UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ELAN PHARMA INTERNATIONAL LIMITED, Plaintiff, v. ABRAXIS BIOSCIENCE, INC., Defendant.	)	Case No. 06-438-GMS

EXHIBIT 9
DEFENDANT'S DEPOSITION DESIGNATIONS
AND
PLAINTIFF'S OBJECTIONS AND COUNTER-DESIGNATIONS TO DEFENDANT'S DEPOSITION DESIGNATIONS
AND
DEFENDANT'S RESPONSES AND OBJECTIONS TO PLAINTIFF'S OBJECTIONS AND COUNTER-DESIGNATIONS

Defendant Abraxis BioScience, Inc. ("Abraxis") makes the following designations of deposition testimony for its case[1]:

Deposition Designations

1. Dewey Barich (page/line designations attached as Exhibit A).
2. Cory Berkland (page/line designations attached as Exhibit B).
3. Harry Brittain (page/line designations attached as Exhibit C).
4. Stephen Byrn (page/line designations attached as Exhibit D).
5. David Czekai (page/line designations attached as Exhibit E).
6. Samuel Danishefsky (page/line designations attached as Exhibit F).
7. William Davis (page/line designations attached as Exhibit G).
8. Lawrence De Garavilla (page/line designations attached as Exhibit H).

[1] Abraxis's counter-designations to Elan's designated deposition testimony are in Exhibit 8 to the Proposed Pretrial Order.

9. Michael Hawkins (page/line designations attached as Exhibit I).
10. Elaine Liversidge (page/line designations attached as Exhibit J).
11. Gary Liversidge (page/line designations attached as Exhibit K).
12. Manoj Maniar (page/line designations attached as Exhibit L).
13. Eric Munson (page/line designations attached as Exhibit M).
14. Nancy Peltier (page/line designations attached as Exhibit N).
15. Pramod Sarpotdar (page/line designations attached as Exhibit O).
16. Lianjun Shi (page/line designations attached as Exhibit P).
17. David Taft (page/line designations attached as Exhibit Q).
18. Jeffrey Winkler (page/line designations attached as Exhibit R).

Responses and Objections

Plaintiff Elan Pharma International Limited ("Elan") makes the following objections and counter-designations to Abraxis's designations of deposition testimony, and Abraxis makes the following responses and objections.

1. Dewey Barich (responses/objections and counter-designations attached as Exhibit AA).
2. Cory Berkland (responses/objections and counter-designations attached as Exhibit BB).
3. Harry Brittain (responses/objections and counter-designations attached as Exhibit CC).
4. Stephen Byrn (responses/objections and counter-designations attached as Exhibit DD).
5. David Czekai (responses/objections and counter-designations attached as Exhibit EE).

6. Samuel Danishefsky (responses/objections and counter-designations attached as Exhibit FF).
7. William Davis (responses/objections and counter-designations attached as Exhibit GG).
8. Lawrence De Garavilla (responses/objections and counter-designations attached as Exhibit HH).
9. Michael Hawkins (no responses/objections and counter-designations).
10. Elaine Liversidge (responses/objections and counter-designations attached as Exhibit JJ).
11. Gary Liversidge (responses/objections and counter-designations attached as Exhibit KK).
12. Manoj Maniar (responses/objections and counter-designations attached as Exhibit LL).
13. Eric Munson (responses/objections and counter-designations attached as Exhibit MM).
14. Nancy Peltier (responses/objections and counter-designations attached as Exhibit NN).
15. Pramod Sarpotdar (responses/objections and counter-designations attached as Exhibit OO).
16. Lianjun Shi (responses/objections and counter-designations attached as Exhibit PP).
17. David Taft (responses/objections and counter-designations attached as Exhibit QQ).
18. Jeffrey Winkler (responses/objections and counter-designations attached as Exhibit RR).

EXHIBIT 9-A

TO PRETRIAL ORDER

Abraxis's Designation of Deposition Testimony

Witness: Dewey Barich

Deposition Designations: Dewey Barich

5:4-6
8:19-24
32:15-16
33:20-21
33:23-34:17
41:9-11
41:13-42:16
45:2-6
45:8-46:13
49:16-17
49:19-20
52:14-17
52:19-25
54:10-11
54:14-15
57:13-14
57:16-17
69:5-6
69:8
71:16-20
75:2-4
75:6
80:10-14
100:6-7
100:12-14
100:15
100:21-22
132:7-10
132:12-22
134:19-21
137:19-138:13
138:25-139:3
149:5-11

150:25-151:3

159:21-23

159:25-160:10

162:16-163:3

167:1-168:12

168:14-23

178:13-14, 17-20

179:13-14, 16-17

180:7-9, 15-18

185:9-10

185:12

186:8-12

186:14-18

186:25-187:10

188:2-4, 6-16

197:8-10

197:15-198:13

204:4-6, 8-10

206:18-21

206:23-207:8

209:14-23

212:25-213:3

213:11-18, 20

215:1-2, 4

215:16-19

216:9

218:19-23, 25

219:7-8, 10

219:11-12, 14

219:18, 20, 22

221:23-222:6

222:7-10

222:17-20, 22

223:10-11

224:16-17, 19

224:20-22, 24-25

225:8-11

225:12-13, 15-16

226:22-24

227:6-8

227:19-20, 22-23

228:22-23, 25

234:22-24

235:1-2, 4-11, 13-18

EXHIBIT 9-AA

TO PRETRIAL ORDER

Elan's Objections and Counter-Designations and Abraxis's Responses and Objections to Abraxis's Designation of Deposition Testimony

Witness: Dewey Barich

Barich

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
33:20-21			33:4-19		
41:13-42:16			42:17-43:14 44:17-45:1		
45:2-6	Depo. Obj. at 45:7 Vague, ambiguous, and speculative (FRE 403); Improper lay opinion (701); No personal knowledge (402)				
45:8-46:13	Depo. Obj. at 45:7 Vague, ambiguous, and speculative (FRE 403); Improper lay opinion (701); No personal knowledge (402)		46:14-20		
49:16-17			49:6-15		
52:14-17	Depo. Obj. at 52:18 Irrelevant (FRE 402); vague, ambiguous, and confusing (FRE 403) Improper lay opinion (701); No personal knowledge (402)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
52:19-25	Depo. Obj. at 52:18 Irrelevant (FRE 402); vague, ambiguous, and confusing (FRE 403) Improper lay opinion (701); No personal knowledge (402)		53:1-54:9		
54:10-11	Depo. Obj. at 54:13 Vague, ambiguous, and confusing (FRE 403); Improper lay opinion (701); No personal knowledge (402)				
54:14-15	Depo. Obj. at 54:13 Vague, ambiguous, and confusing (FRE 403); Improper lay opinion (701); No personal knowledge (402)		53:1-54:9		
57:13-14			55:21-57:12	Vague, ambiguous, and confusing (FRE 403); no question designated; unrelated (FRCP 32(a)(6) and FRE 106)	
57:16-17			55:21-57:12	Vague, ambiguous, and confusing (FRE 403); no question designated; unrelated (FRCP 32(a)(6) and FRE 106)	
69:5-6	Depo. Obj. at 69:7 Irrelevant (FRE 402); confusion of the issues (FRE 403)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
69:8	Depo. Obj. at 69:7 Irrelevant (FRE 402); confusion of the issues (FRE 403)		69:9-70:2 70:14-16	Vague, ambiguous, and confusing (FRE 403) As to 70:14-16 only: unrelated (FRCP 32(a)(6) and FRE 106)	
71:16-20			72:4-6		
75:1-4	Depo. Obj. at 75:5 Irrelevant (FRE 402) confusion of the issues (FRE 403)				
75:6	Depo. Obj. at 75:5 Irrelevant (FRE 402); confusion of the issues (FRE 403)		74:7-75:1	Vague, ambiguous, and confusing (FRE 403); Irrelevant (FRE 402)	
80:10-14			80:16-23		
100:6-7	Depo. Obj. at 100:8 Irrelevant (FRE 402); confusion of the issues (FRE 403)				
100:12-15	Depo. Obj. at 100:8, 100:16 Irrelevant (FRE 402); confusion of the issues (FRE 403)		100:9-11		
100:21-22			100:18-20 100:23 101:1		

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
132:7-10	Depo. Obj. at 132:11 Irrelevant (FRE 402); confusion of the issues (FRE 403)				
132:12-22	Depo. Obj. at 132:11 Irrelevant (FRE 402); confusion of the issues (FRE 403)		134:2-18		
134:19-21			134:2-18		
137-19-138:13			139:7-140:22	Vague, ambiguous, and confusing (FRE 403)	
138:25-139:3			139:7-140:22	Vague, ambiguous, and confusing (FRE 403)	
149:5-11	Depo. Obj. at 149:12 Confusion of the issues (FRE 403)		150:1-19	Vague, ambiguous, and confusing (FRE 403); Irrelevant (FRE 402); unrelated (FRCP 32(a)(6) and FRE 106)	
150:25-1513			150:1-19	Vague, ambiguous, and confusing (FRE 403); Irrelevant (FRE 402); unrelated (FRCP 32(a)(6) and FRE 106)	
159:21-23			(overlapping designation)		

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
159:25-160:10			(overlapping designation)		
162:16-163:3			(overlapping designation)		
167:1-168:12	Depo. Obj. at 168:13 Misleading (FRE 403)				
168:14-23	Depo. Obj. at 168:13 Misleading (FRE 403)		171:12-172:5	Vague, ambiguous, and confusing (FRE 403); Irrelevant (FRE 402)	
178:17-20			178:21-179:12		
179:13-14	Depo. Obj. at 179:15 Prejudicial, confusing, misleading (FRE 403)				
179:16-17	Depo. Obj. at 179:15 Prejudicial, confusing, misleading (FRE 403)		179:18-180:4		
180:7-9, 15-18	Depo. Obj. at 180:10 Confusing (FRE 403)		180:11-14		

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
185:9-10	Depo. Obj. at 185:11 Irrelevant (FRE 402); confusing and misleading (FRE 403)				
185:12	Depo. Obj. at 185:11 Irrelevant (FRE 402); confusing and misleading - incomplete response (FRE 403)		185:13-186:7		
186:8-12			187:11-188:1		
186:25-187:10			187:11-188:1		
188:2-4	Depo. Obj. at 188:5 Confusing and misleading (FRE 403); no personal knowledge (FRE 602)				
188:6-16	Depo. Obj. at 188:5 Confusing and misleading (FRE 403); no personal knowledge (FRE 602)		188:17-20 188:24-189:1		
197:8-10	Depo. Obj. at 197:14 Confusing and misleading (FRE 403); no personal knowledge (FRE 602)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
197:15-198:13	Depo. Obj. at 197:14 Confusing and misleading (FRE 403); no personal knowledge (FRE 602)		198:14-25	Vague, ambiguous, and confusing (FRE 403); Irrelevant (FRE 402); unrelated	
204:4-6	Depo. Obj. at 204:7 Confusing and misleading (FRE 403); expert opinion (FRE 702)				
204:8-10	Depo. Obj. at 204:7 Confusing and misleading (FRE 403); expert opinion (FRE 702)		203:23-204:3		
206:18-21	Depo. Obj. at 206:22 Misleading and prejudicial (FRE 403); expert opinion (FRE 702)				
206:23-207:8	Depo. Obj. at 206:22 Misleading and prejudicial (FRE 403); expert opinion (FRE 702)		207:9-11 207:13		
209:14-23			207:14-209:13	Vague, ambiguous, and confusing (FRE 403); Irrelevant (FRE 402); unrelated	
212:25-213:3	Depo. Obj. at 213:4 Irrelevant (FRE 402); misleading and prejudicial (FRE 403)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
213:11-18	Depo. Obj. at 213:19 (objection to question posed at 213:16-18) Irrelevant (FRE 402); misleading and prejudicial (FRE 403)				
213:20	Depo. Obj. at 213:19 (objection to question posed at 213:16-18) Irrelevant (FRE 402); misleading and prejudicial (FRE 403)				
215:1-2, 4	Depo. Obj. at 215:3 Irrelevant (FRE 402)				
215:16-19	Depo. Obj. at 215:20 Confusing (FRE 403)		215:21-216:8	Vague, ambiguous, and confusing (FRE 403); Irrelevant (FRE 402); unrelated	
216:9			216:10-12 216:18-22		
218:19-23, 25	Depo. Obj. at 218:24 Irrelevant (FRE 402); misleading and prejudicial (FRE 403)				
219:7-8, 10	Depo. Obj. at 219:9 Irrelevant (FRE 402); misleading and prejudicial (FRE 403)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
219:11-12, 14	Depo. Obj. at 219:13 Irrelevant (FRE 402); misleading and prejudicial (FRE 403)				
219:18, 20, 22			220:1-2		
221:23-222:10			222:11-12 222:14-16		
222:17-20,22			222:23-223:9		
223:10-11			222:23-223:9		
224:20-22, 24-25	Depo. Obj. at 224:23 No personal knowledge (FRE 602)				
225:8-13, 15-16	Depo. Obj. at 225:14 No personal knowledge (FRE 602)		225:1-7		
228:22-23, 25	Depo. Obj. at 228:24 Cumulative (FRE 403); incomplete answer		228:25-229:5		
234:22-24	Depo. Obj. at 234:25 Irrelevant (FRE 402); vague, misleading, confusing, prejudicial (FRE 403)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
235:1-2, 4-7	Depo. Obj. at 235:3 Irrelevant (FRE 402); vague, misleading, confusing, prejudicial (FRE 403)				
235:8-11, 13-18	Depo. Obj. at 235:12 Irrelevant (FRE 402); vague, misleading, confusing, prejudicial (FRE 403)				

EXHIBIT 9-B

TO PRETRIAL ORDER

Abraxis's Designation of Deposition Testimony

Witness: Cory Berkland

Deposition Designations: Cory Berkland

5:1-2

7:2-8

50:5-7

50:9-17

50:19-24

51:11-12

51:14-52:1

52:24-53:1

53:3-6

72:15-17

76:15-77:3

160:6-23

160:25-161:6

EXHIBIT 9-BB

TO PRETRIAL ORDER

Elan's Objections and Counter-Designations and Abraxis's Responses and Objections to Abraxis's Designation of Deposition Testimony

