

AngioDynamics' Responses to Bard's Affirmative Deposition Designations (ECF #417)

Name of Deponent	Date of Testimony	Affirmative Page From	Affirmative Line From	Affirmative Page To	Affirmative Line To	AngioDynamics' Objections to Affirmative Designations	AngioDynamics' Counter-Designations	Court's Ruling
Aldrich, Thomas	December 5, 2019	7	8	7	9			
Aldrich, Thomas	December 5, 2019	9	2	9	10			
Aldrich, Thomas	December 5, 2019	12	12	12	14			
Aldrich, Thomas	December 5, 2019	25	6	25	10	403/Cumulative (Morpheus recall)	83:11-84:2	Sustained
Aldrich, Thomas	December 5, 2019	26	11	26	15	403/Cumulative (Morpheus recall)	83:11-84:2	Overruled
Aldrich, Thomas	December 5, 2019	51	25	52	14	403/Cumulative (Morpheus recall)	51:20-24; 83:11-84:2	Sustained
Aldrich, Thomas	December 5, 2019	65	6	66	5	403/Cumulative (Morpheus recall)	83:11-84:2	Sustained
Aldrich, Thomas	December 5, 2019	66	24	67	11	403/Cumulative & Prejudicial - the testimony relates to loss of business not specific to PICCs and without reference to type of PICC and relevance is substantially outweighed by prejudice and juror confusion; 76:11-77:3 below is specific to BioFlo PICC	67:12-14; 83:11-84:1	Overruled
Aldrich, Thomas	December 5, 2019	67	15	67	20	403/Cumulative & Prejudicial - the testimony relates to loss of business not specific to PICCs and without reference to type of PICC and relevance is substantially outweighed by prejudice and juror confusion; 76:11-77:3 below is specific to BioFlo PICC	83:11-84:2	Overruled
Aldrich, Thomas	December 5, 2019	69	14	70	17	403/Cumulative & Prejudicial - the testimony relates to loss of business not specific to PICCs and without reference to type of PICC and relevance is substantially outweighed by prejudice and juror confusion; 76:11-77:3 below is specific to BioFlo PICC	83:11-84:1	Sustained as to 70:16-70:17 and otherwise overruled
Aldrich, Thomas	December 5, 2019	70	19	71	6	403/Cumulative & Prejudicial - the testimony relates to loss of business not specific to PICCs and without reference to type of PICC and relevance is substantially outweighed by prejudice and juror confusion; 76:11-77:3 below is specific to BioFlo PICC	83:11-84:2	Sustained
Aldrich, Thomas	December 5, 2019	71	8	71	20	403/Cumulative & Prejudicial - the testimony relates to loss of business not specific to PICCs and without reference to type of PICC and relevance is substantially outweighed by prejudice and juror confusion; 76:11-77:3 below is specific to BioFlo PICC	83:11-84:2	Sustained

