

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

WELLS FARGO BANK, N.A.,

Plaintiff,

:

Case No. 3:07-cv-449

-vs-

Magistrate Judge Michael R. Merz

:

LaSALLE BANK NATIONAL  
ASSOCIATION,

Defendant.

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**AMENDED DECISION REGARDING DESIGNATIONS IN THE DEPOSITION OF  
VALERIE SCALISE**

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This case is before the Court on the parties' request that the Court rule in limine on the admission of designated and cross-designated portions of depositions to be played at trial from edited videorecordings of the depositions. The background for the procedure to be followed is set forth in the Decision and Order Vacating Trial Date (Doc. No. 229). Rulings on the depositions will be issued as completed so that the video editing process can be started as needed.

The Court rules on the objections made in the Chart (attachment to Doc. No. 225) as corrected pursuant to Doc. Nos. 226 and 231, and as further clarified by the Appendix<sup>1</sup> to Doc. No. 192 as subsequently numbered in Attorney Marx's email of 8/12/2009 (12:11 P.M.), as follows:

p. 47, l. 24 to p. 48, l. 14	Wells Fargo's relevance objection is overruled.
p. 51, ll. 6-13	same ruling

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<sup>1</sup>Both the numbered and unnumbered versions of this Appendix are now filed and docketed in the case for future reference at Doc. No. 241.

p. 79, l. 10 to p. 81, l. 12	same ruling, except that the objection to line 12 is sustained.
p. 88, ll. 5-9	The objection to line 9 is sustained.
p. 93, ll. 1-19	The objection to line 19 is sustained.
p. 95, l. 16 to p. 97, l. 12	The relevance objection is overruled; the objection to line 24 on p. 95 is sustained.
p. 99, l. 16 to p. 101, l. 11.	The relevance objection is overruled; the objection to line 11 on p. 101 is sustained.
p. 119	Wells Fargo's objection is sustained.
p. 126, l. 11 to p. 127, l. 8	LaSalle's objection is sustained.
p. 130, l. 20 to p. 131, l. 13	Wells Fargo has withdrawn this designation (Doc. No. 225-2, p. 212)
p. 135, l. 18 to p. 137, l. 17	Wells Fargo's objection is overruled.
p. 138, ll. 5-15	Wells Fargo's objection is overruled.
p. 139, ll. 6-14	Wells Fargo's objection is overruled.

October 26, 2009.

s/ **Michael R. Merz**  
United States Magistrate Judge