Witness: Cory Berkland

Berkland

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
50:5-7	Depo. Obj. at 50:8 Confusing, misleading (FRE 403)				
50:9-17	Depo. Obj. at 50:8 Depo. Obj. at 50:18 Confusing, misleading (FRE 403) No personal knowledge and improper foundation (FRE 602); confusing, misleading (FRE 403)		48:21-50:4	No question designated; confusing, misleading, waste of time (FRE 403)	
50:19-24	Depo. Obj. at 50:18 No personal knowledge and improper foundation (FRE 602); confusing, misleading (FRE 403)				
51:11-12	Depo. Obj. at 51:13 Irrelevant (FRE 402)				
51:14-52:1	Depo. Obj. at 51:13 Irrelevant (FRE 402)		72:20-74:10	No question designated; Confusing, misleading, waste of time (FRE 403); Irrelevant (FRE 402); unrelated (FRCP 32(a)(6) and FRE 106)	

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
52:24-53:1	Depo. Obj. at 53:2 Irrelevant (FRE 402)		72:20-74:10	No question designated; Confusing, misleading, waste of time (FRE 403); Irrelevant (FRE 402); unrelated (FRCP 32(a)(6) and FRE 106)	
53:3-6	Depo. Obj. at 53:2 Irrelevant (FRE 402)		72:20-74:10	No question designated; Confusing, misleading, waste of time (FRE 403); Irrelevant (FRE 402); unrelated (FRCP 32(a)(6) and FRE 106)	
72:15-17			72:20-74:10	No question designated; Confusing, misleading, waste of time (FRE 403); Irrelevant (FRE 402); unrelated (FRCP 32(a)(6) and FRE 106)	
76:15-77:3			77:19-78:3 78:9-15		
160:6-23	Depo. Obj. at 160:24 Irrelevant (FRE 402); calls for speculation (FRE 403); personal knowledge (FRE 602)		147:7-19 153:12-18 160:24	No question designated; Confusing, misleading, waste of time (FRE 403); Irrelevant (FRE 402); unrelated (FRCP 32(a)(6) and FRE 106)	

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
160:25-161:6	Depo. Obj. at 160:24 Irrelevant (FRE 402); calls for speculation (FRE 403); no personal knowledge (FRE 602)		147:7-19 153:12-18 160:24	No question designated; Confusing, misleading, waste of time (FRE 403); Irrelevant (FRE 402); unrelated (FRCP 32(a)(6) and FRE 106)	

EXHIBIT 9-C

TO PRETRIAL ORDER

Abraxis's Designation of Deposition Testimony

Witness: Harry Brittain

Deposition Designations: Harry Brittain

5:19-22
5:25-6:19
6:20-7:2
7:14-8:6
8:8-10
8:18-9:15
11:3-6
13:23-14:4
14:14-24
17:5-19:9
21:25-23:8
24:5-13
24:17-21
57:23-59:5
68:2-21
69:11-23
70:11-15
70:19-71:2
76:21-77:13
78:2-80:4
80:6-81:12
85:19-86:15
94:6-15
106:25-107:2
107:4-107:16
109:22-110:8
110:9-15
110:17-21
111:22-112:20
113:23-114:10
119:8-120:7
120:10-121:2
121:4-17

126:6-127:20
130:15-19
130:21-131:5
165:3-7
166:12-168:17
169:18-21
169:23-170:9
170:13-24
171:16-172:16
176:17-177:25
206:12-207:5
213:3-6
213:11-13
213:22-214:4
218:25-219:25
221:17-23
235:14-237:20
237:23
238:4-7
239:17-240:15
251:14-253:13
253:15-255:7
255:9-10
255:14-18
256:2-12
260:24-262:2

EXHIBIT 9-CC

TO PRETRIAL ORDER

Elan's Objections and Counter-Designations and Abraxis's Responses and Objections to Abraxis's Designation of Deposition Testimony

Witness: Harry Brittain

Brittain

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
6:20-7:2	Depo. Obj. at 6:22-23 Privileged (FRE 501) Irrelevant (FRE 402)				
7:14-8:6	Irrelevant (FRE 402)				
8:8-10	Depo. Obj. at 11-12 Privileged (FRE 501) Irrelevant (FRE 402)		8:13-17	No question designated	
8:18-9:15	Depo. Obj. at 9:11-12 Privileged (FRE 501) Irrelevant (FRE 402)				
11:3-6	Depo. Obj. at 11:5-6 Privileged (FRE 501) Irrelevant (FRE 402)				
13:23-14:4	Irrelevant (FRE 402)				
14:14-24	Depo. Obj. at 14:20-24 Privileged (FRE 501) Irrelevant (FRE 402)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
17:5-19:9	Depo. Obj. at 18:11, 18:17, 19:8-9 Privileged (FRE 501) Irrelevant (FRE 402)				
57:23-59:5			61:6-13	No question designated	
69:11-23	Hearsay within hearsay (FRE 802)				
76:21-77:13	Hearsay within hearsay (FRE 802)				
78:2-80:4	Hearsay within hearsay (FRE 802)				
85:19-86:15	Hearsay within hearsay (FRE 802)		87:5-18 88:16-89:22	No question designated (both)	
107:4-107:16	Depo. Obj. at 107:3 No personal knowledge (FRE 602)				
109:22-110:8	Depo. Obj. at 110:16 No personal knowledge (FRE 602)				
110:17-21			110:24-111:9	No question designated	
119:8-120:7	Irrelevant (FRE 402)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
120:10-121:2	Vague (FRE 403)				
121:4-17			135:19-136:2	No question designated	
126:6-127:20	Hearsay within hearsay (FRE 802)				
130:15-19	Compound (611(a)), misleading (FRE 403), hearsay within hearsay (FRE 802)				
130:21-131:5			136:10-14	No question designated, Not appropriate counter designation (FRCP 32(a)(6) and FRE 106)	
165:3-7			164:4-165:2	No question designated, Not appropriate counter designation (FRCP 32(a)(6) and FRE 106)	
166:12-168:17	Misleading (FRE 403), irrelevant (FRE 402)				
169:18-21	Irrelevant (FRE 402)				
169:23-170:9	Irrelevant (FRE 402)				
171:16-172:16	Hearsay within hearsay (FRE 802), irrelevant (FRE 402)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
176:17-177:25	Irrelevant (FRE 402), misleading (FRE 403)				
213:3-6	Irrelevant (FRE 402)				
213:11-13	Irrelevant (FRE 402)				
213:22-214:4	Depo. Obj. at 213:24-214:4 Privileged (FRE 501) Irrelevant (FRE 402)				
218:25-219:25	Irrelevant (FRE 402)				
221:17-23	Irrelevant (FRE 402)				
235:14-237:20			238:13-239-13	No question designated	
238:4-7			238:13-239:13	No question designated	
239:17-240:15			238:13-239:13 240:21-241:4	No question designated (both)	
251:14-253:13	withdrawn question (253:9-17) Vague, ambiguous (FRE 403)				
253:15-255:7	Legal opinion (FRE 701)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
255:14-18			255:11-13	Not appropriate counter designation (FRCP 32(a)(6) and FRE 106)	
260:24-262:2	Hearsay within hearsay (FRE 802)				

EXHIBIT 9-D

TO PRETRIAL ORDER

Abraxis's Designation of Deposition Testimony

Witness: Stephen Byrn

Deposition Designations: Stephen Byrn

14:6-10
65:6-17
65:19-67:13
67:15-68:8
69:15-71:8
130:6-11
135:15-19
137:25-139:13
139:16-140:2
140:23-141:1
190:2-6
193:20-194:3
195:2-14
195:16-21
196:3-5
196:14-205:18
206:7-207:17
208:6-212:19
213:17-22
224:22-225:14
225:22-226:4
226:7-227:17
227:19-228:5
228:8-9
228:18-229:16
230:24-231:14
233:11-234:16

EXHIBIT 9-DD

TO PRETRIAL ORDER

Elan's Objections and Counter-Designations and Abraxis's Responses and Objections to Abraxis's Designation of Deposition Testimony

Witness: Stephen Byrn

Byrn

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
65:6-17	Depo. Obj. at 65:18 Document speaks for itself (FRE 1002)				
65:19-67:13	Depo. Obj. at 65:18 Document speaks for itself (FRE 1002) Irrelevant (FRE 402)				
67:15-68-8	Depo. Obj. at 67:14 Improper legal opinion (FRE 611); (FRE 403)				
69:15-71:8			71:9-15		
137:25-139:13	Cumulative (FRE 402)				
139:16-140:2			140:6-22	No question designated.	
140:23-141:1			140:6-22	No question designated.	
193:20-194:3			194:13-18	No question designated; FRE 403.	

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
195:2-195:14	Depo. Obj. at 195:15 Document speaks for itself (FRE 1002); misleading (FRE 403)		195:24-196:2	No question designated; FRE 403.	
195:16-21 196:3-5			195:22-196:2	FRE 403.	
196:14-205:18			207:25-208:5	FRE 403; unrelated (FRCP 32(a)(6) and FRE 106)	
206:7-207:17			207:25-208:5	FRE 403; unrelated (FRCP 32(a)(6) and FRE 106)	
224:22-225:14			217:1-4	No question designated; FRE 403; unrelated (FRCP 32(a)(6) and FRE 106)	
226:7-227:17	As to 227:15-17 Depo. Obj. at 227:18 Mischaracterizes Witness Testimony (FRE 611(a))				
227:19-228:5	Depo. Obj. at 227:18 Mischaracterizes Witness Testimony (FRE 611(a))				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
228:8-9	Depo. Obj. at :228:6-7 Compound question; two questions asked (FRE 611); document speaks for itself (FRE 1002)				
228:18-229:16	As to 229:14-16 FRE 402-Irrelevant; FRE 403; Judge Sleet's PTO fn. 6-Attorney colloquy				
230:24-231:14			230:20-23		

EXHIBIT 9-E

TO PRETRIAL ORDER

Abraxis's Designation of Deposition Testimony

Witness: David Czekai

Deposition Designations: David Czekai

5:20-23
6:9-13
7:17-8:23
25:4-26:4
33:19-24
34:10-35:17
44:2-3
44:5-16
47:23-49:20
50:4-22
50:24-51:7
59:11-60:10
61:6-62:22
70:2-9
76:2-76:23
77:16-17
77:19-23
77:25-78:9
88:6-89:12
127:4-8
127:10-17
139:1-16
141:11-13
142:3-25
186:3-11
186:13-189:25
245:19-21
250:12-252:14
254:8-14
254:17-22
261:3-263:6
263:8-264:13
264:16-264:20

264:23-265:3

265:6-266:5

266:7-266:21

EXHIBIT 9-EE

TO PRETRIAL ORDER

Elan's Objections and Counter-Designations and Abraxis's Responses and Objections to Abraxis's Designation of Deposition Testimony

Witness: David Czekai

Czekai

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
44:2-3	Depo. Obj. at 44:4 Irrelevant (FRE 402); vague (FRE 403); question withdrawn at 47:20-22				
44:5-16	Depo. Obj. at 44:4 Irrelevant (FRE 402); vague (FRE 403); question withdrawn at 47:20-22				
50:4-22	Depo. Obj. at 50:23 Vague (FRE 403); Expert (FRE 702)				
50:24-51:17	Depo. Obj. at 50:23 Vague (FRE 403); Expert (FRE 702)				
76:2-76:23	Depo. Obj. at 76:7 Best Evidence Rule (FRE 1002); hearsay (FRE 802); Irrelevant (FRE 402); Confusing and misleading (FRE 403)		76:24-77:10		

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
77:16-17	Depo. Obj. at 77:18 Vague and ambiguous (FRE 403)		77:11-15		
77:19-23	Depo. Obj. at 77:24 Vague and ambiguous (FRE 403)				
77:25-78:9	Depo. Obj. at 77:24 Vague and ambiguous (FRE 403)		78:10-15	Improper lay opinion (FRE 702)	
88:6-89:12	Depo. Obj. at 87:22-23 Improper lay opinion (FRE 702)		87:23-88:5		
127:4-8	Depo. Obj. at 127:9 No personal knowledge, no foundation (FRE 602); Best Evidence Rule (FRE 1002)		126:13-127:3		
127:10-17	Depo. Obj. at 127:9 No personal knowledge, no foundation (FRE 602); Best Evidence Rule (FRE 1002)		126:13-127:3		
141:11-13			140:13-141:2 141:3-10 141:14-22		

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
142:3-25	Depo. Obj. at 142:21 Calls for specualtion (FRE 403); No personal knowledge, no foundation (FRE 602); Best Evidence Rule (FRE 1002)		140:13-141:2 141:3-10 141:14-22 143:2-6		
186:3-11	Depo. Obj. at 186:12 No personal knowledge, no foundation (FRE 602); Best Evidence Rule (FRE 1002)				
186:13-189:25	Depo. Obj. at 186:12 No personal knowledge, no foundation (FRE 602); Best Evidence Rule (FRE 1002)				
250:12-252:14			246:3-20 248:16-249:7 249:25-250:10	Incomplete designation (249:25-250:10)	
254:8-14	Depo. Obj. at 254:15-16 No personal knowledge, no foundation (FRE 602); Best Evidence Rule (FRE 1002)		246:3-20 248:16-249:7 249:25-250:10	Incomplete designation (249:25-250:10)	

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
254:17-22	Depo. Obj. at 254:15-16 No personal knowledge, no foundation (FRE 602); Best Evidence Rule (FRE 1002); incomplete response (FRE 402)		246:3-20 248:16 249:7 249:25-250:10 254:23-255:2	Incomplete designation (249:25-250:10)	
261:3-263:6	Depo. Obj. at 263:7 No personal knowledge, no foundation (FRE 602); Best Evidence Rule (FRE 1002);				
263:8-264:13	Depo. Obj. at 263:7 No personal knowledge, no foundation (FRE 602); Best Evidence Rule (FRE 1002)		246:3-20 248:16-249:7 249:25- 250:10 254:23-255:2	Incomplete designation (249:25-250:10	
264:16-264:20	Depo. Obj. at 264:14 No personal knowledge, no foundation (FRE 602); Best Evidence Rule (FRE 1002)		246:3-20 248:16-249:7 249:25-250:10 254:23-255:2	Incomplete designation (249:25-250:10	

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
264:23-265:3	Depo. Obj. at 264:21-22 No personal knowledge, no foundation (FRE 602); Best Evidence Rule (FRE 1002)		246:3-20 248:16 -249:7 249:25-250:10 254:23-255:2	Incomplete designation (249:25-250:10	
265:6-266:5	Depo. Obj. at 266:6 No personal knowledge, no foundation (FRE 602); Best Evidence Rule (FRE 1002)		246:3-20 248:16-249:7 249:25-250:10 254:23-255:2	Incomplete designation (249:25-250:10	

