



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

LAFAYETTE DIVISION

BOBBY BOURQUE, ET AL

CIVIL ACTION 10-1347

VERSUS

JUDGE HAIK

CNH AMERICA, ET AL

MAGISTRATE JUDGE HANNA

RULING ON OBJECTIONS TO THE DEPOSITION OF BOBBY BOURQUE

Plaintiffs and defendants filed objections to various portions of Mr. Bourque's 2009 deposition. The Court reviewed the deposition and the objections and makes the following ruling:

The page and line numbers are in chronological order and not separated by plaintiff/defendant.

1. Page 6, lines 8-25--plaintiff objection GRANTED (out)
2. Page 7, lines 1-25--plaintiff objection GRANTED (out)
3. Page 8, lines 1-9--plaintiff objection DENIED (in)
4. Page 8, line 17-25--plaintiff objection GRANTED (out)
5. Page 9, lines 16-23--plaintiff objection GRANTED (out)
6. Page 10, lines 20-25--defendant objection DENIED (in)
7. Page 11, lines 1-25--plaintiff and defendant objections GRANTED in part, DENIED in part (Lines 1-11 in; lines 12-25 out)
8. Page 12, lines 1-25--plaintiff objection GRANTED/defendant objection GRANTED (out)
9. Page 13, lines 1-25--plaintiff and defendant objections GRANTED in part (Lines 21-25 in; all other lines out)

10. Page 14, lines 1-21—plaintiff objection DENIED and defendant objections GRANTED in part, DENIED in part (Lines 1-14 in; lines 15-21 out)
11. Page 18, lines 10-13—defendant objection GRANTED (out)
12. Page 18, lines 14-25—plaintiff objection GRANTED (out)
13. Page 19, lines 1-3--defendant objection GRANTED (out)
14. Page 20, lines 5-13—defendant objection GRANTED (out)
15. Page 20, line 22 through Page 21, line 2—defendant objection GRANTED (out)
16. Page 27, lines 5-25—plaintiff objection GRANTED (out)
17. Page 28, lines 1-7--plaintiff objection GRANTED (out)
18. Page 35, line 18 “The fire department came and knocked it out”—defendant objection GRANTED (out)
19. Page 35, line 20 through page 36, line 11—Defendant objection DENIED (in)
20. Page 39, lines 6-9--plaintiff objection DENIED (in)
21. Page 40, line 23 through page 41, line 13—plaintiff and defendant objections GRANTED (out)
22. Page 51, lines 17-25—plaintiff objection GRANTED (out)
23. Page 52, lines 1-6--plaintiff objection GRANTED (out)
24. Page 53, lines 2-6--plaintiff objection GRANTED (out)
25. Page 62, lines 23-25—plaintiff objection GRANTED (out)
26. Page 66, lines 10-17—plaintiff objection GRANTED (out)
27. Page 71, lines 2-3--plaintiff objection GRANTED (out)
28. Page 72, lines 15-17—defendant objection DENIED (in)
29. Page 73, lines 4-11—defendant objection DENIED (in)
30. Page 73, line 21 through Page 75, line 12—defendant objection GRANTED (out)

31. Page 76, lines 16-17--plaintiff objection GRANTED (out)
32. Page 77, lines 5-10--defendant objection GRANTED (out)
33. Page 78, lines 6-9--plaintiff objection GRANTED (out)
34. Page 79, lines 1-2--plaintiff objection GRANTED (out)
35. Page 80, lines 2-4--defendant objection GRANTED (out)
36. Page 80, line 12 through page 81, line 24--GRANTED (out)
37. Page 81, lines 4-6--plaintiff objection GRANTED (out)
38. Page 82, line 7 through page 83, line 8--defendant objection GRANTED (out)
39. Page 84, line 19 through page 88, line 25--defendant objection GRANTED (out)
40. Page 89, lines 6-10--defendant objection GRANTED (out)
41. Page 90, lines 2-3--plaintiff objection GRANTED (out)
42. Page 93, lines 11-17--plaintiff objection DENIED (in)
43. Page 93, line 25--plaintiff and defendant objection GRANTED (out)
44. Page 94, lines 1-21--plaintiff objection GRANTED (out)
45. Page 94, line 20 through Page 95, line 6--defendant objection GRANTED (out)
46. Page 95, line 20 through page 96, line 19--defendant objection GRANTED (out)
47. Page 96, lines 20-25--plaintiff objection GRANTED (out)
48. Page 97, lines 1-7--plaintiff objection GRANTED (out)
49. Page 99, lines 13-18--defendant objection GRANTED (out)
50. Page 102, lines 18-24--defendant objection DENIED (in)
51. Page 103, line 7-8 ("when this happened, I was already full of gas")--defendant objection DENIED (in)
52. Page 103, line 20 through page 105, line 18--defendant objection GRANTED (out)

53. Page 104, lines 8-10--plaintiff objection GRANTED (out)
54. Page 106, line 20 through page 109, line 15--defendant objection GRANTED (out)
55. Page 107, lines 5-6--plaintiff objection GRANTED (out)
56. Page 108, lines 9-25--plaintiff objection GRANTED (out)
57. Page 109, lines 1-2--plaintiff objection GRANTED (out)
58. Page 109, lines 19-21--plaintiff objection GRANTED (out)
59. Page 110, line 10 ("and your wife was taking care of you")--defendant objection DENIED (in)
60. Page 110, line 19-21--defendant objection GRANTED (out)
61. Page 111, lines 9-21--plaintiff objection GRANTED (out)
62. Page 113, lines 6-9--plaintiff objection DENIED (in)
63. Page 113, lines 16-25--plaintiff objection DENIED (in)
64. Page 114, lines 1-4--plaintiff objection DENIED (in)
65. Page 115, lines 11-12--plaintiff objection GRANTED (out)
66. Page 115, lines 15-19--plaintiff objection GRANTED (out)
67. Page 115, lines 24-25--plaintiff objection GRANTED (out)
68. Page 116, lines 1-3--plaintiff objection GRANTED (out)
69. Page 117, lines 3-11--defendant objection GRANTED (out)
70. Page 117, lines 18-25--plaintiff objection GRANTED (out)
71. Page 118, lines 1-3--plaintiff objection GRANTED (out)
72. Page 118, lines 11-12--plaintiff objection GRANTED (out)
73. Page 118, 20-25--plaintiff objection GRANTED (out)
74. Page 119, lines 1-21--plaintiff objection GRANTED (out)

75. Page 120, lines 1-2--plaintiff objection GRANTED (out)
76. Page 123, line 12 through page 127, line 18--defendant objection GRANTED (out)
77. Page 124, lines 13-14--plaintiff objection GRANTED (out)
78. Page 126, lines 10-15--plaintiff objection GRANTED (out)
79. Page 127--lines 19-22--plaintiff objection DENIED (in)
80. Page 128, lines 12-20--defendant objection GRANTED (out)
81. Page 129, lines 9-15--plaintiff objection DENIED (in)
82. Page 130, lines 12-17--plaintiff objection DENIED (in)
83. Page 129, line 25 through page 130, line 11--defendant objection GRANTED in part, DENIED in part (page 129, line 25 in; page 130, lines 1-4 in; page 130, lines 5-11 out)
84. Page 131, lines 7-21--plaintiff objection DENIED (in)

THUS DONE and SIGNED on this 1st day of April, 2015.

A handwritten signature in black ink, appearing to read "R. T. Haik", is written over a horizontal line.

RICHARD T. HAIK, SR., DISTRICT JUDGE