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Aldrich, Thomas	December 5, 2019	76	11	76	23			
Aldrich, Thomas	December 5, 2019	76	24	77	3			
Aldrich, Thomas	December 5, 2019	84	19	84	22		83:11-84:2	
Aldrich, Thomas	December 5, 2019	85	8	85	21		83:11-84:2;88:17-89:13	
Aldrich, Thomas	December 5, 2019	86	22	87	13		83:11-84:1; 88:17-89:13	
Aldrich, Thomas	December 5, 2019	87	17	88	16		83:11-84:1; 88:17-89:13	
Aldrich, Thomas	December 5, 2019	90	9	91	23		83:11-84:2;88:17-89:13	
Aldrich, Thomas	December 5, 2019	96	17	97	20	Document discussed is not on Bard's Exhibit		Sustained
Aldrich, Thomas	December 5, 2019	101	11	101	20	Document discussed is not on Bard's Exhibit		Overruled (exhibit D-85)
Aldrich, Thomas	December 5, 2019	102	14	102	25	Document discussed is not on Bard's Exhibit		Overruled
Aldrich, Thomas	December 5, 2019	105	2	106	12	Document discussed is not on Bard's Exhibit	106:18-107:14	Overruled
Aldrich, Thomas	December 5, 2019	107	15	108	3	Document discussed is not on Bard's Exhibit		Overruled
Aldrich, Thomas	December 5, 2019	108	8	109	4	Document discussed is not on Bard's Exhibit		Overruled
Aldrich, Thomas	December 5, 2019	109	24	110	20	403/Cumulative (Morpheus recall); Morpheus is not part of damages and the amount of lost Morpheus revenue is irrelevant and confusing		Overruled
Aldrich, Thomas	December 5, 2019	111	24	112	4	403/Cumulative (Morpheus recall); Morpheus is not part of damages and the amount of lost Morpheus revenue is irrelevant and confusing	112:5-10	Overruled
Aldrich, Thomas	December 5, 2019	114	4	115	10	403/Cumulative (Morpheus recall); Morpheus is not part of damages and the amount of lost Morpheus revenue is irrelevant and confusing	115:24-116:13; 116:15-17; 116:19-20	Overruled
Aldrich, Thomas	December 5, 2019	117	22	118	10	403/Cumulative (Morpheus recall); Morpheus is not part of damages and the amount of lost Morpheus revenue is irrelevant and confusing		Overruled
Aldrich, Thomas	December 5, 2019	118	12	119	16	403/Cumulative (Morpheus recall); Morpheus is not part of damages and the amount of lost Morpheus revenue is irrelevant and confusing		Overruled
Aldrich, Thomas	December 5, 2019	120	3	122	12			
Aldrich, Thomas	December 5, 2019	122	20	122	24			
Aldrich, Thomas	December 5, 2019	123	5	123	8		74:5-19; 123:22-124:17	
Aldrich, Thomas	December 5, 2019	131	13	132	15			
Aldrich, Thomas	December 5, 2019	132	19	133	5			
Aldrich, Thomas	December 5, 2019	135	19	136	17			
Aldrich, Thomas	December 5, 2019	139	6	139	13			
Aldrich, Thomas	December 5, 2019	140	3	140	8			

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Aldrich, Thomas	December 5, 2019	140	17	141	10	141:3-10: designation is misleading because it refers to "all the hospitals" in the email and not all the hospitals are included or identified in the prior designations and witness also says he does not know whether any are lost customers	141:11-19	Overruled
Aldrich, Thomas	December 5, 2019	143	2	143	4			
Aldrich, Thomas	December 5, 2019	143	6	143	17			
Aldrich, Thomas	December 5, 2019	146	20	147	5	Obj. to Ex. D-075 see ECF #411; hearsay (no communication or representation of communication from hospital), 403/cumulative - reference to lack of navigation is minor to the		Overruled (relevant parts not hearsay)
Aldrich, Thomas	December 5, 2019	147	12	148	20	Obj. to D-075 as above		Overruled
Aldrich, Thomas	December 5, 2019	149	7	149	13	Obj. to D-075 as above	149:1-5	Overruled
Aldrich, Thomas	December 5, 2019	149	18	149	20	Obj. to D-075 as above		Overruled
Aldrich, Thomas	December 5, 2019	149	23	150	7	Obj. to D-075 as above		Overruled
Aldrich, Thomas	December 5, 2019	162	23	163	6		161:16-162:3; 163;22-164:4; 164:15-21	
Aldrich, Thomas	December 5, 2019	165	16	165	18		165:6-8; 165:10-13	
Aldrich, Thomas	December 5, 2019	165	20	166	2			
Aldrich, Thomas	December 5, 2019	166	4	166	6			
Aldrich, Thomas	December 5, 2019	186	24	187	7			
Aldrich, Thomas	December 5, 2019	188	4	188	13	Designation is unspecific as what "at the time" means.		Sustained
Aldrich, Thomas	December 5, 2019	189	3	189	9			
Aldrich, Thomas	December 5, 2019	194	12	195	23		202:1-203:17	
Aldrich, Thomas	December 5, 2019	224	6	224	15			
Aldrich, Thomas	December 5, 2019	229	8	229	17			
Aldrich, Thomas	December 5, 2019	233	2	233	12		235:25-236:23	
Aldrich, Thomas	December 5, 2019	233	14	233	14		235:25-236:23	
Aldrich, Thomas	December 5, 2019	237	25	238	7		237:20-24	
Aldrich, Thomas	December 5, 2019	238	9	239	16			
Aldrich, Thomas	December 5, 2019	240	9	241	18	241:9-18 403; see Obj. to Ex. D-036 at ECF #411; hearsay; 403		Sustained as to 240:9 - 241:10; Overruled as to the rest
Aldrich, Thomas	December 5, 2019	242	9	242	22	See Obj. to D-036 above		Overruled
Aldrich, Thomas	December 5, 2019	243	7	244	8	See Obj. to D-036 above	247:10-22	Overruled
Aldrich, Thomas	December 5, 2019	280	23	281	4			
Aldrich, Thomas	December 5, 2019	281	6	282	7			

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Aldrich, Thomas	December 5, 2019	288	5	288	23	Hearsay; see Obj. to Ex. D-175 at ECF #411; hearsay 403	289:10-290:3	Sustained (hearsay in D-175)
Aldrich, Thomas	December 5, 2019	291	25	292	17	See Obj. D-175 above		Sustained
Aldrich, Thomas	December 5, 2019	340	10	342	14	Hearsay, 403; see Obj. to D-199 at ECF #411; hearsay, 403		Overruled
Aldrich, Thomas	December 5, 2019	348	15	349	4			
Aldrich, Thomas	December 5, 2019	367	25	369	5			
Aldrich, Thomas	December 5, 2019	369	8	369	8	Designation is first line of an answer only		Sustained (first line of question only)
Aldrich, Thomas	December 5, 2019	369	22	370	10			
Aldrich, Thomas	December 5, 2019	370	12	370	24			
Aldrich, Thomas	December 5, 2019	371	3	371	3			
Aldrich, Thomas	December 5, 2019	371	5	372	2			
Aldrich, Thomas	December 5, 2019	378	25	379	9	378:25-379:5 appears to be incomplete designation; lacks any predicate		Overruled (complete with next designation)
Aldrich, Thomas	December 5, 2019	379	11	379	21			
Aldrich, Thomas	December 5, 2019	389	22	390	22	Hearsay; 403/cumulative; see Obj. to D-072 at ECF #411		Overruled (inquiry)
Aldrich, Thomas	December 5, 2019	391	14	393	5	Hearsay; 403/cumulative; see Obj. to D-072 at ECF #411		Overruled
Aldrich, Thomas	December 5, 2019	393	7	393	21	Hearsay; 403/cumulative; see Obj. to D-072 at ECF #411; hearsay, 403	416:16-417:7	Overruled
Aldrich, Thomas	December 5, 2019	395	13	396	4			
Aldrich, Thomas	December 5, 2019	397	23	398	3			
Aldrich, Thomas	December 5, 2019	399	4	399	24			
Aldrich, Thomas	February 27, 2020	407	18	408	5		408:6-18	
Chartrand, Brad	February 27, 2020	6	5	6	7			
Chartrand, Brad	February 27, 2020	12	9	12	15	Incomplete designation	12:16-20	Overruled
Chartrand, Brad	February 27, 2020	21	21	21	23			
Chartrand, Brad	February 27, 2020	22	11	22	15		22:18-23:2	
Chartrand, Brad	February 27, 2020	30	4	31	15			
Chartrand, Brad	February 27, 2020	55	11	55	23	Hearsay; 403/cumulative see Obj. to D-022 at ECF #411 re TLS- witness says statements in document are not from a customer 58:24-59:20		Overruled (relevant portion inquiry)
Chartrand, Brad	February 27, 2020	56	13	56	22	Hearsay; 403/cumulative see Obj. to D-022 at ECF #411 re TLS- witness says statements in document are not from a customer 58:24-59:20		Overruled