EXHIBIT 9-F

TO PRETRIAL ORDER

Abraxis's Designation of Deposition Testimony

Witness: Samuel Danishefsky

Deposition Designations: Samuel Danishefsky

5:9-12

6:11-14

7:18-21

8:14-9:12

9:17-22

22:9-11

48:18-23

58:6-8

58:10-59:6

98:15-18

102:14-16, 102:18-20

119:5-6, 119:8-17

166:17-24

170:10-171:4

189:11-12

189:14-18

189:20-190:2

198:4-200:10

200:12-14

228:18-231:9

233:7-10, 18-20

236:22-237:6

237:7-9

237:11-17

237:24-238:2

238:21-23

238:25-239:7

239:9-13

239:15-23

239:25

243:17-21

243:23-244:25

245:3-246:2

246:4-9

246:11-12

247:5-8

247:10-248:5

248:7-20

248:22-23

249:8-9

249:11-12

249:14-17

271:11-14

271:16-24

272:2-18

272:20-23

272:25-273:11

288:6-289:6

293:8-11

293:13-294:6

294:8-15

294:17-295:16

295:18-296:13

EXHIBIT 9-FF

TO PRETRIAL ORDER

Elan's Objections and Counter-Designations and Abraxis's Responses and Objections to Abraxis's Designation of Deposition Testimony

Witness: Samuel Danishefsky

Danishefsky

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
22:9-11			22:12-15		
48:18-23			48:24-49:4		
58:6-8	Depo. Obj. at 58:9 No foundation (FRE 602); Best Evidence Rule (FRE 1002)		51:7-54:10	Improper opinion; hearsay; question not designated	
58:10-59:6	Depo. Obj. at 58:9 No foundation (FRE 602); Best Evidence Rule (FRE 1002)		51:7-54:10	Improper opinion; hearsay; question not designated	
119:5-6, 119:8-17	Depo. Obj. at 119:7 Irrelevant (FRE 402); Confusing and misleading (FRE 403)				
166:17-24			165:21-166:11	Improper opinion; incomplete designation	
170:10-171:4			170:5-9 171:5-13	Irrelevant, report is inadmissible; hearsay, incomplete designation (171:14-172:6)	

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
189:11-12	Depo. Obj. at 189:13 No personal knowledge, no foundation (FRE 602); Best Evidence Rule (FRE 1002); Irrelevant (FRE 402); Confusing and misleading (FRE 403)		186:13-189:10	Hearsay; improper opinion	
189:14-18	Depo. Obj. at 189:13 No personal knowledge, no foundation (FRE 602); Best Evidence Rule (FRE 1002); Irrelevant (FRE 402); Confusing and misleading (FRE 403)		186:13-189:10	Hearsay; improper opinion	
189:20-190:2	Depo. Obj. at 189:20 No personal knowledge, no foundation (FRE 602); Best Evidence Rule (FRE 1002); Irrelevant (FRE 402); Confusing and misleading (FRE 403)		186:13-189:10	Hearsay; improper opinion	
198:4-200:10	Depo. Obj. at 200:11 No personal knowledge, no foundation (FRE 602); Best Evidence Rule (FRE 1002); Irrelevant (FRE 402); Confusing and misleading (FRE 403)		186:13-189:10	Hearsay; improper opinion	

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
200:12-14	Depo. Obj. at 200:11 No personal knowledge, no foundation (FRE 602); Best Evidence Rule (FRE 1002); Irrelevant (FRE 402); Confusing and misleading (FRE 403)		186:13-189:10	Hearsay; improper opinion	
228:18-231:9			225:20-228:17 231:10-232:3	Unrelated (FRCP 32(a)(6) and FRE 106); improper opinion; incomplete designation	
233:7-10, 18-20			233:11-17 233:21-234:12	Unrelated (FRCP 32(a)(6) and FRE 106); improper opinion; incomplete designation (233:18-20); improper designation (233:15)	
237:7-9	Depo. Obj. at 237:10 Confusing and misleading (FRE 403)				
237:11-17	Depo. Obj. at 237:10 Confusing and misleading (FRE 403)				
237:24-238:2			234:19-236:21	Incomplete designation (234:16-17); improper opinion	

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
238:21-23	Depo. Obj. at 238:4 Ambiguous, confusing and misleading (FRE 403)		234:19-236:21	Incomplete designation (234:16-17); improper opinion	
238:25-239:7	Depo. Obj. at 239:8 Ambiguous, confusing and misleading (FRE 403)		234:19-236:21	Incomplete designation (234:16-17); improper opinion	
239:9-13	Depo. Obj. at 239:14 Ambiguous, confusing and misleading (FRE 403)		240:2-241:10	Incomplete designation (241:11-17); improper opinion	
239:15-23	Depo. Obj. at 239:14 Ambiguous, confusing and misleading (FRE 403)		240:2-241:10	Incomplete designation (241:11-17); improper opinion	
239:25	Depo. Obj. at 239:24 Ambiguous, confusing and misleading (FRE 403)		240:2-241:10	Incomplete designation (241:11-17); improper opinion	
245:3-246:2	Depo. Obj. at 246:3 Irrelevant (FRE 402); vague, ambiguous and confusing (FRE 403)				
246:4-9	Depo. Obj. at 246:10 Irrelevant (FRE 402); vague, ambiguous and confusing (FRE 403)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
246:11-12	Depo. Obj. at 246:10 Irrelevant (FRE 402); vague, ambiguous and confusing (FRE 403)				
247:5-8	Depo. Obj. at 247:9 Irrelevant (FRE 402); confusing and misleading (FRE 403)		246:22-247:4		
247:10-248:5	Depo. Obj. at 247:9 Irrelevant (FRE 402); confusing and misleading (FRE 403)		246:22-247:4		
248:7-20	Depo. Obj. at 248:6 Irrelevant (FRE 402); confusing and misleading (FRE 403)		246:22-247:4		
248:22-23	Depo. Obj. at 248:21 Irrelevant (FRE 402); confusing and misleading (FRE 403)		248:24-249:7	Improper opinion	
271:11-14	Depo. Obj. at 271:15 Irrelevant (FRE 402); Confusing and misleading (FRE 403); Expert (702)				
271:16-24	Depo. Obj. at 271:15 Irrelevant (FRE 402); Confusing and misleading, prejudicial (FRE 403)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
272:2-18	Depo. Obj. at 271:25 Irrelevant (FRE 402); Confusing and misleading, prejudicial (FRE 403)				
272:20-23	Depo. Obj. at 272:24 Irrelevant (FRE 402); Confusing and misleading, prejudicial (FRE 403)				
272:25-273:11	Depo. Obj. at 272:24 Irrelevant (FRE 402); Confusing and misleading, prejudicial (FRE 403)				
288:6-289:6					
293:8-11	Depo. Obj. at 293:12 Irrelevant (FRE 402); speculative, confusing, misleading and prejudicial (FRE 403)				
293:13-294:6	Depo. Obj. at 294:7 Irrelevant (FRE 402); speculative, confusing, misleading and prejudicial (FRE 403)				
294:8-15	Depo. Obj. at 294:7 Irrelevant (FRE 402); speculative, confusing, misleading and prejudicial (FRE 403)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
294:17-295:16	Depo. Obj. at 295:17 Irrelevant (FRE 402); speculative, confusing, misleading and prejudicial (FRE 403)				
295:18-296:13	Depo. Obj. at 295:17 Irrelevant (FRE 402); speculative, confusing, misleading and prejudicial (FRE 403)				

EXHIBIT 9-G

TO PRETRIAL ORDER

Abraxis's Designation of Deposition Testimony

Witness: William Davis

Deposition Designations: William Davis

5:1-6
5:10-14
12:2-6
12:12-16
14:7-9
14:15-17
15:19-23
17:18-22
18:5-6
18:8-10
18:12-15
18:18-19
20:7-13
20:16-18
20:21-23
82:8-15
85:15-86:1
26:1-15
27:17-28:8
28:10-14
28:16-24
29:2-3
29:10
29:13-16
72:5-7
72:12-24
73:3
73:7-14
73:17-22
74:13-20
75:2-7
90:23-91:3
91:5-11

92:1-3
93:9-16
93:20-21
93:23-94:3
95:9-14
95:21-96:1
106:20-107:13
107:17-19
107:21-23
108:18-109:8
110:16-19
110:22-111:2
112:12-14
112:16-113:2
113:5-6
113:8-12
113:15-22
113:24-114:7
114:10-11
114:20-115:4
115:6-116:2
118:23-119:4
119:7-11
119:13-23
120:9-15
122:19-123:9
123:17-21
123:24-124:5
127:2-6
127:12-128:5
129:24-130:3
130:6-11
130:13-15
130:18-131:3
131:24-132:9
132:17-18

132:21-133:3
133:15-17
133:20-134:4
145:5-146:13
146:16-17
146:22-147:4
147:20-148:6
148:8-9
148:11
154:3-15
154:18-21
154:23-155:4
155:7-8
155:10-13
155:16-21
156:7-10
156:13-14
157:2-6
157:12
157:16-19
157:22-23
158:7-12
158:15-16
158:18
158:20-21
161:3-8
148:19-20
149:12-13
149:16
164:8-12
164:14-24
165:3-5
165:10-11
165:14-15
165:17-23
166:12-21

167:19-22
168:7-9
168:11-14
168:17-23
169:1-4
169:7-10
169:12-15
169:18-19
169:21-171:19
171:22-23
172:1-3
172:6-7
172:9-11
172:16-18
172:21-22
172:24-173:2
173:5-6
173:8-13
176:11-22
177:3-4
177:6-178:5
180:11-16
180:19-181:3
181:5-9
181:14-15
184:12-19
184:22-185:1
185:5-8
185:13-16
185:20-23
186:4-7
187:13-15
187:18-24
188:9-11
188:13-16
189:12-190:2

191:15-20

192:3-8

192:23-193:2

193:7-8

193:10-11

193:12-13

193:17-194:5

194:8-16

194:19-21

201:9-10

201:13-17

202:7-9

202:12-20

202:22-203:6

203:11-204:7

204:14-20

204:22-24

EXHIBIT 9-GG

TO PRETRIAL ORDER

Elan's Objections and Counter-Designations and Abraxis's Responses and Objections to Abraxis's Designation of Deposition Testimony

Witness: William Davis

Davis

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
95:21-96:1			95:15-20	Answer is non-responsive; Not proper counterdesignation (FRCP 32(a)(6) and FRE 106); FRE 403.	
106:20-107:13			107:14-16	Unrelated (FRCP 32(a)(6) and FRE 106). Designated testimony inaccurately reflects witnesses' testimony (see 109:4-8); FRE 403.	
107:17-19			108:1-7 108:10-14	Unrelated (FRCP 32(a)(6) and FRE 106). Designated testimony inaccurately reflects witness' testimony (see 109:4-8); FRE 403.	
107:21-23			108:1-7 108:10-14 108:15-17	Unrelated (FRCP 32(a)(6) and FRE 106). Designated testimony inaccurately reflects witness' testimony (see 109:4-8); FRE 403.	
108:18-109:8			109:9-14 109:17-19 109:21-110:9	109:21-110:9 (unrelated (FRCP 32(a)(6) and FRE 106); designated testimony inaccurately reflects witness' testimony (see 112:21-114:7); FRE 403.	
110:16-19			111:4 111:7-15	Unrelated (FRCP 32(a)(6) and FRE 106).	

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
110:22-111:2			111:4 111:7-15	Unrelated (FRCP 32(a)(6) and FRE 106)	
114:10-11			114:15-18		
115:6-116:2			116:3-20 117:8-11 117:14-19 117:21-118:2 118:10-20	Unrelated (FRCP 32(a)(6) and FRE 106)	
122:19-123:9			122:3-17	Unrelated (FRCP 32(a)(6) and FRE 106); attorney objections included.	
123:24-124:5			125:2-15 125:18-21	Unrelated (FRCP 32(a)(6) and FRE 106).	
127:12-128:5			128:6-7 128:10-11	Unrelated (FRCP 32(a)(6) and FRE 106)	
129:24-130:3			129:3-13 129:18-22	Unrelated (FRCP 32(a)(6) and FRE 106), waste of time.	
130:6-11	Depo. Obj. at 130:4-5 Vague, ambiguous, incomplete (FRE 403)		129:3-3 129:18-22	Unrelated (FRCP 32(a)(6) and FRE 106), waste of time.	

