

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. #777), defendants' amended objections and counter-designations (dkt. #787), defendants' deposition designations (dkt. #554) and plaintiff's objections and counter-designations (dkt. #667), the court makes the following rulings as to witness Venugopal Reddy. The approved designations may be presented to the jury unless the witness is available to testify in person. **The parties 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.**

Both parties seek to call Reddy as part of their case in chief. All designations will, therefore, be played at one time in plaintiff's case for the jury's ease of understanding as though a full direct were done at that time by defendants.

VENUGOPAL REDDY (September 16, 2015)					
Plaintiff's Designations	Plaintiff's Amendments to Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiff's Objections to Counter-Designations	Rulings
Plaintiff objects to all of defendants' counter-designations that were also included in defendants' affirmative designations to which plaintiff has already provided objections and counter-designations. Plaintiff does not restate its objections here, but maintains the objections stated on the objections to defendants' designations. ¹					See fn 1.
48:24-49:2	Retained as to 48:24-25, 49:2	48:24-25 Form; foundation; Relevance (asks for opinion)	49:4-15 Designated only if objection is overruled.		Sustained
49:19-50:7	Retained	Cumulative			Sustained
50:14-23	Retained as to 50:14-17, 50:19-23. Added 51:5-6, 51:12-13	50:14-17 Form: vague; relevance (asks for opinion).			Sustained
			50:25-51:3; 51:5-6	Incomplete	Because the court sustains the objection to the designation, these counter-designations are also excluded, mooting incomplete objection
			51:8-10; 51:12-13	Incomplete	
			51:15-19	Incomplete	
52:14-22	Retained	Cumulative. 52:18-22 Witness lacks personal knowledge.			Overruled
52:24-53:4	Retained	Cumulative; Witness lacks personal			Overruled

¹ The court's rulings on plaintiff's objections to defendants' designations also apply to defendants' counter-designations. Similarly, any rulings on defendants' objections to plaintiff's designations also apply to plaintiff's counter-designations.

VENUGOPAL REDDY (September 16, 2015)					
Plaintiff's Designations	Plaintiff's Amendments to Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiff's Objections to Counter-Designations	Rulings
		knowledge.			
53:15-55:25	Retained as to 53:15-55:8, 55:12-55:25	Relevance			Overruled as to 53:15-55:11; 55:14-55:25; sustained as to 55:12-55:13.
56:4-14	Retained as to 56:4-14 (starting at "Do you...")	Relevance			Overruled
			63:22-64:4	Incomplete (should include 64:5-8)	Sustained, add 64:5-8
			64:9-14	Incomplete (should include 64:5-8)	Mooted by above ruling
105:15-19	Retained	105:15-19 Form; Witness lacks personal knowledge;			Overruled
105:21-106:16	Retained	105:21-106:16 Witness lacks personal knowledge; Rule 403 (cumulative) reading from Exhibit 159A without substantive question.			Overruled
125:8-16	Retained	125:4-6 Form. Misstates prior testimony 125:15-16 Form. Misstates			Overruled

VENUGOPAL REDDY (September 16, 2015)					
Plaintiff's Designations	Plaintiff's Amendments to Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiff's Objections to Counter-Designations	Rulings
		prior testimony.			
			127:11-15	Foundation; 602	Sustained as to 127:14-15; overruled as to 127:11-13
130:6-131:2	Retained	Relevance. 130:15-21 Rule 403 (cumulative) reading from Exhibit 29 without substantive question. 130:23-131:1 Rule 403 (cumulative) reading from Exhibit 29.			Sustained as to 130:15-131:2; otherwise overruled
135:7-15	Retained	Relevance.			Sustained
137:15-21	Retained	Relevance; cumulative			Sustained
139:23-140:1	Retained	Calls for speculation.			Sustained; also exclude 140:4-11
140:24-142:5	Retained as to 140:24-141:20, 141:25-142:5	141:25-142:4 Rule 403 (cumulative) reading from Exhibit 224.			Sustained
143:2-15	Retained	143:6-9 Rule 403 (cumulative) reading from Exhibit 224. 143:11-14 Rule 403 (cumulative)			Overruled

VENUGOPAL REDDY (September 16, 2015)					
Plaintiff's Designations	Plaintiff's Amendments to Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiff's Objections to Counter-Designations	Rulings
		reading from Exhibit 224.			
149:17-150:21	Retained	149:20-21 Rule 403 (cumulative) reading from Exhibit 25. 149:23-25 Rule 403 (cumulative) reading from Exhibit 25. 150:2-3 Rule 403 (cumulative) reading from Exhibit 25. 150:5-6 Relevance; cumulative 150:17-21 Rule 403 (cumulative) reading from Exhibit 25.			Sustained as to 149:22-150:6, 150:17-21; otherwise overruled
			170:11-16	Foundation; 802	Sustained
174:17-176:16	Retained	175:14-15, 175:17-18 175:20-23, 175:25-176:4 , and 176:6-9 Rule 403 (cumulative) reading from			Sustained; also exclude 175:11-13 and 176:10-11 through "okay"

VENUGOPAL REDDY (September 16, 2015)					
Plaintiff's Designations	Plaintiff's Amendments to Designations	Defendants' Objections	Defendants' Counter-Designations	Plaintiff's Objections to Counter-Designations	Rulings
		Exhibit 26.			
184:16-22	Retained as to 184:19-22	184:21-22 Argumentative.			Sustained
202:12-203:4	Retained as to 202:12-14, 202:20-203:4	203:1-4 Argumentative.			Overruled
203:6-16	Retained	203:14-16 Argumentative.			Sustained
205:3-4	Retained	205:3-4 Witness lacks personal knowledge			Sustained
211:23-212:19	Retained	212:18-19 Misstates prior testimony.	212:5-17		Sustained, so counter-designation is unnecessary
220:24-221:6	Retained	220:24-221:2 Relevance 221:3-6 Relevance.			Overruled
229:14-21	Retained	229:14 "Right." Object to "right" to an answer that is not designated so it is misleading here.			Sustained, exclude "Right"

VENUGOPAL REDDY – September 16, 2015				
Defendants' Initial Designation	Deposition Exhibits Referenced	Plaintiff's Objections	Plaintiff's Counter Designations	Rulings
5:3-11		401		Sustained
5:18-25		401		Sustained
160:9–162:1		401		Overruled

172:9–173:15	65 65A	401		Sustained
215:12–217:20		PM#1, 602, Foundation,	217:21-25	Sustained

Entered this 7th of April, 2016.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge