

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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MARY LISE RHEAULT-SCHERER,

Plaintiff,

v.

1:17-CV-1220  
(DJS)

FALCON MUSIC & ART PRODUCTIONS, INC,

Defendant.

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**DANIEL J. STEWART**  
**United States Magistrate Judge**

**ORDER**

The Court has received and reviewed the transcript of the trial testimony of Joseph Bertolozzi taken on January 25, 2022. During the course of the testimony various objections were made on the record. The Court has now that reviewed those objections.

The objections are overruled with the exception of the following:

1) the objection on page 96 of the transcript is sustained. The parties shall not play that portion of the testimony appearing on lines 12 through 20 of page 96 for the jury; and

2) the objection on page 102 is sustained. The parties shall not play the testimony from page 102 line 22 through line 25.

The Court has also received and reviewed the transcript of the trial testimony of Betty Gennarelli taken on January 31, 2022. The Court has considered the objections raised during the testimony and overrules all the stated objections. The Court notes that as to several questions, either no answer was provided, or counsel moved on to another

question after the objection was raised. Insofar as no answer was provided, counsel are directed not to play the following testimony for the jury: page 19 at lines 7 through 12 and page 34 at lines 9 through 14.

Consistent with the prior ruling regarding the testimony of Dr. Raskin, the Court directs that when these videos are played for the jury at trial any portion of the testimony ordered stricken by this Order shall be either muted or edited out.

**SO ORDERED.**

Dated: February 3, 2022  
Albany, New York

A handwritten signature in black ink, appearing to read "Daniel J. Stewart", written over a horizontal line.

Daniel J. Stewart  
U.S. Magistrate Judge