

Bard's Corrected and Revised Objections and Counter-Designations to AngioDynamics' 9/13/2022 Affirmative Designations

Name of Deponent	Date of Testimony	AngioDynamics' Affirmative Designations	Bard's Objections to Affirmative Designations	Bard's Counter-Designations	Court's Ruling
Ingold, Jack	May 17, 2022	198:1 – 198:13			
Ingold, Jack	May 17, 2022	354:20-355:13		355:14-21	
Ingold, Jack	May 17, 2022	357:17-357:22	Vague, lacks foundation		Overruled
Ingold, Jack	May 17, 2022	358:2-358:3			
Ingold, Jack	May 17, 2022	358:5-358:9			
Ingold, Jack	May 17, 2022	358:12-358:17			
Ingold, Jack	May 17, 2022	358:19-359:9			
Ingold, Jack	May 17, 2022	359:10-359:15	Cumulative; asked and answered.		Overruled
Ingold, Jack	May 17, 2022	359:18-360:3	Cumulative; asked and answered.		Overruled
Ingold, Jack	May 17, 2022	360:5-360:20	Cumulative		Sustained
Ingold, Jack	May 17, 2022	360:21-361:3	Cumulative		Sustained
Ingold, Jack	May 17, 2022	361:6-361:9	Cumulative		Sustained
Ingold, Jack	May 17, 2022	361:11-361:15	Leading; misleading the jury		Sustained
Ingold, Jack	May 17, 2022	361:17-361:20			
Ingold, Jack	May 17, 2022	361:22-362:5			
Ingold, Jack	May 17, 2022	362:7-362:7	Leading; misleading the jury		Sustained (remove question above as well)
Ingold, Jack	May 17, 2022	362:9-363:19	Objection to 362:9-20 - Leading; misleading the jury		Sustained
Ingold, Jack	May 17, 2022	363:20-364:19			
Ingold, Jack	May 17, 2022	364:20-364:21			
Ingold, Jack	May 17, 2022	365:2-365:16			
Ingold, Jack	May 17, 2022	365:18-365:21	Foundation		Overruled
Ingold, Jack	May 17, 2022	366:2-366:2	Foundation		Overruled
Ingold, Jack	May 17, 2022	366:4-366:6	Foundation		Overruled
Ingold, Jack	May 17, 2022	366:10-366:15	Foundation		Overruled
Ingold, Jack	May 17, 2022	366:20-367:18			
Ingold, Jack	May 17, 2022	367:19-368:11	Foundation; hearsay		Sustained
Ingold, Jack	May 17, 2022	368:12-368:21	Foundation; hearsay		Sustained
Ingold, Jack	May 17, 2022	369:2-369:4			
Ingold, Jack	May 17, 2022	369:6-369:9	Foundation; hearsay		Sustained
Kokotis, Kathy	January 10, 2020	4:19 -4:21			
Kokotis, Kathy	January 10, 2020	12:3 -12:23			