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
130:13-15	Depo. Obj. at 130:16-17 Mischaracterizes previous testimony, misleading, prejudicial (FRE 403); no foundation (FRE 602)		129:3-13 129:18-22	Unrelated (FRCP 32(a)(6) and FRE 106), waste of time.	
130:18-131:3	Depo. Obj. at 130:16-17 Mischaracterizes previous testimony (FRE 611(a)), misleading, prejudicial (FRE 403); no foundation (602)		129:3-13 129:18-22	Unrelated (FRCP 32(a)(6) and FRE 106), waste of time.	
131:24-132:9			132:10-11 132:14-15	Unrelated (FRCP 32(a)(6) and FRE 106)	
145:5-146:13	Depo. Obj. at 146:14-15 Vague and ambiguous (FRE 403), Expert (FRE 702)				
146:16-17	Depo. Obj. at 146:14-15 Vague and ambiguous (FRE 403), Improper lay opinion (FRE 702)				
146:22-147:4	Depo. Obj. at 147:6-7 Expert (FRE 702)				
147:20-148:6	Depo. Obj. at 148:1-2 Expert (FRE 702)				

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
148:8-9	Depo. Obj. at 148:10 Expert (FRE 702)				
148:11			148:13-18		
157:16-19	Depo. Obj. at 157:20 Speculation, vague and ambiguous (FRE 403); Expert (FRE 702); No personal knowledge (FRE 602)				
157:22-23	Depo. Obj. at 157:20 Speculation, vague and ambiguous (FRE 403); Expert (FRE 702); No personal knowledge (FRE 602)				
158:7-12	Depo. Obj. at 158:13-14 Vague, ambiguous and confusing (FRE 403, 611a); Expert (FRE 701, 702); No personal knowledge (FRE 602)				
158:15-16	Depo. Obj. at 158:19 Vague, ambiguous and confusing (FRE 403, 611a); Expert (FRE 701, 702); No personal knowledge (FRE 602)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
158:18	Depo. Obj. at 158:19 Vague, ambiguous and confusing (FRE 403, 611a); Expert (FRE 701, 702); No personal knowledge (FRE 602)				
158:20-21	Depo. Obj. at 158:19 Vague, ambiguous and confusing (FRE 403, 611a); Expert (FRE 701, 702); No personal knowledge (FRE 602)		159:14-23 160:2-11	Unrelated (FRCP 32(a)(6) and FRE 106)	
148:19-20	Irrelevant (FRE 402)		148:24-149:3	Unrelated (FRCP 32(a)(6) and FRE 106)	
149:12-13	Depo. Obj. at 149:14-15 No personal knowledge (*see* 148:19-20); Expert (FRE 701)		148:24	Unrelated (FRCP 32(a)(6) and FRE 106); question fragment.	
149:16	Depo. Obj. at 149:14-15 No personal knowledge (*see* 148:19-20) Expert (FRE 701)		148:24	Unrelated (FRCP 32(a)(6) and FRE 106); question fragment.	
167:19-22	Depo. Obj. at 167:23-24 Vague, ambiguous (FRE 403, 611a)				
168:17-23	Depo. Obj. at 168:15-16 Vague, ambiguous, incomplete hypothetical (FRE 403, 611a)				

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
169:1-4	Depo. Obj. at 169:5-6 Vague, ambiguous, , speculative, incomplete hypothetical (FRE 403, 611a)				
169:12-15	Depo. Obj. at 169:16-17 No personal knowledge (FRE 602); Confusing (FRE 403)				
169:18-19	Depo. Obj. at 169:16-17 No personal knowledge (FRE 602); Confusing (FRE 403)				
169:21-171:19	Depo. Obj. at 171:20-21 Vague and ambiguous (FRE 403)		174:17-23 175:3-12 175:16-23	Unrelated (FRCP 32(a)(6) and FRE 106); testimony is nonresponsive and is unconnected to the '363 patent (see 176:1-9); FRE 403.	
171:22-23	Depo. Obj. at 171:20-21 Irrelevant (FRE 402); vague and ambiguous (FRE 403)		174:17-23 175:3-12 175:16-23	Unrelated (FRCP 32(a)(6) and FRE 106); testimony is non responsive and is unconnected to the '363 patent (see 176:1-9) ; FRE 403.	
172:1-3	Depo. Obj. at 172:4-5 Irrelevant (FRE 402); vague and ambiguous (FRE 403)		174:17-23 175:3-12 175:16-23	Unrelated (FRCP 32(a)(6) and FRE 106); testimony is nonresponsive and is unconnected to the '363 patent (see 176:1-9); FRE 403.	

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
172:6-7	Depo. Obj. at 172:4-5 Irrelevant (FRE 402); vague and ambiguous (FRE 403)		174:17-23 175:3-12 175:16-23	Unrelated (FRCP 32(a)(6) and FRE 106); testimony is nonresponsive and is unconnected to the '363 patent (see 176:1-9); FRE 403.	
172:9-11	Depo. Obj. at 172:12-13 Irrelevant (FRE402), vague, ambiguous and compound (FRE 403)		174:17-23 175:3-12 175:16-23	Unrelated (FRCP 32(a)(6) and FRE 106); testimony is nonresponsive and is unconnected to the '363 patent (see 176:1-9); FRE 403.	
172:16-18	Depo. Obj. at 172:19-20 Irrelevant (FRE 402); vague and ambiguous (FRE 403)		174:17-23 175:3-12 175:16-23	Unrelated (FRCP 32(a)(6) and FRE 106); testimony is nonresponsive and is unconnected to the '363 patent (see 176:1-9); FRE 403.	
172:21-22	Irrelevant (FRE 402)		174:17-23 175:3-12 175:16-23	Unrelated (FRCP 32(a)(6) and FRE 106); testimony is nonresponsive and is unconnected to the '363 patent (see 176:1-9); FRE 403.	
172:24-173:2	Depo. Obj. at 173:3-4 Vague and ambiguous (FRE 403)		174:17-23 175:3-12 175:16-23	Unrelated (FRCP 32(a)(6) and FRE 106); testimony is nonresponsive and is unconnected to the '363 patent (see 176:1-9); FRE 403.	

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
173:5-6	Depo. Obj. at 173:3-4 Vague and ambiguous (FRE 403)		174:17-23 175:3-12 175:16-23	Unrelated (FRCP 32(a)(6) and FRE 106); testimony is nonresponsive and is unconnected to the '363 patent (see 176:1-9); FRE 403.	
176:11-22	Depo. Obj. at 176:23-177:2 Irrelevant (FRE 402); No personal knowledge (FRE 602); vague and ambiguous (FRE 403)				
177:3-4	Depo. Obj. at 176:23-177:2 Irrelevant (FRE 402); No personal knowledge (FRE 602); vague and ambiguous (FRE 403)				
177:6-178:5			178:7-13 178:16-19	Unrelated (FRCP 32(a)(6) and FRE 106); testimony is nonresponsive; FRE 403; waste of time.	
180:11-16	Depo. Obj. at 180:17-18 Hearsay within hearsay (FRE 802); Incomplete hypothetical (FRE 703), vague and ambiguous (FRE 403)				
180:19-181:3	Depo. Obj. at 180:17-18 Hearsay within hearsay (FRE 802); Incomplete hypothetical (FRE 703), vague and ambiguous (FRE 403)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
181:5-9	Depo. Obj. at 181:10-13 Hearsay within hearsay (FRE 802); Misleading, no foundation (FRE 403)				
181:14-15	Depo. Obj. at 181:10-13 Hearsay within hearsay (FRE 802); Misleading, vague and ambiguous (FRE 403)				
184:12-19	Depo. Obj. at 184:20-21 Irrelevant; vague and ambiguous (FRE 403)				
185:5-8			185:9-12		
185:20-23			185:9-12	Unrelated (FRCP 32(a)(6) and FRE 106)	
186:4-7			184:22-185:1	Unrelated (FRCP 32(a)(6) and FRE 106), no question designated, testimony is speculative ("I have to assume") and nonresponsive.	
191:15-20	Depo. Obj. at 191:21-24 No foundation, vague and ambiguous (FRE 403)		192:3-8		
192:3-8			192:3-8		

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
192:23-193:2	Depo. Obj. at 193:3-6 No foundation, vague, ambiguous, and misleading (FRE 403)		192:3-8	Unrelated (FRCP 32(a)(6) and FRE 106), no question designated.	
193:7-8			189:12-190:2	Unrelated; testimony is nonresponsive.	
193:17-194:5	Depo. Obj. at 194:6-7 Misleading, no foundation (FRE 403)		189:12-190:2	Unrelated; testimony is nonresponsive.	
194:8-16	Depo. Obj. at 194:6-7 Misleading, no foundation (FRE 403)		189:12-190:2	Unrelated; testimony is nonresponsive.	
194:19-21	Depo. Obj. at 194:17-18 Vague and ambiguous (FRE 403)		195:5-13	Unrelated (FRCP 32(a)(6) and FRE 106), no question designated.	
201:9-10	Depo. Obj. at 201:11-12 Speculation, vague and ambiguous (FRE 403); no personal knowledge (FRE 602)		201:13-17		
201:13-17			201:18-22	Waste of time.	
202:7-9	Depo. Obj. at 202:10-11 Irrelevant (FRE 402); vague and ambiguous (FRE 403)				

EXHIBIT 9-H

TO PRETRIAL ORDER

Abraxis's Designation of Deposition Testimony

Witness: Lawrence De Garavilla

Deposition Designations: Lawrence De Garavilla

8:1-5
8:10-23
29:24-30:11
30:13-31:10
31:11-12
31:17-18
32:1-33:4
45:5-7
45:10-20
45:23-46:4
49:24-50:3
50:4-5
50:7-51:10
52:14-53:5
60:14-23
65:6-22
81:18-24
94:11-95:20
101:20-102:23
118:21-23
119:2-18
120:1-6
120:9-11
120:23-121:2
121:5-10
121:14-17
121:20-122:2
122:5-9
122:17-18
122:22-123:5
123:8-124:3
125:19-22
126:1-8

126:11-12
127:8-9
127:11-13
127:16-17
128:1-129:4
129:7-16
129:19-130:2
134:9-12
134:16-135:10
138:4-139:23
142:8-13
142:16-143:1
143:4-9
144:16-20
144:24-145:9
145:12-19
145:22-146:9
146:12-24
147:3-9
147:12-14
158:4-14
158:15-159:4
159:7-17
160:18-161:2
161:11-15
161:19-162:2
162:5-19
162:20-163:1
163:4-6
163:8-12
163:15-16
163:18-164:9
164:12-22
165:1-5
165:8-166:19
166:23-167:18

170:23-171:13
172:2-4
172:7-9
173:17-19
194:1-7
194:10-11
195:16-23
196:2-3
196:19-23
197:2-16
197:19-199:3
199:7-10
199:16-200:1
200:4-10
217:1-9
218:11-19
230:6-231:12
231:20-233:24
234:3-235:18
235:19-236:2
237:7-24
238:5-10
238:21-241:1
241:7-13
242:17-22
246:4-247:4
247:7-249:9
250:5-21
251:3-252:1
256:18-258:20
259:11-261:11
261:14-21
262:1-5
263:1-16
263:21-264:18
265:20-266:2

266:11-24
268:7-13
274:15-275:7
278:1-279:1
279:4-13
279:24-280:6
281:1-4
281:7-8
281:13-16
281:20-282:15
282:18-283:4
299:1-300:14
307:4-16
308:1-7
308:15-17
310:3-10
312:6-10
312:14-313:7
313:10-21
313:24-314:5
321:13-322:15
331:6-8
331:12-18
331:21-333:4
334:14-335:15
336:1-2
338:6-9
338:12-339:1
339:5-14
339:15-18
343:7-11
343:19-20
344:21-345:5
362:17-24
367:2-6
367:10-18

367:21-22

374:16-20

374:23-24

375:3-377:2

EXHIBIT 9-HH

TO PRETRIAL ORDER

Elan's Objections and Counter-Designations and Abraxis's Responses and Objections to Abraxis's Designation of Deposition Testimony

Witness: Lawrence De Garavilla

de Garavilla

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
32:1-33:4	Relevance (FRE 402)				
45:5-7	As to: 45:5-7 Depo. Obj. at :45 8-9 Calls for legal conclusion (FRE 702)				
45:10-20	As to: 45:10-12; 45:18-20 Depo. Obj. at 45: 21-22 Calls for legal conclusion (FRE 702)				
45:23-46:4	As to 45:23-46:4 Depo. Obj. at 45:21-22 Calls for legal conclusion (FRE 702)		46:5		
94:11-95:20			94:6-10		
128:1-129:4	As to 129:2-4 Depo. Obj. at : 129:5-6 Calls for legal conclusion (FRE 702)				
129:7-16	As to 129:7-8 Depo. Obj. at : 129:5-6 Calls for legal conclusion (FRE 702)				

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
144:16-20	Depo. Obj. at 144:21-23 Improper lay opinion (FRE 702); compound question (FRE 611)				
144:24-145:9	Depo. Obj. at 145:10-11 Improper lay opinion (FRE 702)				
145:12-19	Depo. Obj. at 145:20-21 Improper lay opinion (FRE 702)				
145:22-146:9	Depo. Obj. at 146:10-11 Improper lay opinion (FRE 702)				
146:12-24	Depo. Obj. at 147:1-2 Improper lay opinion (FRE 702)				
147:3-9	Depo. Obj. at 147:6-9 Improper lay opinion (FRE 702)				
147:12-14	Depo. Obj. at 147:6-9 Improper lay opinion (FRE 702)				
158:4-159:4	Depo. Obj. at 146:10-11 Improper lay opinion (FRE 702)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
238:21-241:1	Depo. Obj. at 239:1-240:8 Hearsay within hearsay (FRE 802) Depo. Obj. at 240:9-241:1 No personal knowledge (FRE 602)				
242:17-22	Depo. Obj. at 242:17-22 Hearsay within hearsay (FRE 802)				
246:4-247:4	Depo. Obj. at 246:4-23 Hearsay within hearsay (FRE 802) Depo. Obj. at 247:1-4 No personal knowledge (FRE 602)				
247:7-249:9	Depo. Obj. at 247:7-9 & 249:4-9 No personal knowledge (FRE 602)				
251:3-252:1	Depo. Obj. at 251:16-21 Hearsay within hearsay (FRE 802)				
256:18-258:20	Depo. Obj. at 257:9-258:10 Hearsay within hearsay (FRE 802)				
259:11-261:11	Depo. Obj. at 259:11-22 & 260:11-18 Hearsay within hearsay (FRE 802)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
263:1-16	Depo. Obj. at 263:1-8 No Personal Knowledge (FRE 602)				
266:11-24	Depo. Obj. at 266:11-24 Hearsay within hearsay (FRE 802)				
279:4-13	Depo. Obj. at 279:4-13 No Personal Knowledge (FRE 602)				
299:1-300:14	Depo. Obj. at 299:10-300:14 No personal knowledge (FRE 602)				
362:17-24	Irrelevant (FRE 402)				
367:2-6	Depo. Obj. at 367:7-9 Improper lay opinion (FRE 702)				
367:10-18	Depo. Obj. at 367:7-9; 367:19-20 Improper lay opinion (FRE 702)				
367:21-22	Depo. Obj. at 367:19-20 Improper lay opinion (FRE 702)				
374:16-20					
374:23-24					
375:3-377:2					

EXHIBIT 9-I

TO PRETRIAL ORDER

Abraxis's Designation of Deposition Testimony

Witness: Michael Hawkins

Deposition Designations: Michael Hawkins

7:4-7

222:5-8

241:25-242:8

242:10-14

257:4-10

266:25-267:12

EXHIBIT 9-J

TO PRETRIAL ORDER

Abraxis's Designation of Deposition Testimony

Witness: Elaine Liversidge

Deposition Designations: Elaine Liversidge

6:3-6:4
6:6-6:8
6:11-7:1
7:5-7:8
9:11-9:12
9:15-9:16
12:13-12:21
19:3-19:6
19:9-19:11
20:13-20:16
20:19-21:2
21:5-22:4
22:7-22:8
22:25-23:2
23:4-23:7
23:10-23:24
24:4-24:11
24:13-24:18
25:14-25:17
25:20-26:8
26:11-26:12
26:14-26:15
29:6-29:8
29:13-30:11
32:10-32:22
33:3-33:7
34:3-34:12
34:15-34:25
35:4-35:18
35:21-36:13
36:16-36:17
36:21-39:9
39:19-39:22

