

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

IRMA MARTINEZ, FELIPE MARTINEZ,  
LARRY MUNN, JOSE PRIETO, and  
LEE HUNT, as Personal Representative of  
the Estate of ABEL PORTILLO, Deceased,

Plaintiffs,

v.

No. 1:17-cv-00922-KWR-JFR

CONTINENTAL TIRE THE AMERICAS,  
LLC, an Ohio Limited Liability Company,

Defendant.

**ORDER REGARDING OBJECTIONS AND PROPOSED  
CORRECTIONS TO THE COURT'S FINAL EXHIBIT LIST**

**THIS MATTER** came before the Court on *Plaintiffs' Amended Objections/Proposed Corrections to the Court's Final Exhibit List [Doc. 716] (Doc. 733)* and *Defendant's Proposed Corrections to the Court's Final Trial Exhibit List (Doc. 734)*. The Court having reviewed and taken under advisement counsel's proposed corrections and objections regarding the Court's Final Exhibit List (**Doc. 716**) and having prepared its own Exhibit Reconciliation List (attached to this Order as "Exhibit A"),

**HEREBY FINDS AND ORDERS THAT** its Exhibit Reconciliation List is **HEREBY ADOPTED** as an Order of the Court.

**IT IS FURTHER ORDERED THAT** the Court **SHALL ENTER** its amended final exhibit list which reflects these amendments.

**IT IS SO ORDERED.**



**KEA W. RIGGS  
UNITED STATES DISTRICT JUDGE**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

IRMA MARTINEZ, FELIPE MARTINEZ,  
LARRY MUNN, JOSE PRIETO, and LEE HUNT,  
as Personal Representative  
of the Estate of ABEL PORTILLO, deceased,

Plaintiffs,

vs.

No. 1:17-cv-00922-KWR-JFR

CONTINENTAL TIRE THE AMERICAS, LLC,  
an Ohio Limited Liability Company,

Defendant.

**EXHIBIT RECONCILIATION LIST**

**Plaintiff's Amended Objections and Proposed Corrections**

<b>EXHIBIT</b>	<b>OUTCOME OF EXHIBIT RECONCILIATION</b>
Pltf 4c	This exhibit was referenced as admitted on <b>July 18, 2022</b> , but there is no record of it being admitted in the transcript summary of admitted exhibits. Counsel stipulated to its admissibility but neither counsel formally moved for admission of the exhibit in open court. <b>No correction shall be made.</b> <b>(See Transcript of Trial Proceedings, Vol. 1 (Doc. 711), Page 124, Line 14 to Page 125, Line 1).</b>
Pltf 4d	This exhibit was briefly referred to during trial on <b>July 19, 2022</b> , but neither counsel formally moved for its admission in open court and there is no record of it being admitted in the transcript summary of admitted exhibits. <b>No correction shall be made.</b> <b>(See Transcript of Trial Proceedings, Vol. 1 (Doc. 711), Page 127, Lines 10-11).</b>
Pltf 5d	This exhibit was shown during trial on <b>July 18, 2022</b> , but not admitted. This will be corrected on the Court's Amended Final Exhibit List. <b>A correction shall be made.</b> <b>(See Transcript of Trial Proceedings, Vol. 1 (Doc. 711), Page 83, Line 17).</b>
Pltf 7	This exhibit was offered during trial on <b>July 19, 2022</b> , but the Court sustained objections and this exhibit was not admitted. <b>A correction shall be made.</b> <b>(See Transcript of Trial Proceedings, Vol. 2 (Doc. 712), Page 402, Line 17 to Page 403, Line 4).</b>
Pltf 50bb	This exhibit was admitted correctly. The duplicate entry will be removed. <b>A correction shall be made.</b>
Pltf 50cc	This exhibit was admitted correctly. The duplicate entry will be removed. <b>A correction shall be made.</b>

Pltf 61a-f	These exhibits were offered during trial on <b>July 20, 2022</b> , but the Court sustained objections and these exhibits were not admitted. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 3 (Doc. 713), Page 613, Line 5 to Page 614, Line 17).
Def 1001a	This exhibit was first shown and offered during trial on <b>July 18, 2022</b> , and referred to as admitted by counsel, but counsel formally moved for its admission in open court on <b>July 19, 2022</b> , by stipulation. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 2 (Doc. 712), Page 318, Line 17 to Page 319, Line 2). -and- (See Transcript of Trial Proceedings, Vol. 8 (Doc. 726), Page 1871, Line 14 to Page 1872, Line 2).
Def 1179-1188	These exhibits were admitted as Plaintiff's consolidated exhibit, Exhibit 11c on <b>July 19, 2022</b> . <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 2 (Doc. 712), Page 394, Line 20 to Page 396, Line 22).
Def 1191, p. 5	This exhibit was offered and admitted during trial on <b>July 27, 2022</b> . The 'admitted' column was missing a check mark which has been corrected; all other information was correctly listed on the Court's Final Exhibit List. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 8 (Doc. 725), Page 1600, Lines 3-10).
Def 1286	This exhibit was offered during trial on <b>July 19, 2022</b> , but the Court sustained objections and it was not admitted. The exhibit was noted as 'admitted' on the Court's Final Exhibit List incorrectly. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 2 (Doc. 712), Page 316, Line 11).
Def 1316	This exhibit was offered during trial on <b>July 19, 2022</b> , but the Court sustained objections and it was not admitted. The exhibit was noted as 'admitted' on the Court's Final Exhibit List incorrectly. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 2 (Doc. 712), Page 317, Lines 3-10).
Def 1344	This exhibit was referred to during trial on <b>July 19, 2022</b> , but was not admitted. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 6 (Doc. 723), Page 1211, Lines 16-17 and Page 1235, Lines 22-23).
Def 1360	This exhibit was referred to and offered during trial on <b>July 26, 2022</b> , but only page 60 was admitted. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 7 (Doc. 724), Page 1413, Lines 8-14).
Def 1376	This exhibit was referred to during trial on <b>July 25, 2022</b> , but was not admitted. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 6 (Doc. 723), Page 1252, Lines 4-5).
Def 1377	This exhibit was referred to during trial on <b>July 25, 2022</b> , but was not admitted. <b>A correction shall be made.</b>

