

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

EPIC SYSTEMS CORPORATION,

Plaintiff,

v.

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

Defendants.

ORDER

14-cv-748-wmc

Having reviewed plaintiff's amended deposition designations (dkt. #767) and defendants' amended objections and counter-designations (dkt. #781), the court makes the following rulings as to witness Paul Amalraj. 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.**

PAUL AMALRAJ (January 13, 2016)					
Plaintiff's Designations	Plaintiff's Amendments to Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiff's Objections to Counter-Designations	Rulings
			48:11-25	Incomplete (must add 49:1-6, 49:22-51:8)	Sustained, add 49:1-6, 49:22-51:8
	Retained counter-counter designations		55:17-56:13	Incomplete (must add 56:14-20)	Sustained, add 56:14-20
57:16-18	Retained	57:16-18 Argumentative			Overruled
90:18-91:5	Retained as to 90:18-91:3	Rule 403 (unfairly prejudicial – lying)			Overruled
91:7-12	Retained as to 91:9-12	Rule 403 (unfairly prejudicial – lying)	91:4-9		Overruled
93:22-94:19	Retained	94:15-19 Form; Calls for speculation	93:19-21		Overruled
	Retained counter-counter designations		95:15-22	Incomplete (must add 95:23-96:1, 96:3, 96:9-13)	Sustained in part, overruled in part; add 95:23-96:1, 96:3, do <i>not</i> add 96:9-13
98:25-99:6	Retained	Rule 403 (unfair prejudice – lying)			Overruled
99:13-16	Retained	Rule 403 (unfair prejudice – lying)			Overruled
100:2-6	Retained	Rule 403 (unfair			Overruled

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		prejudice – lying)			
100:10-101:11	Retained	Rule 403 (unfair prejudice – lying)			Overruled
101:23-102:6	Retained	Rule 403 (unfair prejudice – lying)			Overruled
102:9-18	Retained	Rule 403 (unfair prejudice – lying)			Overruled
102:22-25	Retained	Rule 403 (unfair prejudice – lying)			Overruled
103:10-15	Retained	Rule 403 (unfair prejudice – lying)			Overruled
105:5-106:15	Retained as to 105:5-21, 106:11-15	Rule 403 (unfair prejudice – lying)	105:1-4 105:22-106:10		Overruled as to 105:1-4, 105:5-21; sustained as to 106:11-15
106:18-21	Retained	106:18-21 Form; Witness lacks personal knowledge as to “thousands”. See 108:20-109:2			Sustained
111:2-9	Retained	Rule 403 (unfairly prejudicial –			Overruled as to 111:2-4;

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		lying)			sustained as to 111:6-9
111:11-17	Retained	Rule 403 (unfairly prejudicial – lying)			Sustained
111:19-24	Retained	Rule 403 (unfairly prejudicial – lying)			Sustained
120:16-121:2	Retained	Rule 403 (unfairly prejudicial – lying)			Overruled
134:24-135:12	Retained	135:6-12 Relevance; Testimony should be struck pursuant to Rule 403 because it is confusing the issues and unfair prejudice; Discovery dispute; Responses have been supplemented.			Sustained
136:5-137:12	Retained	Relevance; Discovery dispute; Testimony should be struck pursuant to Rule 403			Sustained

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		because it is confusing the issues and unfair prejudice. Responses have been supplemented.			
			144:20-23	Foundation; Incomplete (must add 144:24-145:6)	Sustained, add 144:24-145:6
			145:3-6	Incomplete (must add 145:19-147:2)	Overruled
			163:13-164:15	Incomplete (must add 164:16-24) [objection: Rule 403 (misleading, confusion)(answer is confusing)]	Sustained as to incomplete objection, add 164:16-12; overruled as to other objection
			169:5-12	Incomplete (must add 169:13-170:4) (objection: not a "completeness designation")	Overruled
170:22-24	Retained	170:22-24 Form; Foundation; Witness lacks personal knowledge			Overruled
185:1-15	Retained	185:8-15 Rule 403 (confusing the issues and			Sustained