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Chartrand, Brad	February 27, 2020	57	4	58	4	Obj. to D-022 Hearsay; 403/cumulative re TLS-witness says statements in document are not from a customer 58:24-59:20		Overruled
Chartrand, Brad	February 27, 2020	60	11	60	18	Obj. to D-022 Hearsay; 403/cumulative re TLS-witness says statements in document are not from a customer 58:24-59:20		Overruled
Chartrand, Brad	February 27, 2020	62	11	62	14	Vague, compound, speculative		Sustained
Chartrand, Brad	February 27, 2020	62	16	62	19	Vague, compound, speculative		Sustained
Chartrand, Brad	February 27, 2020	66	13	66	19			
Chartrand, Brad	February 27, 2020	66	21	67	7	67:4-7 Compound, speculative, assumes facts		Overruled
Chartrand, Brad	February 27, 2020	67	9	67	11	67:9 Compound, speculative, assumes facts		Overruled
Chartrand, Brad	February 27, 2020	67	13	67	13			
Chartrand, Brad	February 27, 2020	70	2	70	4			
Chartrand, Brad	February 27, 2020	70	6	70	6			
Chartrand, Brad	February 27, 2020	72	19	72	21	Vague, compound, incomplete hypothetical		Sustained
Chartrand, Brad	February 27, 2020	72	23	72	23	Vague, compound, incomplete hypothetical		Sustained
Chartrand, Brad	February 27, 2020	72	25	73	16		73:17-74:1	
Chartrand, Brad	February 27, 2020	78	12	78	15			
Chartrand, Brad	February 27, 2020	78	17	78	18			
Chartrand, Brad	February 27, 2020	79	18	79	19			
Chartrand, Brad	February 27, 2020	79	21	80	6			
Chartrand, Brad	February 27, 2020	80	8	80	11			
Chartrand, Brad	February 27, 2020	80	13	80	20			
Chartrand, Brad	February 27, 2020	80	22	81	2			
Chartrand, Brad	February 27, 2020	81	13	81	15	Vague, speculative		Overruled
Chartrand, Brad	February 27, 2020	81	17	82	4	Vague, speculative		Overruled
Chartrand, Brad	February 27, 2020	95	21	96	24	403/cumulative see Obj. to D-049 at ECF # 411		Overruled
Chartrand, Brad	February 27, 2020	100	3	100	10	403/cumulative see Obj. to D-049 above		Overruled
Chartrand, Brad	February 27, 2020	100	20	100	22	403/cumulative see Obj. to D-049 above		Overruled
Chartrand, Brad	February 27, 2020	100	24	101	7	403/cumulative see Obj. to D-049 above		Overruled
Chartrand, Brad	February 27, 2020	101	9	101	11	403/cumulative see Obj. to D-049 above		Overruled
Chartrand, Brad	February 27, 2020	101	13	101	17	403/cumulative see Obj. to D-049 above		Overruled
Chartrand, Brad	February 27, 2020	101	19	101	20	403/cumulative see Obj. to D-049 above	101:21-102:9	Overruled
Chartrand, Brad	February 27, 2020	115	3	116	2	403; D-058 - see Obj. to D-058 at ECF # 411		Sustained
Chartrand, Brad	February 27, 2020	116	9	116	23	403, Obj. to D-058 above; 116:21-23 no foundation, speculation, compound		Sustained
Chartrand, Brad	February 27, 2020	116	25	117	13	Obj. to D-058 above; no foundation, speculation, compound		Sustained

