

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

BUCKEYE DIAMOND LOGISTICS, INC. :
fka BUCKEYE RECYCLERS, INC. :

Plaintiff, :

Case No. C3-01-440

v. :

Judge Walter Herbert Rice

CHEP USA, a general partnership :

Defendant. :

CHEP USA'S COUNTER DESIGNATIONS OF KEITH NORDER
VIDEOTAPE DEPOSITION FOR TRIAL

CHEP USA hereby designates the following additional portions of the Keith Norder deposition to be presented at trial. These designations include numerous objections that must be ruled upon by the Court prior to the submission of the Norder testimony.

Page 13, lines 3 – 4
Page 14, lines 1 – 28
Page 15, lines 1 – 28
Page 16, lines 1 – 11
Page 17, lines 14 – 15
Page 20, lines 7 – 8, lines 24 – 25
Page 21, line 1
Page 28, lines 8 – 12
Page 30, line 10, lines 24 – 25
Page 31, lines 1 – 4
Page 32, lines 7 – 9
Page 33, lines 20 – 25
Page 35, lines 7 – 8
Page 36, lines 9 – 10, line 24
Page 37, lines 14 – 16
Page 38, lines 19 – 20, line 25
Page 40, line 3, line 10
Page 41, lines 3 – 6
Page 44, lines 2 – 3
Page 46, lines 13 – 17, lines 22 – 25

Page 47, lines 1 – 2, lines 16 – 17
Page 48, lines 14 – 20
Page 54, line 25
Page 55, line 1, lines 3 – 4
Page 57, lines 14 – 15
Page 65, lines 21 – 24
Page 66, lines 21 – 23
Page 67, lines 20 – 21
Page 70, line 11
Page 71, lines 11 – 13, lines 17 – 18
Page 72, line 6
Page 73, lines 8 – 14
Page 80, lines 19 – 25
Page 81, lines 1 – 25
Page 82, lines 1 – 25
Page 83, lines 1 – 25
Page 84, lines 1 – 25
Page 85, lines 1 – 25
Page 86, lines 1 – 7
Page 91, line 25
Page 92, lines 1 – 2, lines 7 – 25
Page 93, lines 1 – 11, lines 13 -16

CHEP USA also designates the following portions of Mr. Norder's testimony to be included with the portions that Buckeye has indicated will be proffered.

Page 58, lines 15 – 16
Page 59, lines 11 – 14
Page 60, lines 14 – 15
Page 61, lines 9 – 13
Page 63, line 13
Page 64, lines 2 – 4

Respectfully submitted,

s/ John C. McDonald

John C. McDonald, Esq. (0012190)

P.O. Box 165020

Columbus, Ohio 43216

Tele: (614) 462-2700

Fax: (614) 462-5135

Trial Attorney for Defendant,

CHEP USA

OF COUNSEL:

Kevin L. Murch, Esq. (0066833)
Schottenstein, Zox & Dunn
P.O. Box 165020
Columbus, Ohio 43216
Tele: (614) 462-2700
Fax: (614) 462-5135

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served the 5th day of October, 2004, via the Court's electronic filing notification upon:

James A. Wilson
Vorys, Sater, Seymour & Pease LLP
52 East Gay Street
P.O. Box 1008
Columbus, Ohio 43216-1008
Trial Attorney for Plaintiff

s/ John C. McDonald
John C. McDonald