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Kokotis, Kathy	January 10, 2020	45:15 -46:11	Bard Obj. to P-217, 401/402 - Relevance (AngioDynamics argues relevant to product differentiation and motive; no evidence that any product differentiation based on coatings were relevant to Bard's motivation for its TLS policy), 801/802 - Hearsay, 611 (foundation)		Overruled
Kokotis, Kathy	January 10, 2020	47:22 -47:25	Bard Obj. to P-217, Bard Obj. to Angio Affirm. 47:22 -47:25, 48:2 -48:7, 48:10 -48:11, 401/402 Relevance (AngioDynamics argues relevant to product differentiation and motive; no evidence that any product differentiation based on coatings were relevant to Bard's motivation for its TLS policy), 611 (lacks foundation), 801/802 (hearsay)	189:14-189:25, 190:3-190:16, 190:18-190:25, 191:2-191:6, 191:8-191:10	Sustained (hearsay)
Kokotis, Kathy	January 10, 2020	48:2 -48:7	Bard Obj. to P-217, Bard Obj. to Angio Affirm. 47:22 -47:25, 48:2 -48:7, 48:10 -48:11, 401/402 Relevance (AngioDynamics argues relevant to product differentiation and motive; no evidence that any product differentiation based on coatings were relevant to Bard's motivation for its TLS policy), 611 (lacks foundation), 801/802 (hearsay)	189:14-189:25, 190:3-190:16, 190:18-190:25, 191:2-191:6, 191:8-191:10	Overruled
Kokotis, Kathy	January 10, 2020	48:10 -48:11	Bard Obj. to P-217, Bard Obj. to Angio Affirm. 47:22 -47:25, 48:2 -48:7, 48:10 -48:11, 401/402 Relevance (AngioDynamics argues relevant to product differentiation and motive; no evidence that any product differentiation based on coatings were relevant to Bard's motivation for its TLS policy), 611 (lacks foundation), 801/802 (hearsay)	189:14-189:25, 190:3-190:16, 190:18-190:25, 191:2-191:6, 191:8-191:10	Overruled
Kokotis, Kathy	January 10, 2020	49:3 -49:7	Bard Obj. to P-217, Bard Obj. to Angio Affirm 49:3-7 - 401/402 - Relevance (AngioDynamics argues relevant to product differentiation and motive; no evidence that any product differentiation based on coatings were relevant to Bard's motivation for its TLS policy), 403 (prejudice, confusion)	49:23-49:24, 50:2-50:11	Sustained

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Kokotis, Kathy	January 10, 2020	50:12 -50:25	Bard Obj. to P-217, Bard Obj. to Angio Affirm. 50:12-51:2, 401/402 - Relevance (AngioDynamics argues relevant to product differentiation and motive; no evidence that any product differentiation based on coatings were relevant to Bard's motivation for its TLS policy), 403 (prejudice, confusion), 611 (lacks foundation)		Overruled
Kokotis, Kathy	January 10, 2020	51:2 -51:15	Bard Obj. to P-217, Bard Obj. to Angio Affirm. 51:3-15, 401/402 - Relevance (AngioDynamics argues relevant to product differentiation and motive; no evidence that any product differentiation based on coatings were relevant to Bard's motivation for its TLS policy), 403 (prejudice, confusion)		Overruled
Kokotis, Kathy	January 10, 2020	53:8 -53:25	Bard Obj. to P-217, Bard Obj. to Angio Affirm. 53:8 -53:25, 54:2 -54:13, 401/402 - Relevance (AngioDynamics argues relevant to product differentiation and motive; no evidence that any product differentiation based on coatings were relevant to Bard's motivation for its TLS policy), 403 (prejudice, confusion)	54:14-54:15, 54:17-54:17	Overruled
Kokotis, Kathy	January 10, 2020	54:2 -54:13	Bard Obj. to P-217, Bard Obj. to Angio Affirm. 53:8 -53:25, 54:2 -54:13, 401/402 - Relevance (AngioDynamics argues relevant to product differentiation and motive; no evidence that any product differentiation based on coatings were relevant to Bard's motivation for its TLS policy), 403 (prejudice, confusion)		Overruled
Kokotis, Kathy	January 10, 2020	54:18 -54:25	Bard Obj. to P-217, Bard Obj. to Angio Affirm. 54:18 -54:25, 55:2 -55:13, 401/402 - Relevance (AngioDynamics argues relevant to product differentiation and motive; no evidence that any product differentiation based on coatings were relevant to Bard's motivation for its TLS policy), 403 (prejudice, confusion), 611 (lacks foundation)		Overruled