	(See Transcript of Trial Proceedings, Vol. 6 (Doc. 723), Page 1252, Lines 13-14).
Def 1502	This exhibit was referred to during trial on <b>July 25, 2022</b> , but was not admitted. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 7 (Doc. 724), Page 1444, Line 4).
Def 1562	Exhibit was referred to during trial on <b>July 25, 2022</b> , with pps. 181-182, 184-185, and 291 being admitted. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 2 (Doc. 712), Page 317, Line 24 to Page 318, Line 4).

### Defendant's Objections and Proposed Corrections

Pltf 5d	This exhibit was shown during trial on <b>July 18, 2022</b> , but not admitted. This will be corrected on the Court's Amended Final Exhibit List. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 1 (Doc. 711), Page 83, Line 17).
Pltf 7	This exhibit was offered during trial on <b>July 19, 2022</b> , but the Court sustained objections and this exhibit was not admitted. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 2 (Doc. 712), Page 402, Line 17 to Page 403, Line 4).
Pltf 9c	This exhibit was offered during trial on <b>July 27, 2022</b> , and consolidated into a brand-new exhibit, Exhibit 81. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 8 (Doc. 725), Page 1645, Lines 13-22).
Pltf 23	Defense counsel objected to the admission of this exhibit stating that it was never admitted. The exhibit was introduced, offered, and admitted into evidence during trial on <b>July 19, 2022</b> . <b>No correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 2 (Doc. 712), Page 394, Line 8 to Page 394, Line 19).
Pltf 49t	This exhibit was discussed during trial on <b>July 28, 2022</b> , but was not admitted. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 9 (Doc. 726), Page 1869, Line 12 to Page 1870, Line 6).
Pltf 49v	This exhibit was discussed during trial on <b>July 28, 2022</b> , but was not admitted. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 9 (Doc. 726), Page 1869, Line 12 to Page 1870, Line 6).
Pltf 49w	This exhibit was discussed during trial on <b>July 28, 2022</b> , but was not admitted. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 9 (Doc. 726), Page 1869, Line 12 to Page 1870, Line 6).
Def 1004	This exhibit was discussed during trial on <b>July 18, 2022</b> , but was not admitted. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 1 (Doc. 711), Page 146, Line 6).
Def 1019	This exhibit was listed correctly on the Court's Final Exhibit List. Counsel stated that Exhibit 1019a was omitted but there is no Exhibit 1019a. <b>No correction shall be made.</b>

	(See Transcript of Trial Proceedings, Vol. 8 (Doc. 725), Page 1598, Lines 14-17).
Def 1179-1188	These exhibits were admitted as Plaintiff's consolidated exhibit, Exhibit 11c on <b>July 19, 2022. A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 2 (Doc. 712), Page 394, Line 20 to Page 396, Line 22).
Def 1192, pg. 6	This exhibit was offered during trial on <b>July 27, 2022</b> , and admitted. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 8 (Doc. 725), Page 1599, Lines 13-22).
Def 1270, pps. 48, 57, 67, 108, and 112	This exhibit was offered during trial on <b>July 28, 2022</b> , and admitted. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 9 (Doc. 726), Page 1700, Lines 25 to Page 1701, Line 5.; Page 1706, Lines 2-8; Page 1748, Lines 15-21).
Def 1286	This exhibit was offered during trial on <b>July 19, 2022</b> , but the Court sustained objections and it was not admitted. The exhibit was noted as 'admitted' on the Court's Final Exhibit List incorrectly. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 2 (Doc. 712), Page 316, Line 11).
Def 1316	This exhibit was offered during trial on <b>July 19, 2022</b> , but the Court sustained objections and it was not admitted. The exhibit was noted as 'admitted' on the Court's Final Exhibit List incorrectly. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 2 (Doc. 712), Page 317, Lines 3-10).
Def 1344	This exhibit was referred to during trial on <b>July 19, 2022</b> , but was not admitted. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 6 (Doc. 723), Page 1211, Lines 16-17 and Page 1235, Lines 22-23).
Def 1377	This exhibit was referred to during trial on <b>July 25, 2022</b> , but was not admitted. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 6 (Doc. 723), Page 1252, Lines 13-14).
Deft 1580	This exhibit was offered during trial on <b>July 28, 2022</b> , and admitted. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 9 (Doc. 726), Page 1701, Lines 6-12).
Deft 1581	This exhibit was offered during trial on <b>July 28, 2022</b> , and admitted. <b>A correction shall be made.</b> (See Transcript of Trial Proceedings, Vol. 9 (Doc. 726), Page 1701, Lines 6-12).