39:24-42:7
44:10-44:16
44:25-45:2
47:2-47:10
47:15-47:17
47:21-49:10
49:13-49:19
52:16-52:18
53:10-53:12
57:4-57:7
57:16-57:23
58:2-58:8
62:2-63:13
63:22-64:21
64:23-66:20
66:23-67:23
75:4-75:8
75:12-76:4
76:7-76:11
100:6-100:8
100:11-100:15
120:14-120:17
120:20-120:25
121:3-121:6
121:8-121:9
122:2-122:5
123:3-123:3
124:2-124:23
125:2-125:19
128:5-128:9
130:12-130:16
130:19-131:3
132:25-133:7
133:9-133:14
135:5-135:8
135:11-135:18

135:20-136:2
136:5-136:9
136:12-136:18
136:21
136:25-137:8
138:2-138:3
139:3-139:18
139:21-139:23
141:2-141:4
142:2-142:7
142:10-143:2
143:6-143:12
143:15-144:7
163:5-163:7
163:10-163:18
163:24-164:2
164:6-164:12
164:15-164:21
164:24-165:3
166:11-166:13
166:16-167:6
167:9-168:6
168:9-168:19
168:21-168:23
169:2-169:9
169:12-169:20
174:25-175:3
178:9-178:13
178:15-178:15
178:19-179:8
180:2-180:5
180:10-180:14
181:8-181:19
181:24-182:4
182:9-183:14
184:25-185:6

185:9-185:13
186:5-186:19
189:7-189:9
190:3-190:7
190:10
190:13-191:5
191:8-191:15
195:2-195:5
196:3-197:22
197:25-198:19
199:16-199:21
199:24-200:13
200:17-201:5
201:9-201:21
201:24-202:7
203:2-203:4
203:10-203:15
203:18-204:17
204:20-206:13
207:9-207:14
207:17-207:25
209:7-209:9
209:13-209:18
211:15-211:25
213:10-213:12
213:18-213:25
222:8-222:11
222:14-222:21
222:24
223:2-223:15
246:2-246:4
247:3-248:19
252:13-252:24
253:3
253:6-253:11
253:13-253:20

281:3-282:4
284:2-284:5
284:8-284:15
284:19-284:23
285:12-285:23
288:3-288:5
288:9-288:11
292:2-292:4
293:24-295:2
306:10-306:17
308:3-308:16
310:8-310:20
310:25-311:10
311:14-311:25
312:4-312:17
312:24
313:7-313:12
313:15-314:12
315:2-315:3
317:3-318:20
318:24-319:6
352:9-352:10
352:13
355:5-355:8
355:12-355:17

EXHIBIT 9-JJ

TO PRETRIAL ORDER

Elan's Objections and Counter-Designations and Abraxis's Responses and Objections to Abraxis's Designation of Deposition Testimony

Witness: Elaine Liversidge

E. Liversidge

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
6:11-7:1	FRE 402 (home address 6:20-7:1)				
9:11-9:12	Depo. Obj. at 9:13-14 Improper lay opinion (FRE 701); No personal knowledge (FRE 602); ambiguous (FRE 403); no foundation (FRE 611(a))		10:10-13	Unrelated (FRCP 32(a)(6) and FRE 106); no question designated.	
9:15-9:16	Depo. Obj. at 9:13-14 Improper lay opinion (FRE 701); No personal knowledge (FRE 602); ambiguous (FRE 403); no foundation (FRE 611(a))				
12:13-12:21	Irrelevant (FRE 403) (12:16)		13:15-18	Unrelated (FRCP 32(a)(6) and FRE 106); no question designated; testimony is misleading without question and prior testimony; FRE 403.	
21:5-22:4	Depo. Obj. at 22:5-6 No personal knowledge (FRE 602); vague, ambiguous (FRE 403); No foundation (FRE 611(a))				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
22:7-22:8	Depo. Obj. at 22:5-6 No personal knowledge (FRE 602); vague, ambiguous (FRE 403); No foundation (FRE 611(a))				
23:10-23:24	Depo. Obj. at 23:25-24:3 No personal knowledge FRE 602); vague and ambiguous (FRE 403); No foundation (FRE 611(a))				
24:4-24:11	Depo. Obj. at 23:25-24:3 No personal knowledge FRE 602); vague and ambiguous (FRE 403); No foundation (FRE 611(a))				
25:20-26:8	Depo. Obj. at 25:18-19 No foundation (FRE 611(a)) Depo. Obj. at 26:9-10 No foundation (FRE 611(a))				
26:11-26:12	Depo. Obj. at 26:9-10 No foundation (FRE 611(a)); Cumulative (FRE 403)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
26:14-26:15	Cumulative (FRE 403)		26:24-27:6	Unrelated (FRCP 32(a)(6) and FRE 106); testimony is non-responsive; FRE 403; no question designated.	
29:6-29:8	Irrelevant (FRE 402)				
29:13-30:11	Irrelevant (FRE 402)				
35:4-35:18	Depo. Obj. at 35:19-20 Best Evidence Rule (FRE 1002)				
35:21-36:13	Depo. Obj. at 35:19-20 Best Evidence Rule (FRE 1002)				
36:21-39:9	Depo. Obj. at 36:14-15l 36:18-20 Improper lay opinion (FRE 701)				
39:19-39:22	Depo. Obj. at 36:14-15l 36:18-20 Improper lay opinion (FRE 701)				
39:24-42:7	Depo. Obj. at 39:23 Improper lay opinion (FRE 701)				

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
47:15-47:17	Depo. Obj. at 47:18-20 Misstates prior testimony (FRE 611(a)); improper lay opinion (FRE 701) Irrelevant (FRE 402)				
47:21-49:10	Depo. Obj. at 47:18-20 Misstates prior testimony (FRE 611(a)); improper lay opinion (FRE 701)				
49:13-49:19	Depo. Obj. at 49:11-12 Vague and ambiguous (FRE 611(a))				
52:16-52:18	Vague, confusing, no question designated, no context for response (FRE 403)				
53:10-53:12	Depo. Obj. at 57:8-9, 57:15 Best Evidence Rule (FRE 1002)				
57:4-57:7	Depo. Obj. at 57:8-9, 57:15 Best Evidence Rule (FRE 1002)				
57:16-57:23	Depo. Obj. at 57:8-9, 57:15 Best Evidence Rule (FRE 1002)				

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
58:2-58:8	Depo obj 57:24-25 No foundation (FRE 611(a))		58:18-59:3	Unrelated (FRCP 32(a)(6) and FRE 106); no question designated; testimony is nonresponsive; FRE 403.	
64:23-66:20	FRE 403 as to 64:23 Depo. Obj. at 64:20-23 No personal knowledge as to "NanoSystem's belief" (FRE 602)				
66:23-67:23	FRE 403 as to 64:23 Depo. Obj. at 64:20-23 No personal knowledge as to "NanoSystem's belief" (FRE 602)				
75:12-76:4	Depo. Obj. at 75:9-11 Vague, ambiguous (FRE 403, FRE 611a)				
76:7-76:11	Depo. Obj. at 75:9-11 Vague, ambiguous (FRE 403, FRE 611a) Depo. Obj. at 76:5-6 Improper lay opinion (FRE 701), no personal knowledge (FRE 611(a))				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
100:6-100:8	Depo. Obj. at 100:9-10 Improper lay opinion (FRE 701); no foundation (FRE 611(a)); no personal knowledge (FRE 602)				
100:11-100:15	Depo. Obj. at 100:9-10 Improper lay opinion (FRE 701); no foundation (FRE 611(a)); no personal knowledge (FRE 602)		100:23-103:23	Unrelated (FRCP 32(a)(6) and FRE 106); waste of time; FRE 403.	
120:14-120:17	Depo. Obj. at 120:14-17 No foundation (FRE 611(a)); no personal knowledge (FRE 602)				
120:20-120:25	Depo. Obj. at 120:14-17; 121:2 No foundation (FRE 611(a)); no personal knowledge (FRE 602)				
121:3-121:6	Depo. Obj. at 120:14-17; 121:2 No foundation (FRE 611(a)); no personal knowledge (FRE 602)				
121:8-121:9	Depo. Obj. at 121:7 No foundation (FRE 611(a)); no personal knowledge (FRE 602)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
125:2-125:19	FRE 403 as to 125:9-10 Depo. Obj. at 125:9-11 Best Evidence Rule (FRE 1002)				
128:5-128:9	Question designated without response (FRE 403)				
130:12-130:16	Depo. Obj. at 130:17-18 Vague (FRE 403, FRE 611a); no foundation (FRE 611(a))				
130:19-131:3	Depo. Obj. at 130:17-18 Vague (FRE 403, FRE 611a); no foundation (FRE 611(a))				
135:5-135:8	Depo. Obj. at 135:9-10 Improper lay opinion (FRE 701); incomplete hypothetical (FRE 703)				
135:11-135:18	Depo. Obj. at 135:9-10, 135:19 Improper lay opinion (FRE 701); incomplete hypothetical (FRE 703)				
135:20-136:2	Depo. Obj. at 135:19; 135:25-136:2 Irrelevant (FRE 402)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
136:5-136:9	Depo. Obj. at 135:25-136:2 Irrelevant (FRE 402); No personal knowledge (FRE 602)				
136:12-136:18	FRE 611a 136:19-20 Irrelevant (FRE 402); No personal knowledge (FRE 602)				
136:21	FRE 611a 136:19-20 Irrelevant (FRE 402); No personal knowledge (FRE 602); No foundation (FRE 611(a))				
136:25-137:8	Depo. Obj. at 136:22-24; 137:5-6 Irrelevant (FRE 402); No foundation (FRE 611(a)); No personal knowledge (FRE 602); misstates prior testimony (FRE 611(a))				
138:2-138:3	Irrelevant (FRE 402)				
139:3-139:18	Depo. Obj. at 139:19-20 No foundation (FRE 611(a)), no personal knowledge (FRE 602)				

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
139:21-139:23	Depo. Obj. at 139:19-20 No foundation (FRE 611(a)), no personal knowledge (FRE 602)		140:2-7	Unrelated (FRCP 32(a)(6) and FRE 106); no question designated; 140:5-7 lacks foundation and is nonresponsive.	
142:2-142:7	Depo. Obj. at 142:8-9 Vague and ambiguous (FRE 403); No foundation (FRE 611(a)); No personal knowledge (FRE 602); Best Evidence Rule (FRE 1002)				
142:10-143:2	Depo. Obj. at 142:8-9, 143:3-5 Vague and ambiguous (FRE 403); No foundation (FRE 611(a)); No personal knowledge (FRE 602); Best Evidence Rule (FRE 1002)				
143:6-143:12	Depo. Obj. at 143:3-5; 143:13-14 Vague and ambiguous (FRE 403); No foundation (FRE 611(a)); No personal knowledge (FRE 602); Best Evidence Rule (FRE 1002)				
143:15-144:7	Depo. Obj. at 143:13-14 Vague and ambiguous (FRE 403); No foundation (FRE 611(a)); No personal knowledge (FRE 602); Best Evidence Rule (FRE 1002)		144:12-19 145:2-9	No question designated for testimony.	

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
163:5-163:7	Depo. Obj. at 163:8-9 No personal knowledge (FRE 602); vague and ambiguous (FRE 403); no foundation (FRE 611(a)) compound question (FRE 611(a))				
163:10-163:18	Depo. Obj. at 163:8-9 No personal knowledge (FRE 602); vague and ambiguous (FRE 403); no foundation (FRE 611(a)) compound question (FRE 611(a))				
163:24-164:2	Depo. Obj. at 164:3-5 No personal knowledge (FRE 602); vague and ambiguous (FRE 403); no foundation (FRE 611(a)) compound question (FRE 611(a))				
164:6-164:12	Depo. Obj. at 164:3-5, 164:13-14 No personal knowledge (FRE 602); vague and ambiguous (FRE 403); no foundation (FRE 611(a)) compound question (FRE 611(a))				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
164:15-164:21	Depo. Obj. at 164:22-23 No personal knowledge (FRE 602); vague and ambiguous (FRE 403); no foundation (FRE 611(a)) compound question (FRE 611(a))				
164:24-165:3	Depo. Obj. at 164:22-23 No personal knowledge (FRE 602); vague and ambiguous (FRE 403); no foundation (FRE 611(a)) compound question (FRE 611(a))				
166:11-166:13	Depo. Obj. at 166:14-15 Vague and ambiguous (FRE 611(a)); improper hypothetical (FRE 703)				
166:16-167:6	Depo. Obj. at 166:14-15 Vague and ambiguous (FRE 611(a)); improper hypothetical (FRE 703)				
167:9-168:6	Depo. Obj. at 167:7-8 No foundation (FRE 611(a))				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
168:9-168:19	Depo. Obj. at 167:7-8, 168:7-8; 167:20 Irrelevant (FRE 402); no foundation (FRE 611(a))				
168:21-168:23	Depo. Obj. at 167:20, 167:24 No foundation (FRE 611(a))				
169:2-169:9	Depo. Obj. at 167:24 Irrelevant (FRE 402); no foundation (FRE 611(a))				
169:12-169:20	Irrelevant (FRE 402)				
178:9-178:13	Depo. Obj. at 178:14 No foundation (FRE 611(a))				
178:15-178:15	Depo. Obj. at 178:14 No foundation (FRE 611(a))				
178:19-179:8	Depo. Obj. at 178:16-18 No foundation (FRE 611(a))				
182:9-183:14			183:21-184:6	Unrelated (FRCP 32(a)(6) and FRE 106); no question designated; FRE 403; confusing and waste of time.	

