINTIFFS

v.

Case No. 4:16-cv-4007

JOHN K. KIMANI;  
TOLYN EXPRESS, LLC; and  
JOHN DOES 1-6

DEFENDANTS

SENRTY SELECT INSURANCE  
CO.

INTERVENOR

**ORDER**

Plaintiffs have designated portions of depositions that they plan to present at trial for the following witnesses: Alexa Rabon, Jane Hall, Robert Ancell, Andres Munk, and Habib Gennaoui. The Court has reviewed the deposition transcripts and makes the following rulings regarding objections to deposition testimony:

**1. Alexa Rabon**

- page 14: line 24 through page 15: line 1 – **Defendants’ objection sustained.**

**2. Jane Hall**

- page 8: line 9 through page 10: line 4 – **Defendants’ objection sustained as to page 8: line 9 through page 8: line 11, and as to page 8: line 15 through page 8: line 19. Defendants’ objection overruled as to the remainder of this section.**
- page 11: line 7 through page 11: line 21 – **Defendants’ objection sustained as to page 11: line 9 (beginning with “and in fact”) through page 11: line 12**

**(ending with “you know.”). Defendants’ objection overruled as to the remainder of this section.**

- **page 13: line 21 through page 14: line 5 – Defendants’ objection sustained as to page 13: line 22 through page 14: line 5. Defendants’ objection overruled as to the remainder of this section.**
- **page 14: line 22 through page 17: line 23 – Defendants’ objection sustained as to page 15: line 12 (beginning with “And then Kathy”) through page 15: line 17. Defendants’ objection overruled as to the remainder of this section.**
- **page 18: line 2 through page 18: line 13 – Defendants’ objection sustained.**
- **page 18: line 21 through page 19: line 1 – Defendants’ objection sustained.**
- **page 20: line 13 through page 20: line 16 – Defendants’ objection sustained.**
- **page 22: line 17 through page 23: line 17 – Defendants’ objection overruled.**
- **page 24: line 10 through page 24: line 12 – Defendants’ objection overruled.**
- **page 25: line 10 through page 25: line 16 – Defendants’ objection overruled.**
- **page 26: line 14 through page 26: line 17 – Defendants’ objection sustained.**
- **page 26: line 21 through page 26: line 24 – Defendants’ objection sustained.**
- **page 36: line 5 through page 39: line 5 – Defendants’ objection sustained.**

### **3. Robert Ancell**

- **page 21: line 10 through page 22: line 13 – Defendants’ objection sustained as to page 21: line 17 through page 21: line 24. Defendants’ objection overruled as to the remainder of this section.**
- **page 22: line 24 through page 23: line 19 – Defendants’ objection sustained as to page 23: line 5 through page 23: line 13 and page 23: line 17 through**

**page 23: line 18. Defendants’ objection overruled as to the remainder of this section.**

- **page 25: line 25 through page 27: line 2 – Defendants’ objection overruled. Page 26: line 3 and page 26: line 13 should be excluded.**
- **page 33: line 12 through page 33: line 13 – Plaintiffs have withdrawn this designation.**
- **page 34: line 17 through page 34: line 18 – Plaintiffs have withdrawn this designation.**

**4. Andres Munk**

- **page 48: line 8 through page 50: line 24 – Defendants’ objection sustained as to page 49: line 14 through page 50: line 12. Defendants’ objection overruled as to the remainder of this section.**

**5. Habib Gennaoui**

- **page 15: line 2 through page 15: line 9 – Plaintiffs have withdrawn this designation.**
- **page 23: line 8 through page 24 line 13 – Defendants’ objection sustained as to page 24: line 1 through page 24: line 9 (ending with “I would say it’s conclusive.”). Defendants’ objection overruled as to the remainder of this section.**
- **page 24: line 21 through page 26: line 4 – Defendants’ objection overruled.**
- **page 27: line 4 through page 27: line 15 – Defendants’ objection overruled.**
- **page 28: line 10 through page 29: line 7 – Defendants’ objection overruled.**
- **page 65: line 21 through page 67: line 8 – Defendants’ objection sustained.**

- page 70: line 15 through page 71: line 7 – **Defendants’ objection overruled.**
- page 72: line 11 through page 72: line 13 – **Defendants’ objection overruled.**

**IT IS SO ORDERED**, this 14th day of September, 2017.

/s/ Susan O. Hickey  
Susan O. Hickey  
United States District Judge