

**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
JAY ODENWALD**

<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>			
61	9	61	12	BP	vague	
61	9	62	17	Cameron	Lack of foundation, calls for speculation (FRE 602); improper opinion testimony (FRE 701, 702); witness asked to speculate on whether BOP was a single-point failure system.	
61	15	61	15	BP	vague	
61	17	61	20	BP	vague	
61	23	61	24	BP	vague	
62	13	62	17	BP	FRE 602	
62	22	64	1	BP	FRE 602	
67	23	67	24	BP	FRE 602; argumentative	
68	3	68	4	BP	FRE 602; argumentative	
69	25	70	15	Cameron	Lack of foundation, calls for speculation (FRE 602); witness testified he was not on board the DWH at the time of the event being examined on (70).	
77	11	78	16	Cameron	Lack of foundation, speculation (FRE 602) (witness testified he had no knowledge of the event) (77-78).	

83	23	85	1	Cameron	Lack of foundation, calls for speculation (FRE 602) (witness testified “I don’t know anything about it” and that it was “between Owen and Mike.”).	
89	6	89	20	Cameron	Lack of foundation, calls for speculation (FRE 602).	
116	13	116	16	BP	FRE 602	
116	19	117	1	BP	FRE 602	
141	4	141	19	Cameron	Non-responsive; speculation (FRE 602).	
142	24	143	6	Cameron	Non-responsive, lack of foundation, speculation (FRE 602), prejudice (FRE 403) (witness speculates as to Cameron involvement when he was not present on rig move to Macondo Well) (55)).	
143	11	144	8	Cameron	Lack of foundation, speculation (FRE 602); prejudice (FRE 403). Witness is asked to speculate on testing and changing of batteries and he assumed that the batteries were changed but had no knowledge (143-44). When specifically asked what work was done at Cameron he responds “I don’t know.” (143-144) He also testified that when the pods were sent to Cameron “I’m not sure what they did.” (231).	

195	5	195	24	HESI	<p>Speculation; foundation; vague and ambiguous; assumes facts not in evidence; relevance; improper offer of restated question: The examining attorney asks Odenwald whether he thinks the Transocean crew would risk their lives if they thought something was wrong during the negative pressure test. The questioning calls for speculation, and there is no foundation for this witness to respond. The questions are vague and ambiguous and assume facts not in evidence. Further, Odenwald's thoughts about how Transocean crew members might behave under this hypothetical are not relevant. Finally, the offer of the question at 195:5-8 is improper, as counsel restated it in response to the witness's request.</p>	
196	1	196	20	HESI	<p>Speculation; foundation; vague and ambiguous; relevance: Odenwald is asked a series of questions about whether the Transocean crew could have exercised stop work authority if they thought something was wrong with the negative pressure test. This questioning calls for speculation, and there is no foundation for this witness to respond. The questions are vague and ambiguous as well. Further, Odenwald's thoughts about how Transocean crew members might behave under this hypothetical are not relevant.</p>	

196	22	198	11	Cameron	Lack of foundation, calls for speculation (FRE 602); prejudice (FRE 403) (witness is asked to speculate on work allegedly done by Cameron and changing of batteries at Cameron. When specifically asked what work was done at Cameron he responds “I don’t know.” (143-144) He also testified that when the pods were sent to Cameron “I’m not sure what they did.” (231) Witness had no contact with Cameron in Houston (286) and that generally he “did not have a whole lot of inter-interaction with them.” (287))	
216	21	217	20	Cameron	Non-responsive; prejudicial (FRE 403); witness suggests solenoids were swapped out when pods were rebuilt. This is directly contradictory to testimony regarding installing rebuilt solenoids from D&D and changing solenoids on-board the DWH by TO personnel (217-219, 226-228). When specifically asked what work was done at Cameron he responds “I don’t know.” (143-144) He also testified that when the pods were sent to Cameron “I’m not sure what they did.” (231).	
223	16	224	22	Cameron	Lack of foundation, speculation (FRE 602). Witness is examined regarding the “deadman system,” but noted that he is “not that familiar with the Cameron system” and that he has “never tested the deadman on that particular rig and never worked on it.” (224)	

229	20	230	5	Cameron	Lack of foundation, calls for speculation (FRE 602), prejudicial (FRE 403). Witness is asked about changing of batteries in the SEMs and assumes they were changed at Cameron when the SEMs were sent in. Witness testified he has no knowledge of what work was actually performed by Cameron (277-278). Witness simply assumed that the batteries were changed at Cameron, but when specifically asked whether the work was done at Cameron he responds "I don't know." (143-144) He also testifies that when the pods were sent to Cameron "I'm not sure what they did." (231).	
239	22	240	16	Cameron	Lack of foundation, calls for speculation (FRE 602).	