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
184:25-185:6	Depo. Obj. at 185:7-8 Compound question, vague and ambiguous (FRE 611(a))				
185:9-185:13	Depo. Obj. at 185:7-8 No foundation (FRE 611(a))		185:21-186:4	Unrelated (FRCP 32(a)(6) and FRE 106); no question designated; FRE 403.	
190:3-190:7	Depo. Obj. at 190:8-9 No foundation (FRE 611(a))				
190:10	Depo. Obj. at 190:8-9 No foundation (FRE 611(a))				
190:13-191:5	Depo. Obj. at 191:6-7 No foundation (FRE 611(a)); compound question (FRE 611(a))				
191:8-191:15	Depo. Obj. at 191:6-7 No foundation (FRE 611(a)); compound question (FRE 611(a))				
199:16-199:21	Depo. Obj. at 199:22-23 No foundation (FRE 611(a)) compound question (FRE 611(a)); no personal knowledge (FRE 602)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
199:24-200:13	Depo. Obj. at 199:22-23, 200:14-16 No foundation (FRE 611(a)) compound question (FRE 611(a)); no personal knowledge (FRE 602)				
200:17-201:5	Depo. Obj. at 200:14-16, 201:6-8 Irrelevant (FRE 402); Compound question (FRE 611(a))				
201:9-201:21	Depo. Obj. at 201:6-8 Irrelevant (FRE 402); Compound question (FRE 611(a))				
201:24-202:7	Depo. Obj. at 201:22-23 No foundation (FRE 611(a)); no personal knowledge (FRE 602)				
203:2-203:4	Depo. Obj. at 201:22-23 No foundation (FRE 611(a)); no personal knowledge (FRE 602)				
203:18-204:17	Depo. Obj. at 204:18-19 No foundation (FRE 611(a))				
204:20-206:13	Depo. Obj. at 204:18-19 No foundation (FRE 611(a))				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
207:9-207:14	Depo. Obj. at 207:15-16 No foundation (FRE 611(a))				
207:17-207:25	Depo. Obj. at 207:15-16 No foundation (FRE 611(a))		208:4-10	Unrelated (FRCP 32(a)(6) and FRE 106); no question pending or designated; answer fragment; not responsive to any question.	
209:7-209:9	Depo. Obj. at 209:10-12 No foundation (FRE 611(a))				
209:13-209:18	Depo. Obj. at 209:10-12 No foundation (FRE 611(a))		210:5-9	Unrelated (FRCP 32(a)(6) and FRE 106); no question designated.	
222:8-222:11	Depo. Obj. at 222:12-13 Compound question (FRE 611(a))				
222:14-222:21	Depo. Obj. at 222:12-13, 222:23-23 Compound question (FRE 611(a)), no foundation (FRE 611(a))				
222:24	Depo. Obj. at 222:23-23 Compound question (FRE 611(a)), no foundation (FRE 611(a))				
252:13-252:24	Irrelevant (FRE 402) (answer is provided without question for context)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
253:3	Depo. Obj. at 252:25-253:2 Irrelevant (FRE 402); vague and ambiguous (FRE 403, FRE 611a); no personal knowledge (FRE 602)				
253:6-253:11	Depo. Obj. at 253:12 No personal knowledge (FRE 602); vague and ambiguous (FRE 611(a))				
253:13-253:20	Depo. Obj. at 253:12 No personal knowledge (FRE 602); vague and ambiguous (FRE 611(a))		253:21-25 254:2-15	Unrelated (FRCP 32(a)(6) and FRE 106); testimony is nonresponsive; FRE 403, waste of time.	
281:3-282:4	Irrelevant (FRE 402); vague and ambiguous (FRE 403)				
284:2-284:5	Depo. Obj. at 284:6-7 Irrelevant (FRE 402); vague and ambiguous (FRE 403); no foundation (FRE 611(a))				
284:8-284:15	Depo. Obj. at 284:6-7 Irrelevant (FRE 402); vague and ambiguous (FRE 403); no foundation (FRE 611(a))				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
284:19-284:23	Depo. Obj. at 284:21-22 Irrelevant (FRE 402 -attorney colloquy); vague and ambiguous (FRE 403)				
285:12-285:23	Depo. Obj. at 285:14-15, 19-20 Irrelevant (FRE 402-attorney colloquy), question without response (FRE 403); no foundation (FRE 611(a))		285:24-286:25	Unrelated (FRCP 32(a)(6) and FRE 106); testimony is nonresponsive.	
288:3-288:5	Depo. Obj. at 288:6-8 Irrelevant (FRE 402); vague and ambiguous (FRE 403); improper lay opinion (FRE 701)				
288:9-288:11	Irrelevant (FRE 402); vague and ambiguous (FRE 403)		288:17-289:4	Unrelated (FRCP 32(a)(6) and FRE 106); no question designated; testimony is not responsive; FRE 403.	
293:24-295:2	Irrelevant (FRE 402); vague and ambiguous (FRE 403)				
310:8-310:20	Depo. Obj. at 310:21-24 Irrelevant (FRE 402); No foundation (FRE 403, FRE 611a)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
310:25-311:10	Depo. Obj. at 310:21-24, 311:11-13 Irrelevant (FRE 402); No foundation (FRE 403, FRE 611a)				
311:14-311:25	Depo. Obj. at311:11-13; 312:2-3 Irrelevant (FRE 402); No foundation (FRE 403, FRE 611a)				
312:4-312:17	Depo. Obj. at 312:2-3 Irrelevant (FRE 402); No foundation (FRE 403, FRE 611a)				
312:24	Depo. Obj. at 312:2-3, 312:2-3 Irrelevant (FRE 402); No foundation (FRE 403, FRE 611a)				
313:7-313:12	Irrelevant (FRE 402)				
313:15-314:12	Irrelevant (FRE 402)				
317:3-318:20	Depo. Obj. at 317:20 Irrelevant (FRE 402) (part of question with no response)				
318:24-319:6	Irrelevant (FRE 402); confusing (FRE 403) only answer designated without entire question for context				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
355:5-355:8	Depo. Obj. at 355:9-11 Irrelevant (FRE 402); Misstates prior testimony (FRE 611(a))				
355:12-355:17	Depo. Obj. at 355:9-11 Irrelevant (FRE 402); Misstates prior testimony (FRE 611(a))				

EXHIBIT 9-K

TO PRETRIAL ORDER

Abraxis's Designation of Deposition Testimony

Witness: Gary Liversidge

Deposition Designations: Gary Liversidge

5:21-24
6:3-7
9:15-11:16
52:8-11
52:16-53:3
54:20-55:16
57:15-57:23
57:24-57:25
61:2-62:19
71:13-20
75:6-16
75:19
76:4-10
76:14-77:11
79:1-80:11
85:25-86:19
88:7-17
94:17-24
95:4-19
96:3-5
96:13-97:1
97:2-3
97:8-17
100:14-101:4
102:13-103:2
103:19-104:11
105:19-106:3
106:19-20
106:22
106:24-107:12
107:14-108:2
110:13-111:12
116:2-117:13

119:9-18
121:5-7
121:13-122:7
124:16-127:4
132:16-134:3
134:5-11
134:13-14
134:23-135:20
136:13-139:14
136:22-25
137:2
141:10-143:16
148:20-149:12
154:6-15
155:2-23
156:20-25
157:1-7, 9-16
159:22-160:2
160:9-161:14
161:16-17
164:3-7
165:7-166:15
166:21-167:1
171:25-173:5
173:6-173:19
175:10-19
177:14-17
179:22-25
183:1-184:18
184:22-185:14
185:15
185:17-24
186:1-9
186:16-17
187:21-188:3
188:4-17

188:24
189:2-15
189:19-190:4
190:7
190:9-12
190:14-22
191:2
191:4-5
191:7-13
191:15-18
191:20-192:1
192:3-10
192:12
192:14-17
199:12-200:3
200:14-25
201:5-7
201:25-202:24
209:13-20
211:10-13
212:5-18
217:11-16
218:6-219:2
221:22-25
223:17-224:3
224:5-11
224:14-16
224:20-225:6
225:8
225:12-226:1
226:3-14
226:23-227:13
227:19-232:4
227:22-232:4
233:22-235:17
240:14-241:5

241:10-242:16

243:2-6

249:2-7

251:14-252:6

252:7-24

254:2-24

255:4-8

256:10-258:5

258:7-260:7

260:10-261:8

261:10-24

262:1-13

262:15-264:11

264:13-17

264:19-265:8

284:9-285:4

287:20-288:9

288:11-17

288:19

311:24-312:2

EXHIBIT 9-KK

TO PRETRIAL ORDER

Elan's Objections and Counter-Designations and Abraxis's Responses and Objections to Abraxis's Designation of Deposition Testimony

Witness: Gary Liversidge

G. Liversidge

Abraxis's Designation	Elan's Objections	Ruling	Elan's Counter Designation	Abraxis's Objections	Ruling
9:15-11:16	Depo. Obj. at 10:10 No personal knowledge (FRE 602)				
52:8-11	Depo. Obj. at 52:12 Improper lay opinion (FRE 701) FRE 403				
54:20-55:16	Depo. Obj. at 54:23 Improper lay opinion (FRE 701)				
61:2-62:19	Irrelevant (FRE 402)				
71:13-20	Irrelevant (FRE 402)				
75:6-16	Depo. Obj. at 75:17 Irrelevant (FRE 402) FRE 403 as to 75:15-16				
75:19	Depo. Obj. at 75:17 No personal knowledge (FRE 602)				

Abraxis's Designation	**Elan's Objections**	**Ruling**	**Elan's Counter Designation**	**Abraxis's Objections**	**Ruling**
76:4-10	Irrelevant (FRE 402) No personal knowledge (FRE 602)				
76:14-77:11	Irrelevant (FRE 402)				
79:1-80:11	Irrelevant (FRE 402)				
85:25-86:19	Irrelevant (FRE 402)				
88:7-17	Irrelevant (FRE 402)		88:20-89:5	Not appropriate counter designation (FRCP 32(a)(6) and FRE 106)	
95:4-19	Irrelevant (FRE 402)				
96:3-5	Irrelevant (FRE 402)				
96:13-97:1	Irrelevant (FRE 402)				
97:2-3	Irrelevant (FRE 402)				
97:8-17	No personal knowledge (FRE 602)				
100:4-101:4	Irrelevant (FRE 402)				
102:13-103:2	Irrelevant (FRE 402)				

Abraxis's Designation	**Elan's Objections**	**Ruling**	**Elan's Counter Designation**	**Abraxis's Objections**	**Ruling**
103:19-104:11	Depo. Obj. at 104:5 No personal knowledge (FRE 602) Irrelevant (FRE 402)				
105:19-106:3	Depo. Obj. at 104:5 No personal knowledge (FRE 602) Irrelevant (FRE 402)				
106:19-20	Depo. Obj. at 104:5 No personal knowledge (FRE 602) Irrelevant (FRE 402)				
106:22	No personal knowledge (FRE 602)				
106:24-107:12	Depo. Obj. at 107:13 Irrelevant (FRE 402) Improper lay opinion (FRE 701)				
107:14-108:2	Improper lay opinion (FRE 701) Irrelevant (FRE 402)				
110:13-111:12	Irrelevant (FRE 402)				

Abraxis's Designation	**Elan's Objections**	**Ruling**	**Elan's Counter Designation**	**Abraxis's Objections**	**Ruling**
119:9-18	Irrelevant (FRE 402)				
121:5-7	Depo. Obj. at 121:11-12 Foundation (FRE 611(a)), no personal knowledge (FRE 602)				
124:16-127:4			128:9-14	No question designated	
132:16-134:3	Depo. Obj. at134:4 Improper lay opinion (FRE 701)				
134:5-11	Depo. Obj. at 134:12 FRE 701 Improper lay opinion (FRE 701); no personal knowledge (FRE 602)				
134:13-14	No personal knowledge (FRE 602)				
134:23-135:20	Irrelevant (FRE 402)				

Abraxis's Designation	**Elan's Objections**	**Ruling**	**Elan's Counter Designation**	**Abraxis's Objections**	**Ruling**
136:13-139:14	Depo. Obj. at 137:1 No personal knowledge (FRE 602) Depo. Obj. at 137:21 No personal knowledge (FRE 602)		136:7-12	No question designated, Not appropriate counter designation (FRCP 32(a)(6) and FRE 106)	
141:10-143:16	Irrelevant (FRE 402)				
148:20-149:12	Irrelevant (FRE 402)				
154:6-15	Irrelevant (FRE 402)				
155:2-23	Irrelevant (FRE 402)				
156:20-25	Irrelevant (FRE 402)				
157:1-7, 9-16	Depo. Obj. at 157:8 FRE 403, 611(a) vague, ambiguous, unintelligible Irrelevant (FRE 402) No personal knowledge (FRE 602)				
159:22-160:2	Irrelevant (FRE 402)				
160:9-161:14	Depo. Obj. at 161:15 Irrelevant (FRE 402)				

Abraxis's Designation	**Elan's Objections**	**Ruling**	**Elan's Counter Designation**	**Abraxis's Objections**	**Ruling**
199:12-201:25	Depo. Obj. at 200:4 Incomplete hypothetical (FRE 611(a), 703) Improper lay opinion (FRE 701) Cumulative (FRE 403)				
201:5-7	Incomplete hypothetical (FRE 611(a), 703)				
201:25-202:24	Improper lay opinion (FRE 701)				
217:11-16	Irrelevant (FRE 402) Best evidence (FRE 1002)				
223:17-224:3	Depo. Obj. at 224:4 Improper lay opinion (FRE 701)				
224:5-11	Depo. Obj. at 224:12-13 No personal knowledge (FRE 602)				

Abraxis's Designation	**Elan's Objections**	**Ruling**	**Elan's Counter Designation**	**Abraxis's Objections**	**Ruling**
224:14-16	FRE 602 no personal knowledge as to concern at Sterling 611(a) no foundation				
224:20-225:6	Depo. Obj. at 225:7 Foundation (FRE 611(a))				
225:12-226:1	Incomplete hypothetical (FRE 703); Vague, ambiguous (FRE 403)				
226:3-14	Compound (FRE 611(a))				
226:23-227:13	Irrelevant (FRE 402) Incomplete hypothetical (FRE 703)				
227:19-232:4	Irrelevant (FRE 402)		227:16-18	No question designated, Not appropriate counter designation (FRCP 32(a)(6) and FRE 106)	
233:22-235:17	Irrelevant (FRE 402)				

Abraxis's Designation	**Elan's Objections**	**Ruling**	**Elan's Counter Designation**	**Abraxis's Objections**	**Ruling**
251:14-252:24	Improper hypothetical (FRE 703) Improper lay opinion (FRE 701)				
256:10-258:5	Depo. Obj. at 258:6 Document speaks for itself (FRE 1002) Confusing as to no question (FRE 403)				

EXHIBIT 9-L

TO PRETRIAL ORDER

Abraxis's Designation of Deposition Testimony

Witness: Manoj Maniar

Deposition Designations: Manoj Maniar

5:16-6:2
6:5-10
7:17-23
112:21-24
113:2-11
113:14-17
113:19-25
114:3-10
114:13-19
114:23-115:3
115:8-9
115:22-116:1
116:4-11
116:14-16
116:19-21
118:12-16
118:19-22
118:25-119:2
149:8-10
149:14-16
152:19-22
153:1-9
153:13-20
153:23-154:4
154:7
188:14-18
188:24-25
189:23-190:4
190:8
190:12-13
209:1-14