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Kokotis, Kathy	January 10, 2020	55:2 -55:13	Bard Obj. to P-217, Bard Obj. to Angio Affirm. 54:18 -54:25, 55:2 -55:13, 401/402 - Relevance (AngioDynamics argues relevant to product differentiation and motive; no evidence that any product differentiation based on coatings were relevant to Bard's motivation for its TLS policy), 403 (prejudice, confusion), 611 (lacks foundation)		Overruled
Kokotis, Kathy	January 10, 2020	56:16 -56:25	Bard Obj. to P-117, 401/402 - Relevance, 403 - Confusing/Prejudicial		Overruled
Kokotis, Kathy	January 10, 2020	57:2 -57:25	Bard Obj. to P-117, 401/402 - Relevance, 403 - Confusing/Prejudicial		Overruled
Kokotis, Kathy	January 10, 2020	58:2 -58:11	Bard Obj. to P-117, Bard Obj. to Angio Affirm. 58:2-11, 401/402 - Relevance, 403 (prejudice, confusion), 611 (vague)		Sustained
Kokotis, Kathy	January 10, 2020	58:12 -58:25	Bard Obj. to P-117, Bard Obj. to Angio Affirm. 58:12 -58:25, 59:2 -59:4, 401/402 - Relevance, 403 (prejudice, confusion), 602 (speculation), 611 (compound, vague)		Sustained
Kokotis, Kathy	January 10, 2020	59:2 -59:4	Bard Obj. to P-117, Bard Obj. to Angio Affirm. 58:12 -58:25, 59:2 -59:4, 401/402 - Relevance, 403 (prejudice, confusion), 602 (speculation), 611 (compound, vague)		Sustained
Kokotis, Kathy	January 10, 2020	59:5 -59:10	Bard Obj. to P-117, Bard Obj. to Angio Affirm. 59:5-10, 401/402 - Relevance, 403 (prejudice, confusion), 611 (vague, lacks foundation)		Sustained
Kokotis, Kathy	January 10, 2020	59:11 -59:12	Bard Obj. to P-117, Bard Obj. to Angio Affirm. 59:11-59:12, 59:14 -59:20, 59:24 -59:25, 60:2 -60:8, 60:23 -60:25, 61:3 -61:17, 401/402 - Relevance, 403 (prejudice), 611 (vague, lacks foundation)		Sustained
Kokotis, Kathy	January 10, 2020	59:14 -59:20	Bard Obj. to P-117, Bard Obj. to Angio Affirm. 59:11-59:12, 59:14 -59:20, 59:24 -59:25, 60:2 -60:8, 60:23 -60:25, 61:3 -61:17, 401/402 - Relevance, 403 (prejudice), 611 (vague, lacks foundation)		Sustained


Name of Deponent	Date of Testimony	AngioDynamics' Affirmative Designations	Bard's Objections to Affirmative Designations	Bard's Counter-Designations	Court's Ruling
Kokotis, Kathy	January 10, 2020	59:24 -59:25	Bard Obj. to P-117, Bard Obj. to Angio Affirm. 59:11-59:12, 59:14 -59:20, 59:24 -59:25, 60:2 -60:8, 60:23 -60:25, 61:3 -61:17, 401/402 - Relevance, 403 (prejudice), 611 (vague, lacks foundation)		Sustained
Kokotis, Kathy	January 10, 2020	60:2 -60:8	Bard Obj. to P-117, Bard Obj. to Angio Affirm. 59:11-59:12, 59:14 -59:20, 59:24 -59:25, 60:2 -60:8, 60:23 -60:25, 61:3 -61:17, 401/402 - Relevance, 403 (prejudice), 611 (vague, lacks foundation)		Sustained
Kokotis, Kathy	January 10, 2020	60:23 -60:25	Bard Obj. to P-117, Bard Obj. to Angio Affirm. 59:11-59:12, 59:14 -59:20, 59:24 -59:25, 60:2 -60:8, 60:23 -60:25, 61:3 -61:17, 401/402 - Relevance, 403 (prejudice), 611 (vague, lacks foundation)		Sustained
Kokotis, Kathy	January 10, 2020	61:3 -61:17	Bard Obj. to P-117, Bard Obj. to Angio Affirm. 59:11-59:12, 59:14 -59:20, 59:24 -59:25, 60:2 -60:8, 60:23 -60:25, 61:3 -61:17, 401/402 - Relevance, 403 (prejudice), 611 (vague, lacks foundation)		Sustained
Kokotis, Kathy	January 10, 2020	61:18 -62:5	Bard Obj. to P-117, Bard Obj. to Angio Affirm. 61:18-62:5, 401/402 (relevance), 403 (prejudice, confusion)		Sustained
Kokotis, Kathy	January 10, 2020	62:6 -62:17	Bard Obj. to P-117, Bard Obj. to Angio Affirm. 62:6-17, 401/402 (relevance), 403 (prejudice, confusion)		Overruled
Kokotis, Kathy	January 10, 2020	63:6 -63:14	Bard Obj. to P-117, Bard Obj. to Angio Affirm. 63:6-63:14, 401/402 (relevance), 403 (prejudice, confusion), 602 (misstates prior testimony)		Sustained
Kokotis, Kathy	January 10, 2020	63:15 -63:25	Bard Obj. to P-117, Bard Obj. to Angio Affirm. 63:15 -63:25, 64:2 -64:3, 401/402 (relevance), 403 (prejudice, confusion)		Sustained
Kokotis, Kathy	January 10, 2020	64:2 -64:3	Bard Obj. to P-117, Bard Obj. to Angio Affirm. 63:15 -63:25, 64:2 -64:3, 401/402 (relevance), 403 (prejudice, confusion)		Sustained

