

APPENDIX F

DEPOSITION DESIGNATIONS AND OBJECTIONS

<u>Witness</u>	<u>Page</u>
Steve Fisher	1
Andrew Brumsey	3
Tom Kirk	5
Tod Sizemore	7
Walter Russell	9

STEVEN FISHER

Starting Page	Line	Ending Page	Line	Designated by Plaintiff (P) or Defendant (D)	Objections
3	11	3	18	P	
12	24	13	8	D	
13	9	13	24	P	
14	3	14	9	P	
14	10	14	16	D	
14	21	15	1	P	
20	2	20	6	D	
20	11	21	4	D	Errata: Page 21/line 21 "parts" should be "points"
29	19	29	25	P	
30	1	30	19	P	
30	25	31	4	P	
31	25	32	7	D	
32	8	32	16	P	
33	11	33	23	P	
36	2	36	11	P	
36	16	37	4	P	
37	15	37	21	P	
40	14	41	22	D	
43	8	44	23	D	
45	16	45	25	P	
48	6	49	7	P	
57	19	58	24	P	
69	6	70	7	D	
78	6	78	24	D	
84	11	84	21	P	
84	22	85	9	D	
85	10	87	5	P	
89	5	89	19	P	
90	3	90	18	D	
92	4	92	7	D	
92	10	92	24	D	
93	4	93	22	D	
93	23	94	1	P	Objection: Foundation
95	10	95	15	P	Objection: Foundation, seeks inadmissible opinion
99	19	99	23	P	Objection: Foundation, seeks inadmissible opinion
107	23	108	12	D	

STEVEN FISHER

Starting Page	Line	Ending Page	Line	Designated by Plaintiff (P) or Defendant (D)	Objections
118	18	119	8	D	
121	4	121	17	P	
126	1	126	4	P	
126	6	126	24	P	Objection: Foundation
131	17	131	21	P	
132	21	134	10	P	
134	11	135	18	D	
135	19	136	23	P	Objection: Calls for speculation
136	24	137	7	D	
137	20	138	4	P	Objection: Foundation
138	9	138	18	P	
138	25	141	6	P	
138	25	141	6	P	Objection: Calls for speculation
142	11	150	21	P	
152	3	152	6	P	Errata: Page 150/line 11 “aggregated” should be “segregated”

ANDREW BRUMSEY

Starting Page	Line	Ending Page	Line	Designated by Plaintiff (P) or Defendant (D)	Objections
4	24	5	9	P	
5	10	5	12	D	
7	1	7	10	D	
12	9	12	19	P	
14	1	14	3	P	
14	21	15	13	P	
15	11	15	13	P	Objection: Foundation
15	14	15	20	D	
15	21	17	10	P	
15	21	15	22	P	Objection: Foundation, calls for speculation, non-responsive
16	11	17	10	P	Objection: Foundation, calls for speculation
21	4	21	6	D	
21	17	21	19	D	
22	22	23	4	D	
26	5	27	21	P	
28	7	28	14	P	
28	20	28	21	D	
29	1	29	9	D	
29	10	29	22	P	
30	18	34	4	P	
30	18	32	4	P	Objection: Foundation
34	9	36	2	P	
35	25	36	2	P	Objection: Asked and answered
36	5	36	7	P	
36	17	37	22	P	
37	23	37	25	D	
38	3	38	19	D	
39	6	39	20	P	
41	14	41	17	P	Objection: Vague
54	13	54	23	P	
56	11	56	19	D	
56	20	56	22	P	
56	25	57	4	D	
57	12	58	2	P	
62	20	63	14	P	
66	11	67	16	P	
66	11	67	12	P	Objection: Foundation

ANDREW BRUMSEY

Starting Page	Line	Ending Page	Line	Designated by Plaintiff (P) or Defendant (D)	Objections
68	7	68	13	P	
69	6	69	13	P	
69	16	69	20	P	
69	6	69	20	P	Objection: Foundation, incomplete question, calls for inadmissible opinion
71	20	73	24	P	
74	24	75	12	P	
76	22	77	6	P	Objection: Foundation
76	22	77	6	P	
78	17	79	12	P	
90	2	90	13	P	
91	6	92	24	P	
99	22	101	10	P	Objection: Foundation
105	24	106	1	P	

