

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**In re: Oil Spill by the Oil Rig
“Deepwater Horizon” in the Gulf
Of Mexico, on April 20, 2010**

Applies to: *All Cases.*

* **MDL No. 2179**
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* **SECTION: J**
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* **JUDGE BARBIER**
* **MAGISTRATE SHUSHAN**

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**ALL PARTIES OBJECTIONS TO DEPOSITION DESIGNATIONS OF
MORTON EMILSEN**

<u>From</u>		<u>To</u>		<u>Objecting Party</u>	<u>Objection</u>	<u>Ruling</u>
<u>Page</u>	<u>Line</u>	<u>Page</u>	<u>Line</u>			
10	9	10	9	BP	Colloquy	
13	5	13	18	BP	Colloquy	
14	24	15	9	BP	Colloquy	
34	9	36	3	BP	Relevance	
37	19	37	22	BP	Relevance	
38	4	38	7	BP	Relevance	
72	7	72	14	BP	Compound; Vague	
80	5	82	4	BP	Relevance; Prejudice	
135	23	136	19	HESI	Speculation; hearsay; assumes facts not in evidence: The witness was asked if he agreed with an ostensibly BP-created PowerPoint which states that the cement failed to isolate the reservoir. The PowerPoint is hearsay and assumes facts not in evidence. The witness was asked if this PowerPoint statement was true based on the fact that there were hydrocarbons coming up through the shoe track. This question assumes facts not in evidence and calls for speculation.	

162	11	162	24	HESI	Nonresponsive: The witness was asked whether the drill pipe pressure was 1400 pounds at the end of the negative test. The witness responded with information regarding where the pressure reading was taken and the time and location of the monitoring of the pressure, which information was not responsive to the question.	
209	5	209	10	BP	Compound; Vague.	
209	13	209	13	BP	Compound; Vague.	
221	8	221	19	BP	Not Relevant to Phase I	
223	4	223	10	BP	Not Relevant to Phase I	
223	16	224	3	BP	Not Relevant to Phase I	
224	6	225	7	BP	Not Relevant to Phase I	
225	8	225	21	BP	Colloquy	
241	1	241	9	BP	Relevance; Multiple Hearsay; Prejudice	
244	16	245	7	BP	Relevance; Prejudice	
245	22	246	24	BP	Relevance; Prejudice	
247	1	251	22	BP	Relevance; Prejudice	
264	13	265	3	BP	Not Relevant to Phase I	
269	23	270	4	HESI	Nonresponsive; speculation; foundation: The witness was asked a series of questions as to why he didn't attempt to model a hole in the casing as a possible flow path. The witness' answers included nonresponsive information, as well as speculation, in that the witness stated, in part, that he "would expect" that this scenario was discussed by the team although it was established that he had no personal knowledge and, therefore, the questioning lacks foundation.	

270	5	270	12	HESI	Nonresponsive; speculation; foundation: The witness was asked a series of questions as to why he didn't attempt to model a hole in the casing as a possible flow path. The witness' answers included nonresponsive information, as well as speculation, in that the witness stated, in part, that he "would expect" that this scenario was discussed by the team although it was established that he had no personal knowledge and, therefore, the questioning lacks foundation.	
273	7	274	12	BP	Not Relevant to Phase I; Relevance	
286	1	287	1	BP	Not Relevant to Phase I	
289	10	290	10	BP	Not Relevant to Phase I	
291	5	291	9	BP	Not Relevant to Phase I; Compound; Vague	
291	11	291	17	BP	Not Relevant to Phase I; Compound; Vague	
291	18	291	21	BP	Not Relevant to Phase I	
292	5	292	7	BP	Not Relevant to Phase I	
292	9	292	12	BP	Not Relevant to Phase I	
292	13	292	17	BP	Not Relevant to Phase I; Vague; Compound	
292	19	292	22	BP	Not Relevant to Phase I; Vague; Compound	
302	10	302	25	BP	Not Relevant to Phase I	
304	8	304	22	BP	Not Relevant to Phase I	
306	22	307	6	BP	Not Relevant to Phase I	
307	7	307	14	BP	Not Relevant to Phase I; Vague; Compound	
307	16	307	19	BP	Not Relevant to Phase I; Vague; Compound	
307	20	307	23	BP	Not Relevant to Phase I	
308	8	308	10	BP	Not Relevant to Phase I	
308	24	309	20	BP	Not Relevant to Phase I	
312	9	312	12	BP	Not Relevant to Phase I; Misstates the record; Relevance; Prejudice	
312	14	312	16	BP	Not Relevant to Phase I; Misstates the Record; Relevance; Prejudice	

312	23	313	2	BP	Relevance; Prejudice	
313	12	313	16	BP	Relevance; Prejudice	
327	17	327	23	BP	Relevance; Prejudice	
329	19	329	23	BP	Relevance; Prejudice; FRE 602	
331	3	331	17	BP	Relevance; Prejudice	
332	5	332	17	BP	Relevance	
332	21	333	4	BP	Relevance	
333	21	334	8	BP	Relevance	
334	20	335	21	BP	Relevance; Prejudice	
336	7	336	23	BP	Relevance; Prejudice	
337	4	337	9	BP	Relevance; Prejudice	
355	7	355	11	BP	Misstates the Record; Compound	
355	13	355	14	BP	Misstates the Record; Compound	
382	4	382	8	BP	Misstates the Record; Compound	
382	11	382	13	BP	Misstates the Record; Compound	
415	19	415	23	BP	Asked and Answered; Misstates the Record; Compound	
415	25	416	1	BP	Asked and Answered; Misstates the Record; Compound	
421	1	421	5	BP	Misstates the Record; Compound	
421	7	421	10	BP	Misstates the Record; Compound	
426	1	426	6	BP	Misstates the Record; Compound	
426	8	426	8	BP	Misstates the Record; Compound	
465	16	465	22	HESI	Leading; vague and ambiguous: After being asked about a newspaper article that referred to "the destruction of printouts" at 465:7-14, counsel for BP asked the witness if he destroyed any documents that he thought could potentially be evidence in the investigation or the litigation. This question is leading, vague, and ambiguous; it is unclear what information is being sought.	

466	1	466	5	HESI	Leading; vague and ambiguous; asked and answered: The witness was asked by a BP lawyer if he destroyed any documents that he thought were the only copies of those documents. The question is leading; asked and answered previously; and vague and ambiguous. It does not specify clearly what information is being sought.	
466	6	466	14	HESI	Leading: The witness was asked by a BP lawyer if the edits provided to him by BP members of the investigation team or anyone else in the investigation team changed the conclusions in his report. The question is leading.	
466	15	466	20	HESI	Leading: The witness was asked by a BP lawyer if he believed at the time he issued his report and believes today that his report is accurate and reflects his analysis. The question is leading.	
466	21	467	2	HESI	Leading: The witness was asked by a BP lawyer if there were any changes provided to him by either BP members of the investigation team or anyone else on the investigation team that changed the report in a way that he is not comfortable with. The question is leading.	