

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNIVERSITY OF PITTSBURGH OF)
THE COMMONWEALTH SYSTEM OF)
HIGHER EDUCATION d/b/a)
UNIVERSITY OF PITTSBURGH)

Plaintiff,)

v.)

VARIAN MEDICAL SYSTEMS, INC.)
Defendant.)

Civil Action No.: 2:08-cv-01307

Judge Arthur J. Schwab

FILED ELECTRONICALLY

**ORDER OF COURT RE: PARTIES' OBJECTIONS TO EXHIBITS
FOR INVALIDITY PORTION OF TRIAL**

Presently before this Court is the Amended Combined Exhibit Chart for the Invalidity Trial, which include their objections to exhibits' authenticity and/or admissibility. Doc. No. 752.

After careful review of the exhibits and objections thereto, the Court rules as follows:

AND NOW, on this 2nd day of April 2012, IT IS HEREBY ORDERED THAT:

1. Defendant's objections to the following Plaintiff's exhibits are **OVERRULED**:

- PPP-005 (provided a witness authenticates);
- PPP-007 (provided a witness authenticates);
- PPP-008 (provided a witness authenticates);
- PPP-009 (provided a witness authenticates);
- PPP-020-043; and
- PPP-133a.

2. Defendant's objection to the following Plaintiff's Exhibits are **SUSTAINED**:

- PP-072;
- PPP-044;
- PPP-131-133;

3. Plaintiff's objections to the following Defendant's exhibits are **SUSTAINED**:

- D-013;
- D-016;
- D-110-111;
- D-115;
- D-194;
- D-196;
- D-218;
- D-218a;
- D-219;
- D-219a;
- D-220;
- DD-073;
- DD-664;
- DDD-001 (because PPP-129 includes DDD-001);
- DDD-031;
- DDD-054;
- JT-027 (pages 01-278); and
- JT-028.

4. Plaintiff's objections to the following Defendant's exhibits are **OVERRULED**:

- D-050a;
- D-050b;
- D-051;
- DDD-007;
- DDD-021-023;
- DDD-025-028;
- DDD-030;
- P-185;
- P-199;
- P-252; and
- JT-027 (pages 279-504).

5. Defendant's objection to the Plaintiff's Exhibit PP-069 is **OVERRULED AS MOOT** (pursuant to the parties' stipulation).

6. Plaintiff's objections to the following Defendant's exhibits are **SUSTAINED**, pursuant to the Court's rulings on the motions in limine (doc. no. 741):

- D-029-34;
- D096;

- D-109;
- D-112;
- D-124;
- D-126-127;
- D-129;
- D-132;
- D-135-136;
- D-139-141;
- D-144-145;
- D-147-149;
- D-154-155;
- D-171;
- D-213-215;
- DD-161;
- DD-282;
- DDD-032-053; and
- DDD-055-065.

s/ Arthur J. Schwab
Arthur J. Schwab
United States District Judge

cc: All Registered ECF Counsel and Parties