

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

ANTHONY MIMMS, M.D.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:15-cv-00970-TWP-MJD
)	
CVS PHARMACY, INC. a Rhode Island)	
corporation,)	
)	
Defendant.)	
_____)	
)	
INDIANA ATTORNEY GENERAL,)	
Medicaid Fraud Control Unit,)	
)	
Interested Partys.)	

**ENTRY ON PARTIES’ OBJECTIONS
TO THE VIDEO TRIAL DEPOSITION OF CLINT THOMAS**

On March 24, 2017, the parties filed designations and objections to the video trial deposition of Clint Thomas. ([Filing No. 270](#) .) Plaintiff Anthony Mimms (“Dr. Mimms”) objected to six portions of the video deposition and Defendant CVS Pharmacy, Inc. (“CVS”) objected to one portion. The Court makes the following rulings:

- CVS’s objection to section 85:21-90:18 is overruled. CVS objection goes to the weight, not the admissibility of this evidence.
- Dr. Mimms’ objections with respect to sections 107:25-108:8, is overruled.
- Dr. Mimms objection with respect to section 112:23-114:1, is overruled to the extent the designated testimony refers to years 2013 through 2015.
- Dr. Mimms’ objection to sections 118:22-123:14, is sustained.
- Dr. Mimms’ objections with respect to sections 127:16-17 is overruled.

- Dr. Mimms' objections with respect to sections 128:25-129:1-7 is sustained; with respect to sections 129:8-15, the objection is overruled.
- Dr. Mimms' objections with respect to sections 132:3-9 is sustained.

Accordingly, the sustained portions of the deposition should be stricken from the video.

SO ORDERED.

Date: 3/28/2017



TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

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