

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

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EPIC SYSTEMS CORPORATION,

Plaintiff,

v.

TATA CONSULTANCY SERVICES LIMITED  
and TATA AMERICA INTERNATIONAL  
CORPORATION d/b/a TCA America,

Defendants.

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ORDER

14-cv-748-wmc

Having reviewed plaintiff's amended deposition designations (dkt. #745) and defendants' amended objections and counter-designations (dkt. #764), the court makes the following rulings as to witness: David Jones. The approved designations may be presented to the jury unless the witness is available to testify in person. **Plaintiff shall remove all objections and any other asides or discussions between counsel and/or with the court reporter, even where not noted by the court in its rulings.**

**DAVID G. JONES**  
(September 22, 2015)

<b>Plaintiff's Designations</b>	<b>Plaintiff's Amended Designations</b>	<b>Defendants' Objections</b>	<b>Defendants' Counter-Designations</b>	<b>Plaintiff's Objections to Counter-Designations</b>	<b>Rulings</b>
35:13-37:9	Retained as to 35:13-36:22	35:25-36:3 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exh. 4A) 36:5-8 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exh. 4A) 36:18-21 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exh. 4A)			Overruled as to 35:25-36:3; sustained as to 36:18-21
39:11-40:9	Retained as to 39:19-40:9	39:19-40:4 This testimony should be struck pursuant to			Overruled

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(September 22, 2015)

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		Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exh. 4A)			
40:11-41:8	Retained as to 40:11-13, 40:20-41:8	40:20-41:2 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exh. 4A)			Overruled
43:11-44:1	Retained	43:11-25 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exh. 4A)			Overruled as to 43:11-12; sustained as to 43:13-44:1
44:9-47:25	Retained	45:1-2 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting			Overruled as to 45-46; sustained as to 47

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**(September 22, 2015)**

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		<p>cumulative evidence.            (Reading from Exh. 4A)            45:4-11 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence.            (Reading from Exh. 4A)            45:13-17 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence.            (Reading from Exh. 4A)            45:25-46:4 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence.            (Reading from Exh. 4A)</p>			

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**(September 22, 2015)**

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		<p>46:6-10 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exh. 4A)</p> <p>47:1-4 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exh. 4A)</p> <p>47:6-10 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exh. 4A)</p> <p>47:12-19 This testimony should be struck pursuant to</p>			

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(September 22, 2015)

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		Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exh. 4A)			
48:2-49:4	Retained	48:5-13 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exh. 4A)			Sustained
49:6-51:11	Retained	49:11-16 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exh. 4A) 49:21-50:3 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting			Overruled as to 49:11-16; sustained as to 49:21-50:3, 50:5-11, 50:18-21, 50:23-51:4

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		<p>cumulative evidence. (Reading from Exh. 4A) 50:5-11 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exh. 4A) 50:18-21 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exh. 4A) 50:23-51:4 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exh. 4A)</p>			

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(September 22, 2015)

<b>Plaintiff's Designations</b>	<b>Plaintiff's Amended Designations</b>	<b>Defendants' Objections</b>	<b>Defendants' Counter-Designations</b>	<b>Plaintiff's Objections to Counter-Designations</b>	<b>Rulings</b>
55:24-58:3	Retained as to 56:9-10, 56:16-58:3	57: 3-5 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exhibit) 57:7-12 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exhibit) 57:17-19 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exhibit) 57:21-23 This testimony should be struck pursuant to			Overruled

**DAVID G. JONES**  
(September 22, 2015)

<b>Plaintiff's Designations</b>	<b>Plaintiff's Amended Designations</b>	<b>Defendants' Objections</b>	<b>Defendants' Counter-Designations</b>	<b>Plaintiff's Objections to Counter-Designations</b>	<b>Rulings</b>
		Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exhibit)			
60:1-8	Retained	60:1-4 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exhibit)			Overruled
60:10-61:15	Retained	Relevance. 60:14-18 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exhibit) 60:23-61:1 This testimony should be struck pursuant to Rule 403 because it is needlessly			Overruled

<b>DAVID G. JONES (September 22, 2015)</b>					
<b>Plaintiff's Designations</b>	<b>Plaintiff's Amended Designations</b>	<b>Defendants' Objections</b>	<b>Defendants' Counter-Designations</b>	<b>Plaintiff's Objections to Counter-Designations</b>	<b>Rulings</b>
		presenting cumulative evidence. (Reading from Exhibit)			
61:21-62:6	Retained	Relevance; cumulative			Sustained
62:8-63:9	Retained	Relevance; cumulative			Sustained
63:22-64:5	Retained	Relevance; cumulative			Sustained
64:11-25	Retained	Relevance; cumulative			Overruled
65:9-66:6	Retained	Relevance; cumulative			Overruled
66:9-67:14	Retained	Relevance; cumulative			Overruled
70:18-72:13	Retained	Relevance; cumulative 71:13-18 This testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence. (Reading from Exhibit)			Overruled as to 70:18-71:25; sustained as to 72:1-13
73:9-21	Retained	Relevance; cumulative			Overruled
73:23-75:2	Retained as to 73:23-74:11	Relevance; cumulative			Overruled
75:22-76:18	Retained	Relevance; cumulative			Overruled
77:11-23	Retained	Relevance; cumulative			Overruled as to 77:11-17;

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					sustained as to 77:18-23
78:1-82:24	Retained as to 78:1-12, 79:9-82:24	Relevance; cumulative			Sustained as to 78:1-3; overruled as to 78:5-12
83:14-21	Retained	Relevance; cumulative			Overruled
84:4-86:3	Retained	Relevance; cumulative			Overruled
86:10-88:16	Retained	Relevance; cumulative			Overruled
88:21-25	Retained	Relevance; cumulative			Overruled
99:25-100:18	Retained	Relevance; cumulative			Overruled
106:15-107:16	Retained	Relevance; cumulative			Overruled

Entered this 1st of April, 2016.

BY THE COURT:

/s/

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WILLIAM M. CONLEY  
District Judge