

**Appendix B****Defendant's Witness list**

<b>Name</b>	<b>Subject</b>
Potts, Elton	CHEP's asset management functions (asset recovery, audit, balances, pallet dealer interaction and asset protection).
Norder, Keith**	CHEP's business, financial and inventory policies, operations and functions.
Kirk, Thomas (by deposition)**	CHEP's TPM and service center functions and general background on CHEP.
Southwick, Candice	CHEP's customer service and NPD sales functions and general background on CHEP.
* Buono, Ralph**	CHEP's asset protection functions and reporting.
* McAdow, Sam (Sr.)	Buckeye's operations, customer relationships, acquisition of CHEP pallets and interaction with CHEP personnel.
* McAdow, Sam (Jr.)	Buckeye's operations, customer relationships, acquisition of CHEP pallets, interaction with CHEP personnel, financial reporting and invoicing.
John McAdow	Buckeye's costs associated with handling and storage of CHEP pallets.
Minner, Robert	Buckeye's operations and interaction with CHEP personnel.
Murphy, Patrick	Buckeye's accounting and financial records and practices.
Dickerson, Pam	Buckeye's invoice preparation and invoice content.
Smith, Derek	Pallets recovered from Buckeye in August-September of 2003.
*DeVaughn, Mequel**	CHEP's customer service field operations.
* DePolt, John**	CHEP's customer service field operations, interaction with pallet recyclers and NPD field sales.
Brumsey, Andrew (by deposition)**	Asset Recovery functions and operations.

\* If Defendant is given the ability to fully examine these witnesses following Plaintiff's examination of them, Defendant will likely not call these witnesses again during its case-in-chief.

\*\* It is the Defendant's position that in light of the Court's Decision and Entry on Summary Judgment and the Court's Decision on the Motions in Limine that any testimony from these witnesses would be irrelevant to the few remaining issues. Thus, Defendant may not elicit any testimony from these

witnesses if Defendant's Motions in Limine are granted. Moreover, to the extent these witnesses are witnesses that the Plaintiff only intends to call through deposition designations, the Plaintiff's failure to make those designations as part of the Proposed Pretrial Statement should foreclose the use of these depositions at trial by Plaintiff. If, however, the Court allows the belated designations, Defendant should be permitted to make counter-designations.

\*\*\* Defendant reserves the right to call any witness identified by Plaintiff and/or rebuttle witnesses including, but not limited to, the manager of Millwood's operations and a pallet recycler.