

In the United States Court of Federal Claims

No. 16-845 C

Filed: October 3, 2018

WALSH CONSTRUCTION CO., *et al.*,

Plaintiffs,

v.

THE UNITED STATES,

Defendant.

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Federal Rules of Evidence;
Rule 26 of the Rules of the United States
Court of Federal Claims (General
provisions regarding discovery).

MEMORANDUM OPINION AND ORDER ON EVIDENTIARY ISSUES

From March 19-20, 22, and April 4, 2018, the court convened a trial in the above-captioned case. The exhibits identified herein, together with the parties' Joint Stipulations of Fact (Jt. Stip. ¶¶ 1–21) and the testimony adduced at the trial (TR 1–1143), comprise the record regarding the court's Memorandum Opinion And Final Order.

I. DOCUMENTS PROFFERED BY PLAINTIFFS THAT THE COURT RULES ARE ADMITTED INTO EVIDENCE.

- | | | | | | | | |
|--------|--------|--------|--------|--------|--------|--------|--------|
| PX 1 | PX 2 | PX 3 | PX 4 | PX 5 | PX 6 | PX 7 | PX 8 |
| PX 9 | PX 10 | PX 11 | PX 12 | PX 13 | PX 14 | PX 15 | PX 16 |
| PX 17 | PX 18 | PX 19 | PX 20 | PX 21 | PX 22 | PX 23 | PX 24 |
| PX 25 | PX 26 | PX 27 | PX 28 | PX 29 | PX 30 | PX 31 | PX 32 |
| PX 33 | PX 34 | PX 35 | PX 36 | PX 37 | PX 38 | PX 39 | PX 40 |
| PX 41 | PX 42 | PX 43 | PX 44 | PX 45 | PX 46 | PX 47 | PX 48 |
| PX 49 | PX 50 | PX 51 | PX 52 | PX 53 | PX 54 | PX 55 | PX 56 |
| PX 57 | PX 58 | PX 59 | PX 60 | PX 61 | PX 62 | PX 63 | PX 64 |
| PX 65 | PX 66 | PX 67 | PX 68 | PX 69 | PX 70 | PX 71 | PX 72 |
| PX 73 | PX 74 | PX 75 | PX 76 | PX 77 | PX 78 | PX 79 | PX 80 |
| PX 81 | PX 82 | PX 83 | PX 84 | PX 85 | PX 86 | PX 87 | PX 88 |
| PX 89 | PX 90 | PX 91 | PX 92 | PX 93 | PX 94 | PX 95 | PX 96 |
| PX 97 | PX 98 | PX 99 | PX 100 | PX 101 | PX 102 | PX 103 | PX 104 |
| PX 105 | PX 106 | PX 107 | PX 108 | PX 109 | PX 110 | PX 111 | PX 112 |
| PX 113 | PX 114 | PX 115 | PX 116 | PX 117 | PX 118 | PX 119 | PX 120 |
| PX 121 | PX 122 | PX 123 | PX 124 | PX 125 | PX 126 | PX 127 | PX 128 |

PX 129	PX 130	PX 131	PX 132	PX 133	PX 134	PX 135	PX 136
PX 137	PX 138	PX 139	PX 140	PX 141	PX 142	PX 143	PX 144
PX 145	PX 146	PX 147	PX 148	PX 149	PX 150	PX 151	PX 152
PX 153	PX 154	PX 155	PX 156	PX 157	PX 158	PX 159	PX 160
PX 161	PX 162	PX 163	PX 164	PX 165	PX 166	PX 167	PX 168
PX 169	PX 170	PX 171	PX 172	PX 173	PX 174	PX 175	PX 176
PX 177	PX 178	PX 179	PX 180	PX 181	PX 182	PX 183	PX 184
PX 185	PX 186	PX 187	PX 188	PX 189	PX 190	PX 191	PX 192
PX 193	PX 194	PX 195	PX 196	PX 197	PX 198	PX 199	PX 200
PX 201	PX 202	PX 203	PX 204	PX 205	PX 206	PX 207	PX 208
PX 209	PX 210	PX 211	PX 212	PX 213	PX 214	PX 215	PX 216
PX 217	PX 218	PX 219	PX 220	PX 221	PX 222	PX 223	PX 224
PX 225	PX 226	PX 227	PX 228	PX 229	PX 230	PX 231	PX 232
PX 233	PX 234	PX 235	PX 236	PX 237	PX 238	PX 239	PX 240
PX 241	PX 242	PX 243	PX 244	PX 245	PX 246	PX 247	PX 248
PX 249	PX 250	PX 251	PX 252	PX 253	PX 254	PX 255	PX 256
PX 257	PX 258	PX 259	PX 260	PX 261	PX 262	PX 263	PX 264
PX 265	PX 266	PX 267	PX 268	PX 269	PX 270	PX 271	PX 272
PX 273	PX 274	PX 275					

