

DONALD STUBBS

DUPONT'S DESIGNATIONS	PLAINTIFFS' OBJECTIONS TO DUPONT'S DESIGNATIONS	USA'S OBJECTIONS TO DUPONT'S DESIGNATIONS	PLAINTIFFS' COUNTER-DESIGNATIONS TO DUPONT'S DESIGNATIONS	DUPONT'S OBJECTIONS TO PLAINTIFFS' COUNTER DESIGNATIONS	USA'S COUNTER DESIGNATIONS TO DUPONT'S DESIGNATIONS	DUPONT'S REBUTTAL DESIGNATIONS
11:5-18			17:12-18		40:8-41:7	18:18-22
15:11-13			17:20-21		43:21-44:4	19:1
16:15-17:10			28:1-30:11 <i>Overrule</i> AS TO PAGE 29 L. 19-20, WILL CONSIDER LIMITING INSTRUCTION	802, misstates evidence "problem with the label", 401/402 (other incidents)	47:20-48:14	30:12-19, 30:22- 31:11, 31:14 (if court allows 28:11- 30:11 and 31:16- 32:9)
35:12-37:4			31:16-32:9* <i>SUSTAIN</i>	Calls for speculation, 602, 802, 701	55:1-3	44:16-20 (if court allows 44:7-11, 44:14)
41:13-42:5			42:6-11*		55:6-9	45:3 (if court allows 44:7-11, 44:14)
42:18-43:3			42:14-16*		81:15-20	60:7-14
43:11-43:20			<i>Overrule</i> 44:7-11*	602 ("I don't believe")	83:19-84:2*	71:6-11
46:2-16			44:14* <i>Overrule</i>	602 ("I don't believe")	84:8-18*	71:15-16
47:11-19			50:10-51:3 <i>Overrule</i>	602 ("I believe")	167:8-168:6	78:4-10
54:2-7			55:2-3		168:9-15	83:7-10
55:17-18			55:6-9		184:8-10	83:16-17
55:20-56:21		56:1-21 403, 611(a) misstating facts already in evidence	59:4-60:6* <i>Overrule</i>		184:14-185:3	112:20-22
67:11-68:2			70:20-71:2*		197:15-22*	113:1-3
71:21-72:4			71:4*			114:16-115:22

DUPONT'S AMENDED NOTICE OF INTENT TO INTRODUCE VIDEO DEPOSITION TESTIMONY OF DONALD STUBBS

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72:6-10		Overrule	73:19-79:4* 78:11-15*	→ Repetitive		168:17-169:2
81:21-82:3						176:15-19-177:3-7
82:6-11			78:17*			195:1-3
90:7-18			78:19-79:4*			
92:5-16	FRE 602		79:6*			
112:14-19	Overrule	Overrule 403, 611(a) misleading, no context: for completeness need full discussion of PR Notice 96-4	79:8-15*			
117:4-14		Overrule	82:13-18*	Misstates prior testimony		
143:19-144:10		Overrule	83:3-6*	Misstates prior testimony		
146:4-147:5			85:13-86:18*			
150:5-18			87:7-88:20*			
152:3-154:22	153:9-154:22 602, 402/403	403, 611(a) misleading, no context: for completeness include 151:12-16	102:16-18			
Overrule						
155:7-21	402, 403, 602; SUSTAIN Outside 30(b)(6)	155:19-21 402, 403	108:3-109:16* OUT	Calls for legal conclusion, 602		
156:17-158:12	402, 403, 602; SUSTAIN Outside 30(b)(6)	402, 403	110:18-111:7* OUT	Calls for legal conclusion, 602		
	Scope					

