

**PLAINTIFFS' DESIGNATION OF OLATUNJI IDOWU  
(Defendants' Counter-Designations in italicized text)  
Deposition May 12, 2005  
Volume 1**

*Of record to deposition*

Page/Line Cite	Objection (include specific page and line numbers of material objected to and objection(s))	Response
6:8-11		
15:21	FRE 401-403, irrelevant, not proper rebuttal. Defendants did not put in testimony about Idowu's employment history. This testimony has nothing to do with his tenure at CNL.	This designation describes Idowu's employment history to establish a foundation for Idowu's knowledge about matters he learned during his tenure with CNL.
15:25 (starting at "I left")-16:3	FRE 401-403, irrelevant, not proper rebuttal. Defendants did not put in testimony about Idowu's employment history.	This designation describes Idowu's employment history to establish a foundation for Idowu's knowledge about matters he learned during his tenure with CNL.
71:23 (starting as "during")-72:1		
72:5-8		
73:15-20		
73:25-74:1		

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78:12-16		
78:19		
78:21 (starting with "I think")-22 (ending at "colleagues").	Not proper rebuttal designation, but if allowed, for completeness 78:20-78:23 (all) should be read. Idowu's vague recollection about what Hastrup told him is not proper rebuttal and constitutes speculation that should be excluded FRE 602. <i>Defts. ' completeness designation 78:20-23</i>	This evidence rebuts Deji Hastrup's testimony about how he was treated during the negotiations at Ikorigho, that is, that he was not held hostage.
82:3-8	Idowu is speculating (FRE 602). If the testimony is allowed, then it should include 82:9-12. <i>Defts. ' completeness designation 82:9-12</i>	The deponent is not speculating but rather testifying about what he remembers.
82:13 (starting with "did")-24 (ending at	<i>Defts. ' completeness designation, 82:24 (beginning with "S-O-L-4")-83:9, 83:46-85:8. The designations are proper. Plaintiffs should not be able to cherry pick pieces of the testimony to give the jury a misleading impression of Idowu's</i>	The testimony plaintiffs designated deals with what Hastrup told Idowu about the negotiations in Ikorigho. While the testimony at 82:24-83:9 goes to that topic, the remainder of what defendants designated does not. <i>Implied it deals with</i>

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"mentioned").	testimony. FRE 106, 401-403.	information about other parts of the negotiations, including the alleged agreements that were made on May 26 <sup>th</sup> and, thus, are not proper counterdesignations or surrebuttal.
86:18 (starting with "Now")-87:6		
87:8-9	<i>Defts. 'completeness designation, 87:11-15, 87:19-21</i>  OK	Objection that this is repetitive and cumulative of the testimony designated by plaintiffs.
87:22-88:2	<i>Defts. 'completeness designation, 88:3-11.</i> The designations are proper. Plaintiffs should not be able to cherry pick pieces of the testimony to give the jury a misleading impression of Idowu's testimony. FRE 106, 401-403. The counterdesignation impeached Adebawo's testimony.	Plaintiffs' designations have to do with what Hastrup said about how he was treated during the Ikorigho negotiations, but defendants' designation deals with how Sola Adebawo was treated ("as a traitor"). This is beyond the scope of plaintiffs' rebuttal and should be stricken.
89:18-22	<i>Defts. 'completeness designation, 88:17-89:17.</i> The designations are proper. Plaintiffs should not be able to cherry	Plaintiffs' designation has to do with what Hastrup said about whether he made progress during the negotiations, not

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89:24-25	pick pieces of the testimony to give the jury a misleading impression of Idowu's testimony. FRE 106, 401-403.  <i>OK</i>	about how Adebawo was treated. Defendants are attempting to inject a new matter into the testimony which is not within the scope of plaintiffs' rebuttal evidence, and, thus, should be stricken.  <i>OK</i>
90:3-6 (ending at "sort of").	Lacks foundation (FRE 602) but to the extent it is allowed, for completeness, 90:6 (in its entirety)-90:8  <i>OK</i>  <i>OK</i>	Objection to including the reporter's question about what was said, especially since all the deponent does is repeat his testimony after the question.
90:24 (starting with "he believed")-91:9.	Lacks foundation (FRE 602) see previous entry, but if allowed, for completeness: 90:18-23.  <i>OK</i>  <i>OK</i>	

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91:12-14	Speculation (FRE 602). <i>OK</i>	The deponent is not speculating but rather testifying about what he remembers.
92:25-93:5	Speculation (FRE 602), but if permitted, for completeness 91:15-92:24; also 113:10-24 <i>OK</i> <i>Def's: completeness designation, 91:15-19, 91:21-24, 92:1-11, 92:15-16, 92:18- 92:24, 113:10-24</i> <i>OK</i>	Mr Idowu is repeating what Mr. Hastrup told him. He is not speculating. Defendants designations are not necessary for completeness. They are just testimony about what Mr. Idowu does not remember Mr. Hastrup saying.
140:8-17	<i>Def's: completeness designation, 140:18-20, 140:22-25, 141:3-10, 141:22-142:15 (ending with "level"), 143:1-7, 143:11-145:18</i> <i>OK</i>	Defendhats designations are beyond the scope and redundant of testimony given by Mr. Hastrup, Mr. Omole and others. Plaintiffs' designation is about the general practice in relations to communities. Defendants' designations are a redundant recitation of what was done with regard to CIC.
187:15-22 Exhibit 107 (Admitted as	Not proper rebuttal. But, if allowed, for completeness, 187:23-188:15, 190:2-8 <i>OK</i>	This is simply identifying the exhibit to support the testimony later (188:16 and 17 to which defendants have no objections).

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Exhibit 8093)	<i>Defs. ' completeness designation, 187.23-188.15, 190.2-8</i> OK	No completeness designations are needed.
188:16 (starting with "How")		
188:17 (starting with "I believe")		
188:20, 22-23		
189:5 (starting with "Was")-7	<i>Defs. ' completeness designation, 189:8-17</i> OK	OK
191:14-20	Not proper rebuttal. If allowed, for completeness 190:19-191:13, 191:21-192:1 <i>OK</i>	Plaintiffs will withdraw the designation <i>OK</i>
192:2-7	<i>Defs. ' completeness designation, 190.19-191:13, 191.21-192:1</i> Not proper rebuttal. If allowed, for completeness 192:9-10. <i>OK</i>	Plaintiffs will withdraw the designation <i>OK</i>

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219:16-18 Exhibit 112 (Admitted as Exhibit 8114)	<i>Defts. completeness designation, 192:9-10</i> <i>OK</i>  <i>Defts. completeness designation, 220:11-14</i> <i>OK</i>	<p>Defendants' designations are not necessary for completeness and are beyond the scope of plaintiffs' designation. This testimony is designated because it demonstrates that the minutes of this alleged meeting, which defendants relied upon, are fraudulent. Both the minutes and Mr. Idowu provide that Monday Omosaye and Abia Arenewo were at a meeting in which Ilaje reportedly disassociated themselves from the CIC. Yet Monday Omosaye and Abiah Arenewo, two members of the CIC, were reported to have attended this meeting.</p>
220:8-10	<i>Defts. completeness designation, 220:11-14</i> <i>OK</i>	<p>Defendants' designations are not necessary for completeness and are beyond the scope of plaintiffs' designation. This testimony is designated because it demonstrates that the minutes of this alleged meeting, which defendants relied upon, are fraudulent. Both the minutes and Mr. Idowu provide that Monday Omosaye and Abia Arenewo were at a meeting in which Ilaje reportedly disassociated themselves from the CIC. Yet Monday Omosaye and Abiah Arenewo,</p>

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220:15-17	<i>Def's' completeness designation, 220:18-221:17</i>  OK	two members of the CIC, were reported to have attended this meeting.  Defendants' designations are not necessary for completeness and are beyond the scope of plaintiffs' designation. This testimony is designated because it demonstrates that the minutes of <del>this alleged meeting</del> , which defendants relied upon, are fraudulent. Both the minutes and Mr. Idowu provide that Monday Omosaye and Abia Arenewo were at a meeting in which Ilaie reportedly disassociated themselves from the CIC. Yet Monday Omosaye and Abiah Arenewo, two members of the CIC, were reported to have attended this meeting.
222:12-16	<i>Def's' completeness designation, 222:17-223:17</i>  OK	Defendants' designations are not necessary for completeness and are beyond the scope of plaintiffs' designation. This testimony is designated because it demonstrates that the minutes of <del>this alleged meeting</del> , which defendants relied upon, are fraudulent. Both the minutes and Mr. Idowu provide that Monday Omosaye and Abia Arenewo were at a meeting in which Ilaie reportedly disassociated themselves

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224:11-19	<i>Defts. completeness designation, 224:8-10</i>  OK	from the CIC. Yet Monday Omosaye and Abiah Arenewo, two members of the CIC, were reported to have attended this meeting.
224:25-225:3	<i>Defts. completeness designation, 224:20-24, 225:6-12, 225:15-17</i>  OK	Defendants' designations are not necessary for completeness and are beyond the scope of plaintiffs' designation. This testimony is designated because it demonstrates that the minutes of this alleged meeting, which defendants relied upon, are fraudulent. Both the minutes and Mr. Idowu provide that Monday Omosaye and Abia Arenewo were at a meeting.

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241:12 (starting at "I'd like")-14 Exhibit 512 (Admitted as Exhibit 8116)	Not proper rebuttal, but <del>is</del> admitted, completeness 241:15-16 <i>Defs. ' completeness designation, 241:15-16</i> OK	OK meeting in which Ijaje reportedly disassociated themselves from the CIC. Yet Monday Omosaye and Abiah Arenewo, two members of the CIC, were reported to have attended this meeting.
241:17-23	Not proper rebuttal, but <del>is</del> admitted, completeness 242:6-17 <i>Defs. ' completeness designation, 242:6-17</i> OK	This is not necessary for completeness. It is counsel for Jones Day suggesting something that the witness rejects.