

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

UNITED STATES OF AMERICA,

Plaintiff,

ORDER

v.

15-cv-371-wmc

SPECTRUM BRANDS, INC.,

Defendant.

The court rules as follows on the objections to deposition designations.

PETER TAUBE

Government's Designations	Spectrum's Objections	Court Ruling
18:23 – 20:6	19:22 – 20:6 – Objection – Irrelevant, Lack of personal knowledge	SUSTAINED
29:8 – 30:3	Objection – mischaracterizes testimony, Lack of Foundation, Lack of personal Knowledge, Speculation	OVERRULED as to 29:8-23, otherwise SUSTAINED
35:9:21	Objection – Lack of Foundation	OVERRULED
108:17 – 110:7	Objection - Hearsay	OVERRULED
147:10-24	147:10 – 147:20 – Objection – Hearsay, Lack of Foundation, Speculation, Lack of Personal Knowledge	SUSTAINED

STUART SLUGH

Government's Designations	Spectrum's Objections	Court Ruling
25:9-25	25:9—25:25: Objection, see Spectrum Brand's Motion in Limine No. 6, incorporated by reference.	SUSTAINED to the extent calls for legal conclusion; OVERRULED as to the witness's understanding

Government's Designations	Spectrum's Objections	Court Ruling
50:9 – 51:11	50:9-23 – Objection - Irrelevant, lack of personal knowledge	SUSTAINED as to 50:9-14, OVERRULED as to 50:15-23
57:3 – 59:14	59:3-6 Objection - Mischaracterizes testimony	OVERRULED
66:2 – 69:11	67:7-23; 68:22 – 69:11 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference. No objection to remainder	OVERRULED except to the truth of the matter asserted
69:12 – 73:5	71:15 – 73:5 Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference. No objection to remainder	OVERRULED except to the truth of the matter asserted
73:17 – 74:21	74:20-21 – Objection - Mischaracterizes testimony No objection to remainder	OVERRULED except to the truth of the matter asserted
75:21 – 78:8	76:25 – 77:17 Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference. No objection to remainder	OVERRULED except to the truth of the matter asserted

Government's Designations	Spectrum's Objections	Court Ruling
86:18 – 88:14	88:4-14 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference. No objection to remainder	OVERRULED except to the truth of the matter asserted
88:18 – 89:23	89:10-23 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference. No objection to remainder	OVERRULED except to the truth of the matter asserted
90:3 – 91:7	90:3 – 91:3 Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference. No objection to remainder	OVERRULED except to the truth of the matter asserted
95:1 – 98:6	Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.	OVERRULED except to the truth of the matter asserted
108:14 – 109:17	108:14 – 109:10 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident	OVERRULED except to the truth of the matter asserted

Government's Designations	Spectrum's Objections	Court Ruling
	<p>reports incorporated herein by reference.</p> <p>No objection to remainder</p>	
109:20 – 110:6	<p>109:20 – 110:6 Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.</p> <p>No objection to remainder</p>	OVERRULED except to the truth of the matter asserted
115:5 – 117:17	<p>115:5-15; 116:16-21 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.</p> <p>No objection to remainder</p>	OVERRULED except to the truth of the matter asserted
120:8 – 122:17	<p>121:2 – 122:17 Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.</p> <p>No objection to remainder</p>	OVERRULED except to the truth of the matter asserted
124:21 – 126:3	<p>125:11 – 126:3 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.</p> <p>No objection to remainder</p>	OVERRULED except to the truth of the matter asserted

Government's Designations	Spectrum's Objections	Court Ruling
131:5 – 133:22	132:3 – 133:2 Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference. No objection to remainder	OVERRULED except to the truth of the matter asserted
137:2 – 139:14	137:21 – 138:12; 138:21 – 139:5 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference. No objection to remainder	OVERRULED except to the truth of the matter asserted
140:23 – 142:24	141:18 – 142:8 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference. No objection to remainder	OVERRULED except to the truth of the matter asserted
153:22 – 156:14	154:16 – 155:5; 156:12-14 – Objection - Hearsay, lack of foundation, lack of personal knowledge, speculation; see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference. No objection to remainder	OVERRULED except to the truth of the matter asserted
156:22 – 157:7	Objection - Hearsay, lack of foundation, lack of personal	OVERRULED except to

Government's Designations	Spectrum's Objections	Court Ruling
	knowledge, speculation; see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.	the truth of the matter asserted
157:11 – 158:19	158:5-19 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference. No objection to remainder	OVERRULED except to the truth of the matter asserted
161:11 – 163:15	161:23 – 162:9 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference. No objection to remainder	OVERRULED except to the truth of the matter asserted
163:16 – 165:6	164:8-22 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference. No objection to remainder	OVERRULED except to the truth of the matter asserted
166:5 – 168:24	Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.	OVERRULED except to the truth of the matter asserted

Government's Designations	Spectrum's Objections	Court Ruling
	168:6-16 – Objection - Irrelevant	OVERRULED except to the truth of the matter asserted

Entered this 21st day of February, 2017.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge