

JAMES C. BAKER

DuPont's Designations	Plaintiff's Objections to DuPont's Designation	USA's Objections to DuPont's Designations	USA's Amended Counter-Designations to DuPont's Designations	Plaintiff's Objections to USA's Amended Counter Designations	Plaintiff's Cross Designations to USA's Counter Designations	DuPont's Objections to USA's Amended Counter Designations	DuPont's Objections to Plaintiff's Counter Designations	DuPont's Rebuttal Designations
9:5-17			39:7-10					57:20-24
10:11-24			39:15-40:5					58:3-5
14:2-15:6			47:6-48:13					58:3-5
16:5-17:4			48:19-21					113:4-23
17:22-18:17			49:7-18					163:5-13
19:12-18			52:13-53:3					
22:25-23:23			53:5-23					
24:1-25:15			58:6-59:6					
25:18-28:7	Non-responsive/relevant/foundation. Witness was a toxicologist with ISDA and lacks foundation to testify about drift language on labels, EPA history on drift or how EPA defines drift and misleading — see 32:7-9, 27:6 — 28:7 is hearsay/no foundation (“anecdotal”) — see objection below.	Foundation, Relevance	59:9-17					

OR in part ; sustain in part.
 OR re: 26:19-27:3, sustain re: remaining objections.

DUPONT'S AMENDED NOTICE OF INTENT TO INTRODUCE VIDEO DEPOSITION TESTIMONY OF JAMES C. BAKER (DKT. No. 1268)

DuPont's Designations	Plaintiffs' Objections to DuPont's Designation	USA's Objections to DuPont's Counter-Designations	USA's Amended Counter-Designations to DuPont's Designations	Plaintiffs' Objections to USA's Amended Counter Designations	Plaintiffs' Cross Designations to USA's Counter Designations	DuPont's Objections to USA's Amended Counter Designations	DuPont's Objections to Plaintiffs' Counter Designations	DuPont's Rebuttal Designations
29:14-31:6	31:4-6 demonstrates that 30:13-31:6 is hearsay/no foundation	30:13-31:6 Foundation, Hearsay	103:24-104:14					
33:13-34:22	33:19-25 Non-responsive; 34:1-6 lacks foundations regarding others' thoughts or actions		112:16-113:3					
35:24-36:2	41:17 — 44:4 Lacks foundation. Witness is a toxicologist and does not have FIFRA regulatory experience sufficient to give his views on what is or is not required on labels. To the extent he purports to be relating any conversations with EPA, it lacks foundation and is outweighed by hearsay. Relevance prejudiced. Relates to a prior, smaller, Sid Wing incident. In addition to these objections, testimony on pp. 147-153 is non-	41:3-44:4 Foundation, Hearsay	158:8-12					

OR

SUSTAIN

OR, court may give limiting instruction re: 41:3-16 that testimony not to be considered for truth.

DuPont's Designations	Plaintiffs' Objections to DuPont's Designation	USA's Objections to DuPont's Counter-Designations	USA's Amended Counter-Designations to DuPont's Designations	Plaintiffs' Objections to USA's Amended Counter Designations	Plaintiffs' Cross Designations to USA's Counter Designations	DuPont's Objections to USA's Amended Counter Designations	DuPont's Objections to Plaintiffs' Counter Designations	DuPont's Rebuttal Designations
57:20-24	responsive, lacks foundation and hearsay. Lacks foundation; witness has no foundation in label interpretation.		161:4-7					
58:3-5	Same as above Lacks foundation. Witness testifies "no" he was not involved, but then gives answer for which no foundation has been established.		161:18-163:4 195:4-19					
62:7-18	Relevance/Prejudice or confusion outweighs probative value. Unrelated to any issue in this case.							
102:1-103:23								
131:16-132:4								
145:8-13	This objection relates to all designations through 152:25. Witness was an ISDA toxicologist and does not have FIFRA regulatory experience sufficient to give his							

SUSTAIN

SUSTAIN

SUSTAIN

SUSTAIN

OR
- court may give limiting instruction that witness not qualified as expert

statements expressed but only as DA explanation of truth of opinions
not to be considered
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	<p>views on what is or is not required on labels. 145:16-23 Demonstrates that witness has no foundation, and that key statement is hearsay within hearsay. To the extent he purports to be relating any conversations with EPA, it lacks foundation and is hearsay. Relevance outweighed by prejudice. Relates to a prior, smaller, Sid Wing incident. In addition to these objections, testimony on pp. 147-153 is non-responsive, lacks foundation and hearsay.</p>							

DR -
see
limiting
instruction
above.

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145:16-146:24	<p>This objection relates to all designations through 152:25. Witness was an ISDA toxicologist and does not have FIFRA regulatory experience sufficient to give his views on what is or is not required on labels. 145:16-23 Demonstrates that witness has no foundation, and that key statement is hearsay within hearsay.</p> <p>To the extent he purports to be relating any conversations with EPA, it lacks foundation and is hearsay. Relevance outweighed by prejudice. Relates to a prior, smaller, Sid Wing incident. In addition to these objections, testimony on pp. 147-153 is non-responsive, lacks foundation and hearsay.</p>							

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147:11-21	<p>This objection relates to all designations through 152:25. Witness was an ISDA toxicologist and does not have FIFRA regulatory experience sufficient to give his views on what is or is not required on labels. 145:16-23 Demonstrates that witness has no foundation, and that key statement is hearsay within hearsay. To the extent he purports to be relating any conversations with EPA, it lacks foundation and is hearsay. Relevance outweighed by prejudice. Relates to a prior, smaller, Sid Wing incident. In addition to these objections, testimony on pp. 147-153 is non-responsive, lacks foundation and</p>							

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147:24-149:1	This objection relates to all designations through 152:25. Witness was an ISDA toxicologist and does not have FIFRA regulatory experience sufficient to give views on what is or is not required on labels. In addition to these objections, testimony on pp. 147-153 is non-responsive, lacks foundation and hearsay.							

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149:4-152:25	This objection relates to all designations through 152:25. Witness was an ISDA toxicologist and does not have FIFRA regulatory experience sufficient to give his views on what is or is not required on labels. In addition to these objections, testimony on pp. 147-153 is non-responsive, lacks foundation and hearsay.							
Trial Exhibits Designed by DuPont		Plaintiff's Objections to DuPont's Designated Exhibits			USA's Objections to DuPont's Designated Exhibits			
	756							
	757 (previously admitted)							
	40217 (previously admitted)							

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