II. DOCUMENTS PROFFERED BY THE GOVERNMENT THAT THE COURT RULES ARE ADMITTED INTO EVIDENCE.

DX 1	DX 2	DX 3	DX 4	DX 5	DX 6	DX 7	DX 8
DX 9	DX 10	DX 11	DX 12	DX 13	DX 14	DX 15	DX 16
DX 17	DX 18	DX 19	DX 20	DX 21	DX 22	DX 23	DX 24
DX 25	DX 26	DX 27	DX 28	DX 29	DX 30	DX 31	DX 32
DX 33	DX 34	DX 35	DX 36	DX 37	DX 38	DX 39	DX 40
DX 41	DX 42	DX 43	DX 44	DX 45	DX 46	DX 47	DX 48
DX 49	DX 50	DX 51	DX 52	DX 53	DX 54	DX 55	DX 56
DX 57	DX 58	DX 59	DX 60	DX 61	DX 62	DX 63	DX 64
DX 65	DX 66	DX 67	DX 68	DX 69	DX 70	DX 71	DX 72
DX 73	DX 74	DX 75	DX 76	DX 77	DX 78	DX 79	DX 80
DX 81	DX 82	DX 83	DX 84	DX 85	DX 86	DX 87	DX 88
DX 89	DX 90	DX 91	DX 92	DX 93	DX 94	DX 95	DX 96
DX 97	DX 98	DX 99	DX 100	DX 101	DX 102	DX 103	DX 104
DX 105	DX 106	DX 107	DX 108	DX 109	DX 110	DX 111	DX 112
DX 113	DX 114	DX 115	DX 116	DX 117	DX 118	DX 119	DX 120
DX 121	DX 122	DX 123	DX 124	DX 125	DX 126	DX 127	DX 128
DX 129	DX 130	DX 131	DX 132	DX 133	DX 134	DX 135	DX 136
DX 137	DX 138	DX 139	DX 140	DX 141	DX 142	DX 143	DX 144
DX 145	DX 146	DX 147	DX 148	DX 149	DX 150	DX 151	DX 152
DX 153	DX 154	DX 155	DX 156	DX 157	DX 158	DX 159	DX 160
DX 161	DX 162	DX 163	DX 164	DX 165	DX 166	DX 167	DX 168
DX 169	DX 170	DX 171	DX 172	DX 173	DX 174	DX 175	DX 176

DX 177 DX 178

III. DOCUMENTS PROFFERED JOINTLY BY THE PARTIES THAT THE COURT RULES ARE ADMITTED INTO EVIDENCE.

JX 1	JX 2	JX 3	JX 4	JX 5	JX 6	JX 7	JX 8
JX 9	JX 10	JX 11	JX 12	JX 13	JX 14	JX 15	JX 16
JX 17	JX 18	JX 19	JX 20	JX 21	JX 22	JX 23	JX 24
JX 25	JX 26	JX 27	JX 28	JX 29	JX 30	JX 31	JX 32
JX 33	JX 34	JX 35	JX 36	JX 37	JX 38	JX 39	JX 40
JX 41	JX 42	JX 43	JX 44	JX 45	JX 46	JX 47	JX 48
JX 49	JX 50	JX 51	JX 52	JX 53	JX 54	JX 55	JX 56
JX 57	JX 58	JX 59	JX 60	JX 61	JX 62	JX 63	JX 64
JX 65	JX 66	JX 67	JX 68	JX 69	JX 70		

IV. DEMONSTRATIVES PROFFERED BY THE GOVERNMENT THAT THE COURT RULES ARE ADMITTED INTO EVIDENCE.

DDX 1 DDX 2 DDX 3

V. CONCLUSION.

To the extent the court cited exhibits to which the parties objected, those objections are overruled. To the extent the court has not cited documents to which the parties object, those objections are moot.

IT IS SO ORDERED.

s/ Susan G. Braden
SUSAN G. BRADEN
Senior Judge