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Chartrand, Brad	February 27, 2020	117	15	117	17	Obj. to D-058 above; no foundation, speculation, compound		Sustained
Chartrand, Brad	February 27, 2020	117	19	117	20	Obj. to D-058 above; no foundation, speculation, compound		Sustained
Chartrand, Brad	February 27, 2020	117	22	118	3	Obj. to D-058 above; no foundation, speculation, compound	118:4-15	Sustained
Chartrand, Brad	February 27, 2020	125	14	126	3			
Chartrand, Brad	February 27, 2020	126	11	128	17		130:10-14	
Chartrand, Brad	February 27, 2020	131	22	131	23	Foundation, speculation, witness responded did not know		Sustained
Chartrand, Brad	February 27, 2020	131	25	132	4	Foundation, speculation, witness responded did not know		Sustained
Chartrand, Brad	February 27, 2020	132	6	132	11	Foundation, speculation, witness responded with a rumor and reference to "hearsay"		Sustained
Chartrand, Brad	February 27, 2020	132	13	133	4	Foundation, speculation, witness responded with a rumor and reference to "hearsay"		Sustained
Chartrand, Brad	February 27, 2020	133	6	133	16	133:6-7 Foundation, speculation, witness responded he did know if his understanding was		Sustained as to 133:6-7
Chartrand, Brad	February 27, 2020	133	18	133	21	Vague, assumes facts		Overruled
Chartrand, Brad	February 27, 2020	133	23	134	3	Vague, assumes facts, non-responsive		Overruled
Chartrand, Brad	February 27, 2020	134	18	135	11		135:12-14; 135:16-21; 135:23-136:1	
Chartrand, Brad	February 27, 2020	145	16	145	18			
Chartrand, Brad	February 27, 2020	145	20	145	21			
Chartrand, Brad	February 27, 2020	164	6	164	22			
Chartrand, Brad	February 27, 2020	176	9	176	13			
Chartrand, Brad	February 27, 2020	178	14	178	16			
Chartrand, Brad	February 27, 2020	178	18	179	19			
Chartrand, Brad	February 27, 2020	179	21	179	21	Answer is a question; examiner rephrases at 179:24-180:2	179:24-180:4-180:16	Sustained subject to cure by including rephrased question and answer
Chartrand, Brad	February 27, 2020	180	17	180	19	Assumes facts that Angio approached Teleflex, foundation		Overruled
Chartrand, Brad	February 27, 2020	180	21	181	9	Assumes facts that Angio approached Teleflex, foundation not cured by witness		Overruled
Chartrand, Brad	February 27, 2020	185	15	185	17	Asks for lay opinion, foundation, designations incomplete to describe "the deal you were describing"		Overruled


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Chartrand, Brad	February 27, 2020	185	20	185	21	Asks for lay opinion, foundation, designations incomplete to describe "the deal you were describing"		Overruled
Chartrand, Brad	February 27, 2020	213	22	214	2	403/Cumulative (Morpheus), see Obj. to Ex. D-411 at ECF #411		Overruled
Chartrand, Brad	February 27, 2020	214	6	216	13	403/Cumulative (Morpheus), see Obj. to Ex. D-048 above		Overruled
Chartrand, Brad	February 27, 2020	216	15	217	9	403/Cumulative (Morpheus), see Obj. to Ex. D-048 above		Overruled
Chartrand, Brad	February 27, 2020	217	11	217	14	403/Cumulative (Morpheus), see Obj. to Ex. D-048 above		Sustained as to 217:12 to 217:14
Chartrand, Brad	February 27, 2020	217	17	217	22	403/Cumulative (Morpheus), see Obj. to Ex. D-048 above		Sustained
Chartrand, Brad	February 27, 2020	217	25	218	2	403/Cumulative (Morpheus), see Obj. to Ex. D-048 above		Sustained
Kertesz, Maria	January 16, 2020	7	11	19	10	18:18-20:16 403: the questions are not specific to time whether the PICC was used in an IR suite or bedside; whether a TLS was used; malpositions are due to placement not a feature of the PICC; doesn't say whether placed with TLS or not; 19:10 vague, 403 re frequency	50:1-54:25	Overruled
Kertesz, Maria	January 16, 2020	19	12	22	3	19:12-19:22 403: the questions are not specific to time, whether the PICC was used in an IR suite or bedside; whether a TLS was used; malpositions are due to placement not a feature of the PICC	50:1-54:25	Overruled
Kertesz, Maria	January 16, 2020	22	17	22	22			
Kertesz, Maria	January 16, 2020	22	24	25	16			
Kertesz, Maria	January 16, 2020	25	21	26	5			
Kertesz, Maria	January 16, 2020	26	7	30	9		76:20-77:21; 78:20-23; 77:9-19; 78:6-7; 78:17-15	
Kertesz, Maria	January 16, 2020	30	18	31	21		50:1-54:25; 76:20-77:21; 78:20-23; 77:9-19; 78:6-7; 78:17-15	
Kertesz, Maria	January 16, 2020	32	8	40	23		50:1-54:25; 76:20-77:21; 78:20-23; 77:9-19; 78:6-7; 78:17-15	