TOM KIRK

Starting Page	Line	Ending Page	Line	Designated by Plaintiff (P) or Defendant (D)	Objections
5	11	5	22	D	
9	3	9	4	P	
9	8	9	13	P	
11	13	11	16	P	
13	8	13	15	P	
14	23	14	24	D	
15	4	15	8	D	
15	19	16	1	D	
15	16	16	24	D	
17	16	17	18	P	
19	14	19	20	D	
22	14	22	19	D	
23	13	24	5	D	
25	21	30	22	P	
25	14	25	15	P	Objection: Foundation, calls for speculation
29	23	29	25	P	Objection: Calls for hearsay
30	10	30	12	P	Objection: Calls for hearsay
30	23	31	6	D	
31	22	32	5	P	
31	22	31	24	P	Objection: Foundation, calls for speculation
33	19	33	23	D	
37	13	37	16	D	
38	2	38	4	D	
38	13	39	1	D	
40	15	41	1	D	
43	5	43	8	P	
49	3	51	14	P	
53	1	53	9	D	
53	22	53	25	D	
54	13	54	19	D	
57	10	57	16	D	
61	12	61	24	D	
72	6	72	14	P	
74	6	75	6	P	
79	25	81	1	P	
81	20	82	9	P	
82	8	82	9	P	Objection: Calls for hearsay
82	14	83	1	P	

TOM KIRK

Starting Page	Line	Ending Page	Line	Designated by Plaintiff (P) or Defendant (D)	Objections
82	17	82	20	P	Objection: Calls for hearsay
82	24	82	25	P	Objection: Calls for hearsay
88	24	91	18	P	
89	6	89	7	P	Objection: Calls for hearsay
90	19	90	20	P	Objection: Calls for hearsay
90	24	90	25	P	Objection: Foundation, calls for speculation
91	3	91	5	P	Objection: Foundation, calls for speculation
91	9	91	10	P	Objection: Foundation, calls for speculation
96	18	96	25	P	
96	20	96	21	P	Objection: Foundation, calls for speculation
99	14	99	21	P	

TOD SIZEMORE

Starting Page	Line	Ending Page	Line	Designated by Plaintiff (P) or Defendant (D)	Objections
5	6	5	20	P	
6	10	7	2	P	
9	4	9	7	P	
11	13	12	9	P	Objection as to page 12/line 9 as incomplete
13	2	14	11	P	Objection to designation of page 13/lines 2-3 as incomplete (answer but no question)
17	5	19	24	P	
20	2	20	10	P	
22	5	23	24	P	
24	13	24	17	P	Objection: Question was rephrased/withdrawn. Objections stated on the record. Question mischaracterizes witness's testimony.
25	1	25	16	P	
25	25	28	12	P	
37	16	38	8	P	Objection to inclusion of page 38/line 8, the question is incomplete
38	17	39	2	D	
40	24	42	7	D	
53	5	53	16	P	Objection: Foundation (the testimony at page 53/line 17 through page 54/line 18 and page 65/lines 1-25, reflect a lack of first-hand knowledge as to some of the documents). Relevance (the document referred to deals with an alternative depreciation method for pallets in the Wal*Mart system which is irrelevant, pages 55-56).
68	8	69	11	P	
69	18	71	2	P	
72	13	73	9	P	
79	19	80	5	P	Objection to both questions in the designation as calling for legal conclusions
83	9	83	13	P	Objection: Foundation

TOD SIZEMORE

Starting Page	Line	Ending Page	Line	Designated by Plaintiff (P) or Defendant (D)	Objections
83	18	83	22	P	
99	1	99	13	P	Objection: Foundation (the questions and answers have no context and are likely to cause undue confusion).
102	10	102	19	D	
103	9	103	17	D	
103	18	103	21	P	
105	22	107	1	P	

WALT RUSSELL

Starting Page	Line	Ending Page	Line	Designated by Plaintiff (P) or Defendant (D)	Objections
5	9	5	13	P	
5	14	5	15	D	
7	8	9	25	P	
10	23	11	2	P	
11	17	12	1	P	
14	19	15	13	D	
16	5	16	9	D	
16	13	16	18	D	
20	25	21	2	D	
21	6	21	16	D	
23	1	23	9	D	
23	11	--	--	D	
24	4	24	7	D	
24	8	25	22	P	
26	1	26	13	D	
26	22	28	1	P	
28	19	29	21	P	Objection: Questions at Page 29/ Lines 15 and 18-20 call for hearsay
33	12	34	2	D	
34	6	34	9	D	
35	6	35	20	P	
35	25	36	10	P	
36	15	37	7	P	Objection: Inadmissible opinion testimony
39	8	39	19	D	
39	20	40	14	P	Objection: Inadmissible opinion testimony
42	10	42	21	D	
47	8	47	19	D	
47	24	49	9	P	
49	10	49	12	D	
50	2	51	9	P	
51	13	52	8	D	
55	4	55	12	D	
58	17	59	21	P	
61	14	64	11	P	
66	16	69	4	P	Objection: Inadmissible hearsay
69	5	69	7	D	
69	14	69	15	D	
70	5	70	20	D	

WALT RUSSELL

Starting Page	Line	Ending Page	Line	Designated by Plaintiff (P) or Defendant (D)	Objections
74	14	75	21	P	
76	17	77	18	D	
78	7	79	10	D	
79	18	80	3	D	
82	2	82	15	P	Objection: Inadmissible opinion testimony