

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer

Civil Action No. 14-cv-00317-PAB-MJW

BOXER F2, L.P., a Texas limited partnership,

Plaintiff,

v.

FLAMINGO WEST, LTD., d/b/a LEGALWIZ PUBLICATIONS,
BRONCHICK & ASSOCIATES,
WILLIAM BRONCHICK, and
BRONCHICK & ASSOCIATES, P.C.,

Defendants.

**ORDER REGARDING PLAINTIFF'S OBJECTION TO
DEFENDANTS WILLIAM BRONCHICK AND BRONCHICK & ASSOCIATES, P.C.'S
CROSS-DESIGNATION OF DEPOSITION TESTIMONY FOR USE AT TRIAL**

This matter comes before the Court on Plaintiff's Objection to Defendants William Bronchick and Bronchick & Associates, P.C.'s Cross-Designation of Deposition Testimony for Use at Trial [Docket No. 174]. The Court has reviewed the objection and rules as follows:

TESTIMONY OF WILLIAM BRONCHICK, AS THE DESIGNATED REPRESENTATIVE OF FLAMINGO WEST, LTD.:

Item #	Testimony	Objection	Ruling
1.	41:1-6	F.R.E 802	Overruled
2.	72:22 – 73:18	F.R.E 802	Overruled
3.	75:12 – 76:10	F.R.E 802	Overruled
4.	79:16 – 80:18	F.R.E 802	Overruled

Item #	Testimony	Objection	Ruling
5.	82:25 – 83:4	F.R.E 802	Overruled
6.	102:6 – 103:3	F.R.E 802	Overruled
7.	146:7-12	F.R.E 802	Overruled

TESTIMONY OF WILLIAM BRONCHICK, AS THE DESIGNATED REPRESENTATIVE OF BRONCHICK & ASSOCIATES, P.C.:

Item #	Testimony	Objection	Ruling
1.	19:1-14	F.R.E 802	Overruled
2.	25:5-19	F.R.E 802	Overruled
3.	30:1-2	F.R.E 802	Overruled
4.	44:24-25	F.R.E 802	Overruled

TESTIMONY OF ZACHARY SEGAL, AS THE DESIGNATED REPRESENTATIVE OF THE PLAINTIFF:

Item #	Testimony	Objection	Ruling
1.	28:24 – 37:3	Objection to 37:1-3 incomplete question and answer	Sustained as to 37:1-3
2.	35:21 – 36:22	Objection - subsumed in previous designation	Overruled
3.	37:19 – 43:16	Objection to 41:22-25 and 42:1-3 - witness interrupted	Overruled
4.	54:25 – 60:1	Objection to 55:5-25; 56:1-25; 57:13; 59:19-25; and 60:1 - witness interrupted continually; badgering; argumentative	Overruled

Item #	Testimony	Objection	Ruling
5.	74:5-21	Objection to 74:5-10 damages supplemented under FRCP 26(a)(1)(A)(iii)	Overruled
6.	84:5-11	Objection - calls for legal conclusion from lay witness	Sustained
7.	89:20 – 92:23	Objection to 90:23-25; 91:1- 3 - witness interrupted	Sustained

DATED October 16, 2015.

BY THE COURT:

s/Philip A. Brimmer
 PHILIP A. BRIMMER
 United States District Judge