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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

JOHN G. BRANCA, Special Administrator of the Estate of Michael J. Jackson; JOHN MCCLAIN, Special Administrator of the Estate of Michael J. Jackson; TRIUMPH INTERNATIONAL, INC., a California corporation, Plaintiffs, vs. HEAL THE WORLD FOUNDATION, a California corporation; UNITED FLEET, a California corporation; and DOES 1-10, inclusive, Defendants.	CASE NO. CV-09-07084 DMG (PLAx) **PLAINTIFFS' OBJECTIONS TO DEFENDANTS' COUNTER-DESIGNATIONS OF DEPOSITIONS OF MELISSA JOHNSON AND MEL WILSON** Trial Date: April 19, 2011 Complaint Filed: September 29, 2009 Hon. Dolly M. Gee

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Pursuant to Local Rule 16-2.7, Plaintiffs John G. Branca and John McClain, Co-Executors of the Estate of Michael J. Jackson (the "Estate") and Triumph International, Inc. (collectively, "Plaintiffs"), hereby submit the following index of the portions of the depositions offered,[1] stating the pages and lines offered, objections, and the grounds for the objections to the depositions of party representatives Melissa Johnson and Melvin Wilson:

Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
Melissa Johnson, Volume 1					
	5:9-25	None			
	10:23-11:19	None			
	11:24-26:7	None			
	27:12-28:8	None			
	29:6-30:22	None			
	33:16-36:5	None	30:23-33:15	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802).	

[1] Plaintiffs have marked their designations, counter-designations, and objections in blue on the transcripts; Defendants have marked their designations, counter-designations, and objections in green/yellow.

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
	43:18-48:1	None	36:6-25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	
	48:7-57:9	None	40:1-43:17	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802).	
	58:14-85:23	None	57:10	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	
	86:23-87:9	None	85:24- 86:22; 87:10-88:22	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay	

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
				(FRE 802).	
	88:23-89:7	None	99:25-100:3		
	89:8-95:21	None	115:3-9		
	96:4-11	None	115:22-25		
	100:4-103:6	None	116:1-4	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	
	103:13-115:2	None	116:15-120:25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); lacks personal knowledge (FRE 602).	
	115:10-21	None	122:1-24	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
	116:5-14	None	123:4-124:25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602); inadmissible opinion testimony by lay witness (FRE 701).	
	139:18-141:25	None	125:24-130:25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); inadmissible opinion testimony by lay witness (FRE 701).	

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
	160:2-167:22	None	133:1-139:6	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602); inadmissible opinion testimony by lay witness (FRE 701).	
	168:19-169:13	None	142:1-25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602).	
	172:6-177:5	None	146:8-148:25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain	

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
				portions already designated (FRE 106).	
	177:12-178:17	None	150:19-25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	
	180:23-182:7	None	151:7-25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	
	185:6-187:13	None	152:3-153:25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); inadmissible opinion testimony by lay witness (FRE 701).	

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
	187:23-188:4	None	171:13 - 172:5	Hearsay (FRE 802); lacks personal knowledge (FRE 602).	
	190:4-191:8	None	178:18-25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	
	192:24-196:24	None			
	198:5-199:11	None	200:6-205:6		
	205:7-9	None	205:10-16	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	
	205:17-206:2	None	206:3-213:25		
Melissa Johnson, Volume 2					
	225:3-226:24	None			
	228:2-229:5	None			

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
	235:5-236:15	None	238:1-241:25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602); inadmissible opinion testimony by lay witness (FRE 701).	
	242:19-250:1	None	250:2-6	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	
	250:7-251:22	None	251:23-252:10		
	252:11-253:11	None	253:12-25	Hearsay (FRE 802); lacks personal knowledge (FRE 602).	