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Kertesz, Maria	January 16, 2020	41	1	43	14		50:1-54:25; 76:20-77:21; 78:20-23; 77:9-19; 78:6-7; 78:17-15	
Kertesz, Maria	January 16, 2020	44	3	44	5		50:1-54:25; 76:20-77:21; 78:20-23; 77:9-19; 78:6-7; 78:17-15	
Kertesz, Maria	January 16, 2020	45	18	46	6		46:7-9; 76:20-77:21; 78:20-23; 77:9-19; 78:6-7; 78:17-15	
Kertesz, Maria	January 16, 2020	46	17	47	2		76:20-77:21; 78:20-23; 77:9-19; 78:6-7; 78:17-15	
Kertesz, Maria	January 16, 2020	76	18	76	23		76:20-77:21; 78:20-23; 77:9-19; 78:6-7; 78:17-15	
Kertesz, Maria	January 16, 2020	77	7	77	8		76:20-77:21; 78:20-23; 77:9-19; 78:6-7; 78:17-15	
Kertesz, Maria	January 16, 2020	84	5	84	18		76:20-77:21; 78:20-23; 77:9-19; 78:6-7; 78:17-15	
Kertesz, Maria	January 16, 2020	85	13	86	11		76:20-77:21; 78:20-23; 77:9-19; 78:6-7; 78:17-15	
Kertesz, Maria	January 16, 2020	86	17	87	19		76:20-77:21; 78:20-23; 77:9-19; 78:6-7; 78:17-15	
Sands, Mark	December 9, 2019	6	25	7	2			
Sands, Mark	December 9, 2019	7	19	10	12			
Sands, Mark	December 9, 2019	10	23	11	11			
Sands, Mark	December 9, 2019	14	4	15	7			
Sands, Mark	December 9, 2019	15	10	15	18	Document not on exhibit list ECF #411		Sustained
Sands, Mark	December 9, 2019	17	7	18	10		20:23-22:5	
Sands, Mark	December 9, 2019	22	6	22	8			
Sands, Mark	December 9, 2019	22	12	23	5			
Sands, Mark	December 9, 2019	34	23	34	25			
Sands, Mark	December 9, 2019	35	5	35	5			
Sands, Mark	December 9, 2019	35	17	38	4			
Sands, Mark	December 9, 2019	40	10	40	13	Incomplete question; foundation	41:22-24; 42:3-5	Overruled
Sands, Mark	December 9, 2019	40	17	41	3	Incomplete question; foundation	41:22-24; 42:3-5	Overruled
Sands, Mark	December 9, 2019	46	17	46	21		46:22-47:5	
Sands, Mark	December 9, 2019	48	22	49	20		40:21-24; 50:24-51:3	

Dated: September 25, 2022


Brenda K. Sannes
Chief U.S. District Judge