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**\*E-FILED 2/6/08\***

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

GREGORY NEAL GRIMES,

NO. C 05-01824 RS

Plaintiff,

**ORDER RE WILLIAM  
KLUSSMAN DESIGNATIONS**

v.

UNITED PARCEL SERVICE, INC.,

Defendant.

The objections to the introduction of testimony from the deposition of William Klussman are sustained or overruled as set forth below. Although reference is made only to page numbers, the specific lines affected by this ruling are those identified by the parties in their submissions to the Court.

P. 57: Sustained. The testimony appears to implicate the ruling on defendant's *in limine* No. 6, and to the extent that it does not, no relevance appears.

P. 207: Sustained. Inadequate foundation exists for the testimony, and the questioning calls for speculation.

P. 210-211: Overruled

P. 228-231: Sustained, without prejudice, on grounds that the testimony concerns a document

1 not admitted into evidence and the testimony is not offered as part of a showing that the document  
2 should be admitted into evidence. If the document is admitted into evidence upon a proper showing  
3 of admissibility, then there would appear to be a sufficient basis for this testimony to be admitted  
4 also.

5 IT IS SO ORDERED.

6 Dated: February 6, 2008

  
RICHARD SEEBORG  
United States Magistrate Judge

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1 **THIS IS TO CERTIFY THAT NOTICE OF THIS ORDER HAS BEEN GIVEN TO:**

2 Darci Elaine Burrell courtmail@boxerlaw.com

3 Claudia Center ccenter@las-elc.org, lbossing@las-elc.org, lkapros@las-elc.org

4 Kathryn Burkett Dickson kbdickson@dicksonross.com, courtmail@boxerlaw.com,  
pwach@dicksonross.com

5 Elizabeth A. Falcone elizabethfalcone@paulhastings.com, vilmabottger@paulhastings.com

6 Thomas E. Geidt tomgeidt@paulhastings.com, jeffsmith@paulhastings.com

7 E. Jeffrey Grube , Esq jeffgrube@paulhastings.com, patricialawson@paulhastings.com

8 Kerri N. Harper kerriharper@paulhastings.com, jeffsmith@paulhastings.com

9 Jean K Hyams courtmail@boxerlaw.com

10 Leslie Fran Levy courtmail@boxerlaw.com

11 Sana Swe sanaswe@paulhastings.com, daliaromhill@sbcglobal.net

12 Maurice Kirby Collette Wilcox kirbywilcox@paulhastings.com, janetgogna@paulhastings.com

13 Julie Anne Wilkinson JulieWilkinson@paulhastings.com, helendevol@paulhastings.com

14  
15 Counsel are responsible for distributing copies of this document to co-counsel who have not  
16 registered for e-filing under the Court's CM/ECF program.

17 **Dated: 2/6/08**

**Richard W. Wieking, Clerk**

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19 **By: Chambers**

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