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Plaintiff's Designations	Plaintiff's Amendments to Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiff's Objections to Counter-Designations	Rulings
		wasting time); Witness lacks personal knowledge; also no knowledge of Aswin's intent			
187:10-12	Retained	187:10-12 Rule 403 (confusing the issues and wasting time); Witness lacks personal knowledge; Form; Calls for speculation.			Sustained
187:14	Retained	Rule 403 (unfair prejudice – lying)			Sustained
187:18-24	Retained	Rule 403 (unfair prejudice – lying)			Sustained
	Retained counter-counter designations as to 191:25-192:2, 192:10-25		192:6-8	Incomplete (must add 191:19-192:2, 192:10-192:25) Incomplete (must ass 193:1-3)	Sustained, add 191:19-24, 193:1-3
214:19-21	Retained	Rule 403 (confusion, misleading) (Question is factually wrong; says Aug. 2012 not			Overruled

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		Aug. 2014)			
216:21-217:1	Retained	216:24-217:1 Relevance; No audible answer.			Sustained
227:13-20	Retained	Rule 403 (cumulative, reading from Exhibit 714)			Sustained
234:24-235:1	Retained	234:14-235:10 Rule 403 (cumulative)			Sustained
235:4-6	Retained	235:4-6 Rule 403 (cumulative)			Sustained
240:17-22	Retained	240:17-22 Argumentative.			Overruled
241:8-13	Retained	241:8-13 Relevance; Witness lacks personal knowledge; Argumentative; Testimony should be struck pursuant to Rule 403 because it is confusing the issues.			Sustained
241:15	Retained	241:15 Relevance; Witness lacks personal knowledge; Argumentative; Testimony should be			Sustained

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		struck pursuant to Rule 403 because it is confusing the issues.			
242:15-243:11	Retained	242:15-243:11 Relevance. 242:22-243:6 Rule 403 (cumulative), Reading from Exhibit 734 (waste of time)			Sustained
256:10-259:7	Retained as to 256:10-257:5, 257:15-259:7	259:5-7, 9-12 Argumentative; Rule 403 (unfair prejudice – lying)			Overruled as to 259:9-21; sustained as to 259:5-7
259:9-260:10	Retained as to 259:9-13, 260:4-10	260:8-10 Argumentative			Sustained
270:2-271:14	Retained	Rule 403 (unfair prejudice – lying)			Overruled
			271:15-272:5	Incomplete (must add 272:6-273:4)	Overruled
274:2-275:22	Retained	274:2-9 Rule 403 (cumulative, reading from Exhibit 703) 275:13-22 Testimony should be struck pursuant to			Overruled as to 274:2-9; sustained as to 275:13-22

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		Rule 403 because it is needlessly presenting cumulative evidence.			
275:25-276:7	Retained	Testimony should be struck pursuant to Rule 403 because it is needlessly presenting cumulative evidence.			Sustained
			285:2-7	Incomplete (must add 284:22-25, 285:14-23)	Sustained in part, overruled in part; add 285:14-23
			286:1-3	Incomplete (must add 286:7-287:8)	Sustained in part, overruled in part; add 286:8-10, 287:6-8
			287:21-23	Incomplete (must add 287:24-288:5) Objection: 288:2-5 cumulative	Sustained as to 287:25-288:1. overruled as to 288:2-5. As to the latter, TCS's objection is sustained.

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			288:6-12	Incomplete (must add 288:13-293:14) Objection: after 289:8, improper counter-counter. Not needed for completeness of counter-designation	288:6-12 is struck as cumulative rendering TCS's objection moot.
305:14-306:20	Retained as to 305:14-306:8	306:3-8, 18-20 Rule 403 (unfair prejudice – lying)			Overruled

Entered this 4th of April, 2016.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge