

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

PAUL PAHL and AMANDA PAHL,	*	
Plaintiffs,	*	
vs.	*	CASE NO. 4:08-CV-112 (CDL)
KING DAVID ROBINSON,	*	
Defendant.	*	
	*	

O R D E R

Below are the rulings on Defendant's Amended Objections to Plaintiffs' Deposition Designations (Doc. 116).¹

Designation	Objection	Ruling
Aaron Bordeau ² - 11:13-20	Unresponsive	Overruled
Tyler Morris ³ - 11:13-21	Unresponsive	Overruled
Tyler Morris - 16:5-16:24	Unresponsive	Overruled
Tyler Morris - 16:25-17:11	Hearsay ⁴	Sustained
Tyler Morris - 17:12-13	Unresponsive	Overruled

¹The following depositions will not be read/played at trial: (1) Dr. Alluri Raju; (2) Thomas Buff; (3) Samantha Wessner; and (4) Paul Hanover. The parties had no objections to the deposition designations of John Cox.

²The parties took a trial deposition of Mr. Bordeau. Any objections not made on the record were waived.

³The parties took a trial deposition of Mr. Morris. Any objections not made on the record were waived.

⁴Although Plaintiffs contend that Defendant's hearsay objection was untimely raised in the record, the Court finds otherwise.

Designation	Objection	Ruling
Tyler Morris - 31:8-23	Argumentative ⁵	Overruled
Larry Stages ⁶ - 10:5-9	Speculative	Withdrawn by Plaintiffs
Larry Stages - 10:10-15	Speculative ⁷	Overruled
Larry Stages - 13:24-14:18	Speculative	Overruled
Larry Stages - 15:10-13	Leading	Withdrawn by Plaintiffs
Larry Stages - 15:18-23	Improper Opinion ⁸	Overruled
Larry Stages - 18:11-27:21	Speculative	Overruled
Larry Stages - 43:24-44:21	Leading ⁹	Overruled
Larry Stages - 44:22-25	Leading	Withdrawn by Plaintiffs
Larry Stages - 45:1-45:6	Leading ¹⁰	Overruled
Joseph Ceravolo ¹¹ - 17:22-20:25	Irrelevant	Overruled

⁵Defendant also objected on relevancy grounds. However, Defendant did not preserve this objection on the record. Therefore, Defendant waived this objection.

⁶The parties took a trial deposition of Mr. Stages. Any objections not made on the record were waived.

⁷Defendant did not preserve his speculation objection on the record. Therefore, Defendant waived this objection.

⁸Defendant did not preserve his improper opinion objection on the record. Therefore, Defendant waived this objection.

⁹Defendant did not preserve his leading objection on the record. Therefore, Defendant waived this objection.

¹⁰Defendant did not preserve his leading objection on the record. Therefore, Defendant waived this objection.

¹¹The parties took a trial deposition of Dr. Ceravolo. Any objections not made on the record were waived.

Designation	Objection	Ruling
Joseph Ceravolo - 28:24	Misleading	Overruled but with Caveat ¹²
Joseph Ceravolo - 39:21-41:15	Speculative ¹³	Overruled
Joseph Ceravolo - 51:5-21	Legal Conclusion ¹⁴	Overruled
Joseph Ceravolo - 51:22-52:7	Legal Conclusion	Withdrawn by Plaintiffs
Sean Collinsworth ¹⁵ - 9:8-20	Irrelevant	Withdrawn by Plaintiffs
Sean Collinsworth - 32:7-33:19	Improper Opinion ¹⁶	Overruled
Sean Collinsworth - 33:20-34:5	Improper Opinion	Sustained
Sean Collinsworth - 88:20-89:5	Irrelevant	Overruled
Sean Collinsworth - 89:6-17	Irrelevant	Withdrawn by Plaintiffs
Sean Collinsworth - 89:18-90:3	Irrelevant ¹⁷	Sustained
Sean Collinsworth - 99:9-20	Improper Opinion	Overruled
Sean Collinsworth - 106:22-107:2	Improper Opinion	Overruled
Sean Collinsworth - 107:17-108:2	Improper Opinion	Overruled
Sean Collinsworth - 108:13-109:1	Improper Opinion	Overruled

¹²If the trial deposition contains the word "complained," then this line of questioning/testimony is excluded.

¹³Defendant did not preserve his speculation objection on the record. Therefore, Defendant waived this objection.

¹⁴Defendant did not preserve his legal opinion/conclusion objection on the record. Therefore, Defendant waived this objection.

¹⁵The parties took a discovery deposition of Mr. Collinsworth. The parties had no obligation to put objections (other than to form/responsiveness) on the record.

¹⁶Defendant also made an objection on the grounds that the testimony was unresponsive. Defendant did not preserve this objection on the record. Therefore, this objection was waived.

¹⁷Plaintiffs object to Defendant's deposition designation at 89:18-90:3 on the grounds that the line of questioning/testimony is irrelevant to the case.

Designation	Objection	Ruling
Sean Collinsworth - 110:17-112:2	Irrelevant	Sustained
Sean Collinsworth - 113:3-7	Irrelevant	Withdrawn by Plaintiffs
Sean Collinsworth - 113:8-24	Irrelevant	Overruled

IT IS SO ORDERED, this 1st day of September, 2009.

S/Clay D. Land
CLAY D. LAND
UNITED STATES DISTRICT JUDGE