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167:2-4 Overrule	602, 402, 403; Outside 30(b)(6) Scope		113:14-22*	Misstates prior evidence (see 112:20-22, 113:1-3), Calls for legal conclusion, 602	Overrule	
167:6 Overrule	602, 402, 403; Outside 30(b)(6)		131:13-133:16*	Calls for legal conclusion, 602	Overrule	
169:11-22 Overrule	602, 402, 403; Outside 30(b)(6)		138:19-139:10*	602, 701	Overrule	
170:4-5 Overrule	602, 402, 403; Outside 30(b)(6)		139:21-141:14	602	Overrule	
178:19-181:2 Overrule	402, 403, 602 180:4-10 calls for speculation		175:22-176:11	602, 701, 802	Overrule	
181:6-182:14			195:8-12 (if court allows 193:14-15,21)			
182:20-183:6	602	Overrule	210:13-18			
186:4-7	402, 403, 602	Overrule	211:4-12*			
186:9-15	402, 403, 602	Overrule	211:16			
186:18-19	402, 403, 602	Overrule	211:18-212:9*			
187:10-11	402, 403, 602, 701; calls for legal	Overrule	212:13-213:3*	Calls for legal conclusion	Overrule	
187:14	402, 403, 602, 701; calls for legal conclusion	Overrule	213:9-10*	Calls for legal conclusion	Overrule	

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187:21-188:4			213:12-14*	Calls for legal conclusion	<i>overrule</i>	
189:17-21	602, 701; Outside scope of Rule 30(b)(6)		213:16*	Calls for legal conclusion	<i>overrule</i>	
190:4-12	602, 701; Outside scope of Rule 30(b)(6)		215:1-10 (if court allows 214:16-22)*			
190:14	602, 701; Outside scope of Rule 30(b)(6)	<i>Overrule</i>				
190:16-21	602, 701; Outside scope of Rule 30(b)(6)					
191:2-6	602, 701; Outside scope of Rule 30(b)(6)					
191:9-13	602, 701; Outside scope of Rule 30(b)(6)					
191:16-22	602, 701; Outside scope of Rule 30(b)(6)					

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192:4-9	602, 701; Outside scope of Rule 30(b)(6)	overrule				
192:12	602, 701; Outside scope of Rule 30(b)(6)					
192:14-17	402, 403, 602, 701; Outside scope of Rule 30(b)(6)	402, 403, 602, 701	overrule			
193:14-194:15	402, 403, 602, 701; Outside scope of Rule 30(b)(6)	402, 403, 602, 701				
194:21	402, 403, 602, 701; Outside scope of Rule 30(b)(6)	402, 403, 602, 701		overrule		
195:18-20	402, 403; Outside scope of Rule 30(b)(6)					
196:1-4	402, 403; Outside scope of Rule 30(b)(6)					
196:9-17	402, 403; Outside scope of Rule 30(b)(6)					
213:18-214:8	402, 403; Outside scope of Rule 30(b)(6)	overrule				

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214:11-22 <i>overrule</i>	402, 403; Outside scope of Rule 30(b)(6)	214:16-22 402, 403, 602, 701	<i>overrule</i>			
216:14-18						
216:22-217:4						
217:20-218:2 <i>overrule</i>	602, 701; calls for legal conclusion	602, 701 calls for legal conclusion	<i>overrule</i>			
222:4-7	602, 701; calls for legal conclusion	<i>overrule</i>				

EXHIBITS	PLAINTIFFS OBJECTIONS TO EXHIBITS	USA'S OBJECTIONS TO EXHIBITS
639 (previously admitted)		
835 (previously admitted)		
860		
20346		
45893-45899**	Plaintiffs have already filed objections to exhibits 45893-45899	402, 403, 801, 802 – Document already in evidence as 20221 with references cited; also we renew our prior objections to DuPont's proposed submission

Reserved

* Plaintiffs have objected to this type of testimony for several reasons including FRE 602, 761 and 30(b)(6) (see, e.g., 189:17-21, 190:4-12). These objections are without merit. However, if the court decides to sustain plaintiffs objections, the cross-designations noted with an asterisk (*) should also be removed.

** Exhibit 20221, previously admitted, does not contain a complete copy of the "reference" section of the Response to the Qualitative Assessment. Therefore, DuPont will offer 45893.