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Kokotis, Kathy	January 10, 2020	65:3 -65:15	Bard Obj. to P-117, Bard Obj. to Angio Affirm. 63:15 -63:25, 64:2 -64:3, 401/402 (relevance), 403 (prejudice, confusion)		Overruled
Kokotis, Kathy	January 10, 2020	72:9 -72:12	Bard Obj. to P-117, Bard Obj. to Angio Affirm. 63:15 -63:25, 64:2 -64:3, 401/402 (relevance), 403 (prejudice, confusion), 602 (speculation)		Overruled
Kokotis, Kathy	January 10, 2020	72:13 -72:21	Bard Obj. to Angio Affirm. 72:13-73:10, 72:23 -73:3, 403 (prejudice, confusion), 602 (speculation)		Sustained
Kokotis, Kathy	January 10, 2020	72:23 -73:3	Bard Obj. to Angio Affirm. 72:13-73:10, 72:23 -73:3, 403 (prejudice, confusion), 602 (speculation)		Sustained
Kokotis, Kathy	January 10, 2020	150:13 -150:16	Bard Obj. to Angio Affirm. 150:13-150:16, 150:18-150:25, 151:2-151:17, 401/402 (relevance), 602 (speculation, assumes facts not in evidence), 611 (lacks foundation)		Overruled
Kokotis, Kathy	January 10, 2020	150:18 -150:25	Bard Obj. to Angio Affirm. 150:13-150:16, 150:18-150:25, 151:2-151:17, 401/402 (relevance), 602 (speculation, assumes facts not in evidence), 611 (lacks foundation)	150:4-150:12	Overruled
Kokotis, Kathy	January 10, 2020	151:2 -151:17	Bard Obj. to Angio Affirm. 150:13-150:16, 150:18-150:25, 151:2-151:17, 401/402 (relevance), 602 (speculation, assumes facts not in evidence), 611 (lacks foundation)	150:4-150:12	Overruled
Patil, Nitin	April 19, 2022	5:3-5:5			
Patil, Nitin	April 19, 2022	25:2-25:12			
Patil, Nitin	April 19, 2022	52:12-52:14			
Patil, Nitin	April 19, 2022	52:16-52:25			
Patil, Nitin	April 19, 2022	53:2-53:14			
Patil, Nitin	April 19, 2022	60:15-60:19	misstates testimony	59:25-60:14	Overruled
Patil, Nitin	April 19, 2022	60:21-61:2			
Patil, Nitin	April 19, 2022	101:11-102:14	misstates testimony, assumes facts	101:7-9, 102:15-19, 102:22	Overruled, but incomplete designation (missing question or should start on line 12)

