

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FEDERAL INSURANCE CO., GREAT  
NORTHERN INSURANCE COMPANY, and  
PACIFIC INDEMNITY COMPANY,

Plaintiffs,

-against-

PAUL H. MERTZ, JR., THE MERTZ  
COMPANY, and DENNIS SORGE,

Defendants.

12-cv-1597-NSR-JCM

OPINION & ORDER

NELSON S. ROMÁN, United States District Judge

Based on the parties' objections to the admissibility of the testimony of Sarah Brogan, the  
Court makes the following rulings:

Objecting	Page(s):Line(s)	Objection	Ruling
Federal	43:2-11	Incomplete, ambiguous	Not Offered
	44:23 to 45:5	Non-Responsive, move to	Not Offered
	58:2 to 62:22	Asked and Answered	58:2 -25 – Sustained; 62:4-22 – Sustained; Overruled as to remaining lines
	64:16 to 67:13	Asked and Answered	Overruled
	73:19 to 74:10	Edit out as irrelevant	Not Offered
	77:2-3	Irrelevant, incomplete,	Not Offered
	77:6-17	Non-Responsive, move to	Sustained
	79:24 to 80:20	Non-Responsive, move to	Not Offered
	81:15-17	Edit out as irrelevant	Sustained


<p><b>USDC SDNY</b> <b>DOCUMENT</b> <b>ELECTRONICALLY FILED</b> DOC #: DATE FILED: 4/26/2016</p>
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Objecting	Page(s):Line(s)	Objection	Ruling
	81:22-25	Incomplete, ambiguous	Not Offered
	82:17-21	Ambiguous	Overruled
	89:9-10	Edit out, withdrawn	Not Offered
	93:14 to 94:4	Rule 608(a), irrelevant	Sustained
	94:5-22	Irrelevant	Sustained
	94:23 to 95:10	Rule 608(a), irrelevant	Sustained
	95:13-23	Edit out, withdrawn	Sustained
	96:9-15	Hearsay	Sustained
	96:20-25	Asked and Answered	Not Offered
	97:8 to 98:6	Vouching	Overruled
	98:7-21	Foundation, irrelevant	Not Offered
	99:8-20	Irrelevant	Not Offered
Sorge	28:20-25	Form	Overruled
	102:4-12	Form	Overruled
Mertz	23:4-11	Form	Overruled
	26:3-22	Form	Overruled
	27:16-20	Hearsay	Overruled
	28:20-25	Form	Overruled
	31:12-32:4	Hearsay	Sustained
	33:8-15	Hearsay	33:11-15 – Sustained; Overruled as to remaining lines
	34:8-16	Hearsay	34:11-13 (up to and including the word, “work”) – Sustained; Overruled as to remaining lines
	35:22-36:4	Form	36:4 – Sustained – Non-Responsive; Overruled as to remaining lines
	55:5-14	Hearsay	Sustained
	102:4-12	Form	Overruled

Dated: April 25, 2016

White Plains, New York

SO ORDERED

  
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 NELSON S. ROMÁN  
 United States District Judge