EXHIBIT 9-LL

TO PRETRIAL ORDER

Elan's Objections and Counter-Designations and Abraxis's Responses and Objections to Abraxis's Designation of Deposition Testimony

Witness: Manoj Maniar

Maniar

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designation	Abraxis's Objections	Ruling
5:16-6:2	Irrelevant (FRE 402)				
6:5-10	Irrelevant as to 6:8-10 (Elan objects to the disclosure of personal information beyond that required to identify the witness) (FRE 402)				
7:17-23	Irrelevant attorney colloquy (FRE 402)				
112:21-24	Depo. Obj. at 112:25-1 Irrelevant; vague, ambiguous, incomplete hypothetical, (FRE 403, 703, 611a)				
113:2-11	Depo. Obj. at 113:12-13 Vague, incomplete hypothetical (FRE 402, 403, 703, 611a)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designation**	**Abraxis's Objections**	**Ruling**
113:14-17	Depo. Obj. at 113:18 Irrelevant; vague, incomplete hypothetical (FRE 402, 403, 703, 611a)				
113:19-25	Depo. Obj. at 114:1-2 Irrelevant; vague, incomplete hypothetical (FRE 403, 703, 611a)				
114:3-10	Depo. Obj. at 114:1-2 Irrelevant, vague, incomplete hypothetical (FRE 402, 403, 703, 611a)		113:19-21		
114:13-19	Depo. Obj. at 114:20-22 Irrelevant, misstates prior testimony, vague, incomplete hypothetical ; no personal knowledge (FRE 402, 403, 703, 611a)		113:19-21		

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designation**	**Abraxis's Objections**	**Ruling**
114:23-115:3	Depo. Obj. at 114:20-22 Irrelevant, misstates prior testimony, vague, incomplete hypothetical (FRE 402, 403, 703, 611a)		113:19-21		
115:8-9	Depo. Obj. at 115:4-5 Irrelevant, vague, incomplete hypothetical (FRE 402, 403, 703, 611a)		113:19-21		
115:22-116:1	Depo. Obj. at 116:2-3 Irrelevant, vague, incomplete hypothetical, compound; no personal knowledge, cumulative (FRE 402, 403, 602, 703, 611a)		113:19-21 115:8-9		

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designation	Abraxis's Objections	Ruling
116:4-11	Depo. Obj. at 116:12-13 Irrelevant, vague, incomplete hypothetical, compound; no personal knowledge, cumulative (FRE 402, 403, 602, 703, 611a)		113:19-21 115:8-9		
116:14-16	Depo. Obj. at 116:12-13; 116:17-18 Irrelevant, vague, incomplete hypothetical, compound; no personal knowledge, misstates prior testimony (FRE 402, 403, 602, 703, 611a)		113:19-21 115:8-9		
116:19-21	Depo. Obj. at 116:17-18 Irrelevant, no personal knowledge; compound (FRE 402, 602, 611a)		113:19-21 115:8-9 116:14-15		

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designation**	**Abraxis's Objections**	**Ruling**
118:12-16	Depo. Obj. at 118:17-18 Vague, compound, incomplete hypothetical, no personal knowledge (FRE 403, 611a, 602)		113:19-21 115:8-9		
118:19-22	Depo. Obj. at 118:17-18 Vague, compound, incomplete hypothetical, no personal knowledge (FRE 403, 611a, 602)		113:19-21 115:8-9		
118:25-119:2	Depo. Obj. at 118:23-24 Answer without a question, incomplete context; vague, incomplete hypothetical (FRE 403, 611a)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designation**	**Abraxis's Objections**	**Ruling**
149:8-10	Depo. Obj. at 149:8-10 Hearsay; incomplete hypothetical, vague, assumes facts not in evidence (FRE 802, 403, 611a)				
149:14-16	Depo. Obj. at 149:8-10 Hearsay; incomplete hypothetical, vague, assumes facts not in evidence, no personal knowledge (FRE 802, 403, 611a)		149:24-150:1		
152:19-22	Depo. Obj. at 152:23-25 Hearsay, vague, incomplete hypothetical, assumes facts not in evidence (FRE 802, 403, 611a)				
153:1-9					

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designation**	**Abraxis's Objections**	**Ruling**
153:13-20	Depo. Obj. at 153:21-22 Incomplete hypothetical, vague, misstates prior testimony, no personal knowledge (FRE 403, 602, 611a)				
153:23-154:4	Depo. Obj. at 153:21-22 Incomplete hypothetical, vague, misstates prior testimony, no personal knowledge (FRE 403, 602, 611a)				
154:7	Depo. Obj. at 154:5-6 Vague, incomplete hypothetical, calls for speculation, confusing (FRE 403, 611a)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designation**	**Abraxis's Objections**	**Ruling**
188:14-18	Depo. Obj. at 188:19-20 Incomplete hypothetical, compound (FRE 403, 611a)				
188:24-25	Depo. Obj. at 188:23 Incomplete hypothetical, compound (FRE 403, 611a)				
189:23-190:4	Depo. Obj. at 190:5-7 Irrelevant, vague, incomplete hypothetical, compound, cumulative (FRE 402, 403, 611a)				
190:8	Depo. Obj. at 190:5-7 Irrelevant, vague, incomplete hypothetical, compound, cumulative (FRE 402, 403, 611a)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designation**	**Abraxis's Objections**	**Ruling**
190:12-13	Depo. Obj. at 190:11 Irrelevant, vague, incomplete hypothetical, compound, cumulative (FRE 402, 403, 611a)				
209:1-14	Irrelevant (FRE 402)				

EXHIBIT 9-M

TO PRETRIAL ORDER

Abraxis's Designation of Deposition Testimony

Witness: Eric Munson

Deposition Designations: Eric Munson

5:1-2
5:5-15
5:25-6:1
6:3-7
18:9-17
18:23-19:9
19:12-15
19:18-20:3
20:7-9
23:10
23:12-24:3
30:17-31:15
31:17-32:10
32:12-25
33:3-8
33:10-13
33:15-16
33:19-21
35:10-18
36:10-13
36:24-37:18
37:20-22
39:1-40:9
40:14-17
41:8-17
43:2-9
44:20-45:14
45:17-23
49:2-11
51:1-11
51:15-52:21
52:23-25
53:3-4

53:9-54:7

54:10-55:9

55:11-18

60:18-20

62:12-13

62:15-21

65:9-66:8

66:10-18

84:14-15

84:17-21

84:23-85:1

86:20-21

86:23-87:2

87:4-18

87:20-21

89:16-90:3

90:5-14

90:20-24

91:7-12

92:13-14

92:16-19

95:6-8

95:10-13

95:15-22

95:24-25

100:24-101:9

103:3-5

103:7

103:9-18

103:23-24

104:6-10

104:12-13

104:15-22

105:15-17

105:19-106:2

118:1-119:12

119:16-23
119:25-120:2
121:9-15
121:19-21
124:4-21
127:11-15
127:17-21
128:11-12
128:14-129:10
129:12-13
129:15-130:2
138:13-15
138:17-139:17
139:20-140:12
149:18-19
149:21-22
150:3-7
150:9-19
160:12-161:10
161:12-13
170:4-171:1
176:23-177:7
181:25-182:10
182:13-183:7
183:16-184:6
184:10-13
184:22-185:5
197:21-23
197:25-200:1
201:24-202:14
202:24-203:9
209:6-212:7
214:2-7
227:1-234:4
234:6-12
234:18-235:21

240:18-241:4

241:10-19

241:21-242:13

242:15-16

242:22-24

243:1-5

243:9-22

EXHIBIT 9-MM

TO PRETRIAL ORDER

Elan's Objections and Counter-Designations and Abraxis's Responses and Objections to Abraxis's Designation of Deposition Testimony

Witness: Eric Munson

Munson

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
5:5-15	Irrelevant (FRE 402)				
5:25-6:1	Irrelevant (FRE 402)				
18:23-19:9	Irrelevant (FRE 402)				
19:12-15	Irrelevant (FRE 402)				
19:18-20:3	Irrelevant (FRE 402)				
20:7-9	Irrelevant (FRE 402)				
23:10	Irrelevant (FRE 402)		23:4-9		
23:12-24:3	Irrelevant (FRE 402)				
30:17-31:15	Irrelevant (FRE 402)				
33:19-21			34:2-21; 34:24-35:9	No question designated (34:2-7)	
35:10-18	Irrelevant (FRE 402)		36:14-23	Not appropriate counter designation (FRCP 32(a)(6) and FRE 106)	

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
36:10-13			37:23-38:4	Not appropriate counter designation (FRCP 32(a)(6) and FRE 106)	
40:14-17			40:18-22		
41:8-17	41:16-17 Irrelevant (FRE 402)				
43:2-9	43:7-9 Irrelevant (FRE 402)		43:11-19		
44:20-45:14	Depo. Obj. at 45:8-14 No personal knowledge (FRE 602)				
45:17-23	Depo. Obj. at 45:7-23 No personal knowledge (FRE 602)		46:1-3		
49:2-11	43:7-9 Irrelevant (FRE 402)		48:23-49:1; 49:12-23		
51:1-11	51:6-11 43:7-9 Irrelevant (FRE 402)				
51:15-52:21	Irrelevant (FRE 402)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
52:23-25	Irrelevant (FRE 402)				
53:3-4	Irrelevant (FRE 402)				
53:9-54:7	Irrelevant (FRE 402)				
54:10-55:9	Cumulative (FRE 403)				
55:11-18	Cumulative (FRE 403)				
60:18-20	Irrelevant (FRE 402)		61:19-62:2	Not appropriate counter designation (FRCP 32(a)(6) and FRE 106)	
62:12-13	Irrelevant (FRE 402)		62:22-64:3; 81:22-25	Not appropriate counter designation (FRCP 32(a)(6) and FRE 106) (81:22-25)	
66:10-18			66:19-20; 66:22-67:1		
86:23-87:2			87:14-21	Irrelevant (FRE 402) Not appropriate counter designation (FRCP 32(a)(6) and FRE 106) Includes attorney colloquy (87:19)	
87:4-18	Irrelevant (FRE 402)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
89:16-90:3	Irrelevant (FRE 402)				
90:5-14	Irrelevant (FRE 402)				
90:20-24	Irrelevant (FRE 402)				
91:7-12	Irrelevant (FRE 402)		91:22-92:3	No question designated	
92:13-14	Irrelevant (FRE 402)		92:20-93:5		
105:15-17	Depo. Obj. at 105:18 Mischaracterizes witness testimony (FRE 611)				
105:19-106:2	Depo. Obj. at 105:18 Mischaracterizes witness testimony (FRE 611)				
124:4-21			124:22-125:2		
127:17-21			127:22-128:10		
128:14-129:10	129:9-130:20 Irrelevant (FRE 402)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
129:12-13	129:9-130:20 Irrelevant (FRE 402)				
138:13-15			138:5-12	Includes attorney colloquy (138:8)	
138:17-139:17	139:14-17 Irrelevant (FRE 402)				
139:20-140:12	139:20-140:7 Irrelevant (FRE 402); Judge Sleet's PTO fn. 6-Improper Attorney Colloquy				
160:12-161:10	161:10-13 Irrelevant (FRE 402)				
161:12-13	161:10-13 Irrelevant (FRE 402)				
176:23-177:7	Irrelevant (FRE 402)				
181:25-182:10			179:4-181:24	Not appropriate counter designation (FRCP 32(a)(6) and FRE 106) Includes attorney colloquy (179:9, 179:21)	

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
197:25-200:1			198:2-200:1	Counter designation subsumed by designation	
202:24-203:9			203:10-12		
214:2-7	Irrelevant (FRE 402)				
227:1-234:4	227:1-17 Irrelevant (FRE 402); 232:5-15 Irrelevant (FRE 402); Judge Sleet's PTO fn. 6-Improper Attorney Colloquy				
234:6-12	234:6-9 Irrelevant (FRE 402); Judge Sleet's PTO fn. 6-Improper Attorney Colloquy				
234:18-235:21	Depo. Obj. at 234:13 Compound (FRE 611)				
240:18-241:4	Irrelevant (FRE 402)				
241:10-19	Irrelevant (FRE 402)				
241:21-242:13	Irrelevant (FRE 402)				
242:15-16	Irrelevant (FRE 402)				

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
242:22-24	Irrelevant (FRE 402)				
243:1-5	Irrelevant (FRE 402)				
243:9-22	Irrelevant (FRE 402)				

EXHIBIT 9-N

TO PRETRIAL ORDER

Abraxis's Designation of Deposition Testimony

Witness: Nancy Peltier

Deposition Designations: Nancy Peltier

8:9-12
11:9-12:4
14:7-19
14:11-14
14:19-21
14:24-15:4
23:2-4
24:11-12
24:14-17
24:23-25:7
71:5-20
71:22-72:4
73:17-19
73:21-74:3
74:5-6
80:7-11
80:14-17
112:9-10
112:14-15
112:16-20
116:18-21
116:24-25
143:2-6
143:9-13
143:14-15
143:18-24
151:13:17
151:20-152:2
152:5-11
165:2-4
165:6-12
170:18-21
170:24-171:7

184:14-17

184:21-185:3

192:3-6

192:11-19

233:22-24

234:3-11

217:2-21

218:12-20

223:12-24

224:3-5

224:19-25

248:24-249:2

249:5-7

EXHIBIT 9-NN

TO PRETRIAL ORDER

Elan's Objections and Counter-Designations and Abraxis's Responses and Objections to Abraxis's Designation of Deposition Testimony

Witness: Nancy Peltier

Sarpotdar[2]

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
24:10-24:11	Irrelevant (402)				
24:13-24:14	Irrelevant (402)				
24:16-24:23			25:1-4 25:12-14		
26:24-27:1	Irrelevant (402)		28:3		
27:17-27:22			28:2-3		
28:4-29:1	Irrelevant (402)				
29:3-29:5	Irrelevant (402)				
36:13-37:1	Irrelevant (402)				
41:1-42:2	Irrelevant (402)				

[2] Elan has not provided any counter-designations or objections to the testimony of Ms. Peltier that was designated by Abraxis. Elan has instead objected to and counter-designated deposition testimony of Dr. Sarpotdar twice. Abraxis's objections to Elan's counter-designations of Dr. Sarpotdar's testimony are located in Exhibit 9-OO, *infra*.

