

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

In Re: FEMA TRAILER
FORMALDEHYDE PRODUCTS
LIABILITY LITIGATION

MDL NO. 07-1873

SECTION "N" (5)

THIS DOCUMENT RELATES TO
Member Case No. 09-2892

RULINGS ON OBJECTIONS ON DEPOSITION TESTIMONY¹ AT TRIAL

Pursuant to the Court's previous Order, various deposition transcripts have been provided to the Court of witnesses whose testimony will be presented to the jury by way of those transcripts, in lieu of live appearance. To the extent that the submitted transcripts have objections by counsel on the selected portions for trial, the Court has also obtained from counsel their respective positions regarding such objections. With regard to the witnesses listed below, these objections are resolved as follows: **to the extent that the Court makes no mention of an objection in this Order, such objection is hereby OVERRULED.** As for each other objection, the following are **SUSTAINED**:²

¹This Order pertains to the following witness: Martin Edward McNeese (July 14, 2009).

²When the Court sustains an objection, counsel presenting such testimony shall be responsible for editing the witness' videotape testimony accordingly.

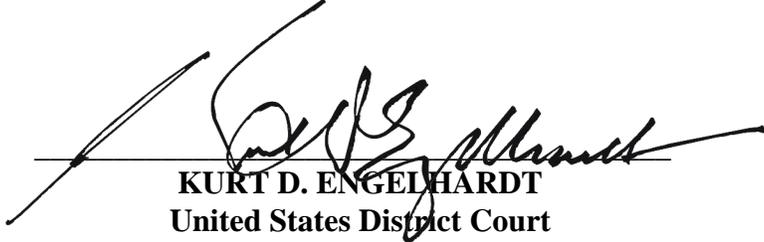
I. Testimony of Martin Edward McNeese (July 14, 2009)

Page 29, Line 2 - Page 30, Line 10 (through the word “Okay”) – Sustained. Argumentative to the extent it calls for an expert opinion which the witness cannot and does not attempt to give.

Page 41, Lines 16-22 – Sustained. Cumulative. In addition, the question by counsel is highlighted but the answer is not.

Page 105, Line 12 - Page 106, Line 6 – Sustained. These questions seek to elicit a response that is properly provided by an expert, and depart from his understanding relative to his own actions taken at the relevant time.

New Orleans, Louisiana, this 21st day of September, 2009.



KURT D. ENGELHARDT
United States District Court