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PLAINTIFFS' OCTOBER 28, 2008 DESIGNATION OF DEPOSITION TESTIMONY OF SOLA ADEBAWO
 (Testifying By Way of Deposition Only)
 (Counter-Designations in italicized text)
 Deposition February 22 & 23, 2005

Page/Line Cite	Defendants' Objections and Counter-Designations	Plaintiffs' Responses to Defendants' Objections and Designations	Defendants' Cross-Examination Designations	Plaintiffs' Objections and Counter-Designations	Defendants' Responses to Plaintiffs' Objections and Counter-Designations
All			Defendants object to this deposition being read out of order as confusing and misleading and request that the pages be read in sequential order.	The parties previously read to the jury testimony by Steve Peace which was "pieced" together and read "out of order" so that the story flowed more understandably	
6:1, 12-14					
34:1-3, 9-16					
35:17-21					
42:6-7					
160:4-8	The designation is misleading because it				

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	omits 160:9-12, which shows that the witness is uncertain regarding his memory on the issue.	<i>Admission</i>			
163:11-14, 16-19	163:11-19—Lacks foundation; not based on personal knowledge, as shown by 163:20-23. FRE 602, 802.	The additional passage cited by defendants makes clear the witness believes that he does have personal knowledge.	163:20-23 <i>AV</i>		
163:24-164:6	163:24-164:2 (ending at "correct")—Lacks foundation; not based on personal knowledge, as shown by 163:20-23. FRE 602, 802. 164:2-164:6—The testimony is not based on personal knowledge, see 165:10-14, 165:25-166:3. FRE 602.	The additional passage cited by defendants makes clear the witness believes that he does have personal knowledge. The additional testimony cited by defendants establishes that his testimony about the process is indeed based on "the knowledge" the witness "gathered from			

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168:14-22		those different experiences and sources"	168:23-169:1		
308:15-19					
312:7-13					
315:25-316:4					
316:23-317:6					
317:24-318:1					
318:12-18					
			318:25-320:11	<p>Designation should start with the question at 318:24:</p> <p>319:16-20: calls for speculation, lacks foundation. PRE 602</p>	<p>The foundation for 319:16-20 is laid at 319:21-22. Further, plaintiffs did not raise an objection for lack of foundation at the deposition, and therefore they waived the objection. See Fed. R. Civ. P. 32(d)(3)(B).</p>

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323:16-19					
327:12-16			323:13-15	Lacks foundation, lacks personal knowledge. FRE 602. 	This objection makes no sense. The witness clearly has personal knowledge that he heard the conversation. Further, plaintiffs did not raise an objection for lack of foundation at the deposition, and therefore they waived the objection. See Fed. R. Civ. P. 32(d)(3)(B).
			325:13-21		
			327:17-19		
			330:1-11		
			330:17-331:7		
			332:11-14 (beginning with "I asked")		

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334:12-335:14					
335:21-336:7	335:24-336:1: Deponent lacks personal knowledge; hearsay no foundation for how he learned that FFE 602, 802.	The deponent was present for all negotiations and is testifying to what he personally observed.	335:15-20		
			336:8-19		
			337:25-338:4	<i>Need to add 338:5-6 to complete testimony.</i>	<i>OK</i>
			338:7-14	338:7-25	
339:22-340:1	339:22-340:1: Deponent lacks personal knowledge; hearsay. FFE 602, 802.	Deponent's state of mind is relevant to decision made by CNL following the negotiations in Ikorigho.			
			96:14-98:4		
358:2-11					

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91:14-18	<p>This designation is non-sensical and the question assumes facts not in evidence. No previous designated testimony establishes that the deponent heard "Pere accusing Deji of sending in the military." <i>NRCS</i> there any indication from the designated testimony of when this purported communication occurred. As such, the question and answer are confusing, irrelevant and a waste of time. FRE 401-403.</p>				