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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

KRISTI LAURIS, Individually and as  
Successor In Interest to the Estate of  
DAINIS LAURIS; KRISTI LAURIS as  
Guardian Ad Litem for L.L.; and TAYLOR  
LAURIS,

Plaintiffs,

v.

NOVARTIS AG, a Global Healthcare  
Company; NOVARTIS  
PHARMACEUTICALS CORPORATION,  
a Delaware Corporation,

Defendants.

Case No.: 1-16-cv-00393-SEH

**ORDER**

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A Proposed Final Pretrial Order was filed on December 29, 2017, which identified exhibits and stated objections to exhibits to be offered at trial.<sup>1</sup>

A Joint Stipulation Regarding Deposition Exhibits was filed January 12, 2018, which identified by trial exhibit numbers the deposition exhibits referenced in each of six depositions taken during discovery.<sup>2</sup>

A Joint Stipulation Regarding Deposition Designations was filed on March 2, 2018, which provided amended designations of portions of each of the six depositions that would be offered into evidence at trial.<sup>3</sup>

A Joint Submission Regarding Deposition Designations that Relate to Trial Exhibits was filed on March 23, 2018.<sup>4</sup>

<sup>1</sup> Docs. 324-1, 324-2, 324-3.

<sup>2</sup> Docs. 361-1, 361-2, 361-3, 361-4, 361-5, 361-6.

<sup>3</sup> Docs. 375-1, 375-2.

<sup>4</sup> Doc. 384.

1           On April 6, 2018, the Court conducted a hearing to consider admissibility, into evidence at  
2 trial, of testimony and of exhibits addressed in the six depositions.

3           The following proposed trial exhibits were referenced or discussed in the designated  
4 portions of the deposition of Karen Habucky to be offered into evidence at trial: Nos. 2, 35, 39,  
5 46, 52, 64, 68, 71, 73, 76, 86, 97, 98, 100, 105, 109, 113, 116, 117, 124, 125, 128, 129, 134, 135,  
6 137, 138, 139, 151, 501, 504, 508, 509, 510, 512, 576, 584, 592, 593, 615, 640, 665, and 748.

7           The following proposed trial exhibits were referenced or discussed in the designated  
8 portions of the deposition of Richard Woodman to be offered into evidence at trial: Nos. 3, 13,  
9 14, 16, 17, 19, 20, 24, 31, 32, 35, 37, 38, 41, 48, 51, 59, 71, 75, 79, 80, 81, 82, 83, 84, 86, 87, 93,  
10 96, 110, 111, 120, 150, 151, 501, 502, 504, 505, 506, 508, 509, 510, 511, 512, 513, 514, 559, 578,  
11 587, 608, 615, 645, 679, and 726.

12           The following proposed trial exhibits were referenced or discussed in the designated  
13 portions of the deposition of Mary Aghoghovbia to be offered into evidence at trial: Nos. 2, 96,  
14 113, 130, 131, 132, 133, 134, 136, 137, 140, 143, 144, 146, 150, 151, 645, and 726.

15           The following proposed trial exhibits were referenced or discussed in the designated  
16 portions of the deposition of Frank Hong to be offered into evidence at trial: Nos. 6, 7, 8, 17, 18,  
17 19, 20, 22, 23, 24, 27, 28, 30, 31, 33, 34, 41, 42, 44, 45, 46, 47, 65, 66, 559, and 576.

18           The following proposed trial exhibits were referenced or discussed in the designated  
19 portions of the deposition of Neil Gallagher to be offered into evidence at trial: Nos. 11, 19, 25,  
20 36, 53, 61, 73, 83, 103, 104, 112, and 559.

21           The following trial exhibits were referenced or discussed in the designated portions of the  
22 deposition of Mark Sims to be offered into evidence at trial: Nos. 1, 4, 5, 10, 12, 21, 26, 29, 60,  
23 67, 69, 88, 92, 107, 108, 122, 126, 151, 152, and 760.

1           Upon the record filed with the Court and upon the record at the April 6, 2018, telephone  
2 hearing:

3           ORDERED:

4           1.       The following proposed trial exhibits discussed on the record at the deposition of  
5 Karen Habucky are admitted as evidence for purposes of trial: Nos. 64, 68, 86, 117, 124, 125,  
6 128, 129, 501, 504, 508, 509, 510, 512, 593, 615, and 748.

7           2.       The following proposed trial exhibits discussed on the record at the deposition of  
8 Richard Woodman are admitted as evidence for purposes of trial: Nos. 14, 20, 31, 38, 41, 59, 75,  
9 80, 82, 86, 87, 96, 111, 120, 150, 501, 504, 506, 508, 509, 510, 511, 512, 513, 514, 578, 608, 615,  
10 645, 679, and 726.

11           3.       The following proposed trial exhibits discussed on the record at the deposition of  
12 Mary Aghoghovbia are admitted as evidence for purposes of trial: Nos. 96, 150, 645, and 726

13           4.       The following proposed trial exhibits discussed on the record at the deposition of  
14 Frank Hong are admitted as evidence for purposes of trial: Nos. 6, 20, 31, 41, and 65.

15           5.       The following proposed trial exhibit discussed on the record at the deposition of  
16 Neil Gallagher is admitted as evidence for purposes of trial: No. 53.

17           6.       The following proposed trial exhibits discussed on the record at the deposition of  
18 Mark Sims are admitted as evidence for purposes of trial: Nos. 29, 92, and 760.

19           FURTHER ORDERED:

20           1.       The following proposed trial exhibits discussed on the record at the deposition of  
21 Karen Habucky are refused: Nos. 2, 35, 39, 46, 52, 71, 73, 76, 97, 98, 100, 105, 109, 113, 116,  
22 134, 135, 137, 138, 139, 151, 576, 584, 592, 640, and 665.

23           2.       The following proposed trial exhibits discussed on the record at the deposition of  
24 Richard Woodman are refused: Nos. 3, 13, 16, 17, 19, 24, 32, 35, 37, 48, 51, 71, 79, 81, 83, 84,  
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1 93, 110, 151, 502, 505, 559, and 587.

2 3. The following proposed trial exhibits discussed on the record at the deposition of  
3 Frank Hong are refused: Nos. 7, 8, 17, 18, 19, 22, 23, 24, 27, 28, 30, 33, 34, 42, 44, 45, 46, 47,  
4 66, 559, and 576.

5 4. The following proposed trial exhibits discussed on the record at the deposition of  
6 Mary Aghoghovbia are refused: Nos. 2, 113, 130, 131, 132, 133, 134, 136, 137, 140, 143, 144,  
7 146, and 151.

8 5. The following proposed trial exhibits discussed on the record at the deposition of  
9 Neil Gallagher are refused: Nos. 11, 19, 25, 36, 61, 73, 83, 103, 104, 112, and 559.

10 6. The following proposed trial exhibits discussed on the record at the deposition of  
11 Mark Sims are refused: 1, 4, 5, 10, 12, 21, 26, 60, 67, 69, 88, 107, 108, 122, 126, 151, and 152.

12 DATED this 9<sup>th</sup> day of April, 2018.

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17 SAM E. HADDON  
18 United States District Judge  
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