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E-FILED 2/7/08

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 DR. STEPHEN
SCHILT DESIGNATIONS**

v.

UNITED PARCEL SERVICE, INC.,

Defendant.

_____ /
The objections to the introduction of testimony from the deposition of Dr. Stephen Shilt are sustained or overruled as set forth below. Where 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.

Plaintiff's Designations

Pp. 36, 38-39: Sustained. Although plaintiff was permitted to introduce similar evidence directly through his own testimony, Dr. Shilt's recounting of this portion of what plaintiff told him lacks independent relevance.

Pp. 37:21-38:2. Sustained, lack of relevance.

P. 41: Overruled.

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P. 59: Overruled.

Defendant's Counter-designations

Pp. 61-62: Overruled.

P. 68: Overruled.

Pp. 80-81: Overruled.

P. 86: With the addition of the testimony continuing to 87:13 (not 86:13, as indicated in the parties' correspondence) witness answers the question, and on that basis the objection is overruled.

P. 89-92: With the agreed-to expansion to included 92:15-25, the objection is overruled.

IT IS SO ORDERED.

Dated: February 7, 2008



RICHARD SEEBORG
United States Magistrate Judge

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: 2/7/08**

Richard W. Wieking, Clerk

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19 **By: Chambers**

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