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
	255:12-262:9	None	262:10-263:25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602); inadmissible opinion testimony by lay witness (FRE 701).	
	265:21-277:7	None	265:1-20	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	
	277:8-286:20	None	286:21-23		
	286:24-292:15	None	292:16-24		
	292:25-299:4	None	299:5-14		

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
	299:15-302:16	None			
	303:9-319:2	None			
	319:11-321:3	None	319:3-10		
	328:24-329:24	None	321:4-328:23	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602).	
	330:8-9	None			
	330:23-331:17	None			
	333:11-19	None	334:1-25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already	

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
				designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602).	
	337:16-342:14	None	351:1-5	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	
	346:16-349:10	None	363:22-364:1-5	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	
	349:18-350:24	None	368:4-15	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
	354:5-356:9	None	370:14-388:25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802).	
	359:22-360:18	None	389:14-25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	
	363:16-21	None	394:4-397:23	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802).	
	364:6-368:3	None	399:15-25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE	

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
				106).	
	368:16-370:13	None	402:4-19	Hearsay (FRE 802).	
	397:24-399:14	None	402:22-403:25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	
	400:10-17	None	406:2-407:25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802).	
	408:7-409:14	None	413:17-419:25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602).	

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
	412:16-413:6	None	422:8-15	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	
Melissa Johnson, Volume 3					
	451:18-455:22	None	435:12-25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	
	456:5-475:4	None	437:19-451:17	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602).	
	475:17-494:25	None	475:5-16	Does not qualify as an appropriate counter-designation, as it does not qualify	

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
				or explain portions already designated (FRE 106).	
	500:6-16	None	496:1-497:25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	
	500:19-557:5	None			
	560:9-608:11	None	608:11-25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	
	610:9-624	None			
	624:23-628:14	None			
	628:15-641:7	None			

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
Melvin Wilson					
			15:18-17:7	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	
			23:16-26:7	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602).	
			29:12-34:5	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602).	

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
			36:19-41:17	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602).	
			43:5-46:18	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602).	
			48:9-49:24	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
			52:15-53:15	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602).	
			54:18-57:13	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	
	64:11-21	None	65:8-67:4		
			68:13-69:7	Hearsay (FRE 802); lacks personal knowledge (FRE 602).	
			69:13-24	Hearsay (FRE 802); lacks personal knowledge (FRE 602).	

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
			70:8-75:15	Hearsay (FRE 802); lacks personal knowledge (FRE 602).	
			77:3-22		
			82:11-91:18	Hearsay (FRE 802); lacks personal knowledge (FRE 602).	
			92:6-96:13	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602).	
			97:1-99:6	Hearsay (FRE 802); lacks personal knowledge (FRE 602).	
	99:7-100:6	None	100:7-106:10	Hearsay (FRE 802); lacks personal knowledge (FRE 602).	
	106:11-15	None	106:16-107:12		

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
			110:18-117:20	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602).	
			128:7-129:21	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602).	
	133:32-134:3	None	143:14-147:25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal	

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
				knowledge (FRE 602).	
			158:4-159:12	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602).	
			160:17-25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602).	
			167:3-25	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay	

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
				(FRE 802); lacks personal knowledge (FRE 602); inadmissible opinion testimony by lay witness (FRE 701).	
			172:18-175:7	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602); inadmissible opinion testimony by lay witness (FRE 701).	
			177:17-23	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106).	

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
			187:5-22	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); inadmissible opinion testimony by lay witness (FRE 701).	
			189:16-190:9	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602); inadmissible opinion testimony by lay witness (FRE 701).	
			194:6-16	Does not qualify as an appropriate counter-designation, as it does not qualify	

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
				or explain portions already designated (FRE 106).	
			195:14-196:20	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602).	
			206:14-208:1	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602); inadmissible opinion testimony by lay witness (FRE 701).	

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Deponent	Plaintiffs' Designation	Defendants' Objection	Defendants' Counter-Designation	Plaintiffs' Objection	Defendants' Response to Plaintiffs' Objection
			221:13-229:13	Does not qualify as an appropriate counter-designation, as it does not qualify or explain portions already designated (FRE 106); hearsay (FRE 802); lacks personal knowledge (FRE 602).	

Dated: April 15, 2011

GREENBERG TRAURIG, LLP

By: /S/ NINA D. BOYAJIAN
NINA D. BOYAJIAN
Attorneys for Plaintiffs John G. Branca and John McClain, Special Administrators of the Estate of Michael J. Jackson; Triumph International, Inc.

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