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Patil, Nitin	April 19, 2022	103:24-104:13			
Patil, Nitin	April 19, 2022	107:16-109:13		109:20-22, 109:24-110:2	
Patil, Nitin	April 19, 2022	122:23-123:10	testimony discusses exhibit not introduced in deposition designations		Sustained
Patil, Nitin	April 19, 2022	125:15-125:21		125:22-25	
Patil, Nitin	April 19, 2022	126:4-126:14			
Patil, Nitin	April 19, 2022	126:18-127:5	misstates document		Overruled
Patil, Nitin	April 19, 2022	127:7-127:7	misstates document		Overruled
Patil, Nitin	April 19, 2022	129:9-129:16			
Patil, Nitin	April 19, 2022	132:17-133:7			
Patil, Nitin	April 19, 2022	133:9-134:9			
Patil, Nitin	April 19, 2022	140:20-140:24	speculation, improper hypothetical		Sustained
Patil, Nitin	April 19, 2022	141:3-141:14	speculation, improper hypothetical		Sustained
Patil, Nitin	April 19, 2022	142:2-142:9			
Patil, Nitin	April 19, 2022	153:15-154:7			
Patil, Nitin	April 19, 2022	156:10-156:14			
Patil, Nitin	April 19, 2022	163:3-163:10	vague, misstates testimony		Overruled
Patil, Nitin	April 19, 2022	167:6-167:16	vague, misstates testimony		Overruled
Patil, Nitin	April 19, 2022	200:22-201:10	vague, misstates testimony		Overruled
Patil, Nitin	April 19, 2022	201:13-201:16			
Patil, Nitin	April 19, 2022	201:18-201:23			
Patil, Nitin	April 19, 2022	202:8-202:15			
Patil, Nitin	April 19, 2022	215:4-215:7			
Patil, Nitin	April 19, 2022	217:17-217:19			
Patil, Nitin	April 19, 2022	220:7-220:10	speculation		Sustained
Patil, Nitin	April 19, 2022	220:13-220:17	speculation		Sustained as to 220:13
Patil, Nitin	April 19, 2022	220:19-220:19	speculation		Overruled
Patil, Nitin	April 19, 2022	223:9-223:13	P-223 - 801/802 - Hearsay (e.g., page 3-4, "Spent about 45 minutes on the phone with Mark on Wednesday..."; page 2, "As I recalle there was an 'Allegation' of an air embolism..."; page 1, "Anectodately, we are told..."401/402 - Relevance; 403 - Waste of Tlme/Confusion		Overruled
Patil, Nitin	April 19, 2022	228:4-228:12	speculation, misstates document		Sustained as to 228:8-12
Patil, Nitin	April 19, 2022	230:11-231:6			

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Patil, Nitin	April 19, 2022	232:2-232:14	misstates document, misstates testimony		Overruled
Patil, Nitin	April 19, 2022	237:21-237:25	speculation	237:6-20, 238:2-17	Overruled
Patil, Nitin	April 19, 2022	239:6-239:10	speculation		Overruled
Patil, Nitin	April 19, 2022	239:14-239:18			
Patil, Nitin	April 19, 2022	245:25-246:22			
Patil, Nitin	April 19, 2022	255:13-255:17			
Patil, Nitin	April 19, 2022	255:19-255:20			
Patil, Nitin	April 19, 2022	256:15-256:17			
Patil, Nitin	April 19, 2022	258:13-258:20			
Patil, Nitin	April 19, 2022	258:22-258:23			
Patil, Nitin	April 19, 2022	259:5-259:6			
Patil, Nitin	April 19, 2022	259:9-259:25			
Patil, Nitin	April 19, 2022	263:6-263:21	speculation		Overruled
Patil, Nitin	April 19, 2022	269:9-270:11		270:12-271:3	
Patil, Nitin	April 19, 2022	273:11-274:12			
Patil, Nitin	April 19, 2022	277:6-277:9			
Patil, Nitin	April 19, 2022	281:4-281:17	beyond geographic scope ("all over the world")		Sustained
Patil, Nitin	April 19, 2022	288:13-289:16	403 - prejudicial, 401/402 - irrelevant, violates assurance that designations would be "targeted to elements of AngioDynamics' case" (ECF 356)	287:21-288:6, 289:21-290:3	Sustained

Dated: September 22, 2022


Brenda K. Sannes
Chief U.S. District Judge