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
48:21-48:23	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 48:24 No personal knowledge (FRE 602)				
48:25-49:12	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 48:24 No personal knowledge (FRE 602)				
53:6-54:5			54:6-7 54:9-11 55:2-7		
55:17-55:22	Irrelevant (402)				
62:1-62:5	Depo. Obj. at 62:6 Improper lay opinion (FRE 701); no personal knowledge (FRE 602)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
62:7-62:9	Depo. Obj. at 62:6 Improper lay opinion (FRE 701), no personal knowledge (FRE 602)				
63:4-10	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 63:11-16 No personal knowledge (FRE 602)				
63:17-64:3	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 63:11-16, 64:4-7 No personal knowledge (FRE 602)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
64:17-64:22	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 63:11-16, 63:18-20 No personal knowledge (FRE 602) As to 64:18-22 402; Judge Sleet's PTO fn. 6				
68:22-69:9	Hearsay within hearsay (802) Irrelevant (402), misleading (403)				
91:11-91:12	Depo. Obj. at 91:13 Improper lay opinion (FRE 701) Irrelevant (402); Vague, Confusing (403)				
91:14-91:15	Depo. Obj. at 91:13 Improper lay opinion (FRE 701) Irrelevant (402); Vague, Confusing (403)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
91:17-92:6	Depo. Obj. at 92:7-8 Improper lay opinion (FRE 701); no personal knowledge (FRE 602) Irrelevant (402), Vague, Confusing (403)				
92:9-92:15	Depo. Obj. at 92:7-8 Improper lay opinion (FRE 701), no personal knowledge (FRE 602) Irrelevant (402), Vague, Confusing (403)				
101:13-104:1	As to 102:10-103:3 Judge Sleet's PTO fn. 6				
106:20-106:22	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 106:23-24 Improper lay opinion (FRE 701)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
106:25-107:1	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 106:23-24 Improper lay opinion (FRE 701)				
109:9-10	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 109:11 Improper lay opinion (FRE 701)				
109:12-18	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 109:11 Improper lay opinion (FRE 701)				
115:15	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 115:16 Improper lay opinion (FRE 701)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
115:17-115:18	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 115:16 Improper lay opinion (FRE 701)				
119:4-119:10	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 119:11-12 Improper lay opinion (FRE 701)				
119:13-119:16	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 119:11-12 Improper lay opinion (FRE 701)				
119:21-119:22			120:4-12 121:4-23		
137:5-137:6	Depo. Obj. at 137:7 Improper lay opinion (FRE 701)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
137:8-137:10	Depo. Obj. at 137:7 Improper lay opinion (FRE 701)				
137:21	Vague, Confusing (403), Depo. Obj. at 137:22-23 Improper lay opinion (FRE 701)				
137:24-138:3	Vague, Confusing (403), Depo. Obj. at 137:22-23 Improper lay opinion (FRE 701)				
145:1-145:5	Vague, Confusing (403), Depo. Obj. at 145:6-7 Improper lay opinion (FRE 701)				
145:8-145:10	Vague, Confusing (403), Depo. Obj. at 145:6-7 Improper lay opinion (FRE 701)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
148:16-148:21	Vague, Confusing (403), Depo. Obj. at 148:12-23 Improper lay opinion (FRE 701)				
148:24-149:3	Vague, Confusing (403), Depo. Obj. at 148:12-23 Improper lay opinion (FRE 701)				
153:22-154:11	Vague, Confusing (403), Depo. Obj. at 154:12-13 Improper lay opinion (FRE 701); document speaks for itself (1002)				
154:14-154:19	Vague, Confusing (403), Depo. Obj. at 154:12-13 Improper lay opinion (FRE 701); document speaks for itself (1002)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
155:1-155:16	Vague, Confusing (403), Depo. Obj. at 155:17-18 No personal knowledge (FRE 602)				
155:19-155:24	Vague, Confusing (403), Depo. Obj. at 155:17-18 No personal knowledge (FRE 602)				
186:23-187:7	Vague, Confusing (403), Depo. Obj. at 187:8-9 No personal knowledge (FRE 602)				
187:10-187:15	Vague, Confusing (403), Depo. Obj. at 187:8-9 No personal knowledge (FRE 602)				
188:12-188:16	Vague, Confusing (403), Depo. Obj. at 188:17 No personal knowledge (FRE 602)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
188:18-188:19	Vague, Confusing (403), Depo. Obj. at 188:17 No personal knowledge (FRE 602)				
200:24-201:7	Irrelevant (402)				

EXHIBIT 9-O

TO PRETRIAL ORDER

Abraxis's Designation of Deposition Testimony

Witness: Pramod Sarpotdar

Deposition Designations: Pramod Sarpotdar

6:4
6:18-6:21
7:9-7:13
11:17-11:25
12:15-12:16
12:20-12:22
13:13-13:16
13:18-13:20
15:9-15:22
16:23-16:25
17:2-17:3
17:5-17:12
17:22-18:2
18:7-18:12
24:10-24:11
24:13-24:14
24:16-24:23
26:24-27:1
27:17-27:22
28:4-29:1
29:3-29:5
30:8-30:21
36:13-37:1
37:19-37:20
37:22-38:12
41:1-42:2
48:21-48:23
48:25-49:12
52:25-53:1
53:3-53:4
53:6-54:5
55:12-55:13
55:17-55:22

62:1-62:5
62:7-62:9
62:11-62:17
62:19-62:22
62:24-62:25
63:2
63:4-10
63:17-64:3
64:17-64:22
64:24-65:2
65:6-66:5
66:7-66:8
66:10-66:17
68:22-69:9
91:11-91:12
91:14-91:15
91:17-92:6
92:9-92:15
92:17-93:3
98:22-98:23
98:25-99:7
99:13-99:21
101:13-104:1
104:13-104:14
104:16
104:18-104:20
106:20-106:22
106:25-107:1
107:3-107:8
107:18-108:7
109:9-10
109:12-18
109:20-110:5
110:7-110:12
110:18-110:22
110:24-110:25

112:8-112:10
114:9-115:11
115:15
115:17-115:18
116:21-117:7
118:22-118:23
119:4-119:10
119:13-119:16
119:18-119:19
119:21-119:22
136:23-136:25
137:5-137:6
137:8-137:10
137:12-137:13
137:15-137:19
137:21
137:24-138:3
138:5-138:8
138:11-138:15
138:17-138:20
145:1-145:5
145:8-145:10
145:12-145:15
145:18-145:20
148:16-148:21
148:24-149:3
150:11-152:14
153:22-154:11
154:14-154:19
155:1-155:16
155:19-155:24
165:1-165:7
165:9-165:23
165:25-166:2
166:4-166:9
166:11-166:15

167:1-167:8

178:25-179:20

181:17-182:5

186:23-187:7

187:10-187:15

188:12-188:16

188:18-188:19

200:24-201:7

EXHIBIT 9-OO

TO PRETRIAL ORDER

Elan's Objections and Counter-Designations and Abraxis's Responses and Objections to Abraxis's Designation of Deposition Testimony

Witness: Pramod Sarpotdar

Sarpotdar

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
24:10-24:11	Irrelevant (402)				
24:13-24:14	Irrelevant (402)				
24:16-24:23			25:1-4 25:12-14	No question designated; FRE 403; unrelated (FRCP 32(a)(6) and FRE 106); waste of time	
26:24-27:1	Irrelevant (402)		28:3	No question designated; only partial answer designated; FRE 403; unrelated (FRCP 32(a)(6) and FRE 106); waste of time	
27:17-27:22			28:2-3	No question designated; FRE 403; unrelated (FRCP 32(a)(6) and FRE 106); waste of time	
28:4-29:1	Irrelevant (402)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
29:3-29:5	Irrelevant (402)				
36:13-37:1	Irrelevant (402)				
41:1-42:2	Irrelevant (402)				
48:21-48:23	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 48:24 No personal knowledge (FRE 602)				
48:25-49:12	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 48:24 No personal knowledge (FRE 602)				
53:6-54:5			54:6-7 54:9-11 55:2-7	FRE 403; unrelated (FRCP 32(a)(6) and FRE 106); no question designated (as to 55:2-7)	
55:17-55:22	Irrelevant (402)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
62:1-62:5	Depo. Obj. at 62:6 Improper lay opinion (FRE 701); no personal knowledge (FRE 602)				
62:7-62:9	Depo. Obj. at 62:6 Improper lay opinion (FRE 701), no personal knowledge (FRE 602)				
63:4-10	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 63:11-16 No personal knowledge (FRE 602)				
63:17-64:3	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 63:11-16, 64:4-7 No personal knowledge (FRE 602)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
64:17-64:22	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 63:11-16, 63:18-20 No personal knowledge (FRE 602) As to 64:18-22 402; Judge Sleet's PTO fn. 6				
68:22-69:9	Hearsay within hearsay (802) Irrelevant (402), misleading (403)				
91:11-91:12	Depo. Obj. at 91:13 Improper lay opinion (FRE 701) Irrelevant (402); Vague, Confusing (403)				
91:14-91:15	Depo. Obj. at 91:13 Improper lay opinion (FRE 701) Irrelevant (402); Vague, Confusing (403)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
91:17-92:6	Depo. Obj. at 92:7-8 Improper lay opinion (FRE 701); no personal knowledge (FRE 602) Irrelevant (402), Vague, Confusing (403)				
92:9-92:15	Depo. Obj. at 92:7-8 Improper lay opinion (FRE 701), no personal knowledge (FRE 602) Irrelevant (402), Vague, Confusing (403)				
101:13-104:1	As to 102:10-103:3 Judge Sleet's PTO fn. 6				
106:20-106:22	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 106:23-24 Improper lay opinion (FRE 701)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
106:25-107:1	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 106:23-24 Improper lay opinion (FRE 701)				
109:9-10	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 109:11 Improper lay opinion (FRE 701)				
109:12-18	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 109:11 Improper lay opinion (FRE 701)				
115:15	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 115:16 Improper lay opinion (FRE 701)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
115:17-115:18	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 115:16 Improper lay opinion (FRE 701)				
119:4-119:10	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 119:11-12 Improper lay opinion (FRE 701)				
119:13-119:16	Irrelevant (402), Vague, Confusing (403) Depo. Obj. at 119:11-12 Improper lay opinion (FRE 701)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
119:21-119:22			120:4-12 121:4-23	No question designated; FRE 403; unrelated (FRCP 32(a)(6) and FRE 106); irrelevant; improper attorney colloquy (as to 121:4-6)	
137:5-137:6	Depo. Obj. at 137:7 Improper lay opinion (FRE 701)				
137:8-137:10	Depo. Obj. at 137:7 Improper lay opinion (FRE 701)				
137:21	Vague, Confusing (403), Depo. Obj. at 137:22-23 Improper lay opinion (FRE 701)				
137:24-138:3	Vague, Confusing (403), Depo. Obj. at 137:22-23 Improper lay opinion (FRE 701)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
145:1-145:5	Vague, Confusing (403), Depo. Obj. at 145:6-7 Improper lay opinion (FRE 701)				
145:8-145:10	Vague, Confusing (403), Depo. Obj. at 145:6-7 Improper lay opinion (FRE 701)				
148:16-148:21	Vague, Confusing (403), Depo. Obj. at 148:12-23 Improper lay opinion (FRE 701)				
148:24-149:3	Vague, Confusing (403), Depo. Obj. at 148:12-23 Improper lay opinion (FRE 701)				

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
153:22-154:11	Vague, Confusing (403), Depo. Obj. at 154:12-13 Improper lay opinion (FRE 701); document speaks for itself (1002)				
154:14-154:19	Vague, Confusing (403), Depo. Obj. at 154:12-13 Improper lay opinion (FRE 701); document speaks for itself (1002)				
155:1-155:16	Vague, Confusing (403), Depo. Obj. at 155:17-18 No personal knowledge (FRE 602)				
155:19-155:24	Vague, Confusing (403), Depo. Obj. at 155:17-18 No personal knowledge (FRE 602)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
186:23-187:7	Vague, Confusing (403), Depo. Obj. at 187:8-9 No personal knowledge (FRE 602)				
187:10-187:15	Vague, Confusing (403), Depo. Obj. at 187:8-9 No personal knowledge (FRE 602)				
188:12-188:16	Vague, Confusing (403), Depo. Obj. at 188:17 No personal knowledge (FRE 602)				
188:18-188:19	Vague, Confusing (403), Depo. Obj. at 188:17 No personal knowledge (FRE 602)				
200:24-201:7	Irrelevant (402)				

EXHIBIT 9-P

TO PRETRIAL ORDER

Abraxis's Designation of Deposition Testimony

Witness: Lianjun Shi

Deposition Designations: Lianjun Shi

6:18-22
21:7-9
21:11-16
21:18-22:3
31:13-14
31:16-17
33:5-6
33:8-13
39:24-40:1
40:6-7
42:1-5
42:7-19
42:24-43:2
43:8-13
43:15-16
44:1-3
44:5-8
44:12-21
44:23-45:3
45:4-15
47:4-20
49:21-24
50:1-10
50:12-17
50:24-25
51:2-6
53:3-54:2
54:5-55:11
56:10-24
57:25-58:2
58:4-7
58:9-17
58:19-23

58:25-59:1

61:3-11

61:13

62:10-13

62:15

62:21-23

62:25

65:8-11

65:15-17

66:20-21

66:23-67:7

67:9-21

72:15-16

72:18

73:1-3

73:5-7

73:9-16

73:18-24

74:1-5

74:7-9

117:25-118:5

77:21-78:9

78:11-12

78:14-16

78:18-79:12

80:7-8

80:10

80:15-81:13

81:15-18

81:19-21

81:23-82:1

92:1-6

92:8-14

92:16-93:2

93:21-25

94:1-18

94:20-95:19

96:9-97:16

97:18-98:16

98:18-23

98:25-99:8

100:4-24

101:3-23

101:17-23

102:1-5

102:7-16

102:18-103:2

103:4-8

109:7-110:2

110:4-13

110:15-19

110:21-111:3

111:5-112:2

112:4-8

110:11-13, 15

114:9-11

114:13-25

115:3-8

115:10-116:8

116:10-13

116:15

122:6-10

122:12-16

124:19-22

124:24

125:11-126:2

126:4-6

126:8-13

127:25-128:1

128:3-13

128:15-16

129:9-11

129:13-17

129:19

144:1-2

144:4-17

144:19-25

146:13-15

146:17

147:23-24

148:1-12

148:14-15

154:14-17

154:19-155:1

155:16-22

155:24-156:5

157:19-21

157:23

EXHIBIT 9-PP

TO PRETRIAL ORDER

Elan's Objections and Counter-Designations and Abraxis's Responses and Objections to Abraxis's Designation of Deposition Testimony

Witness: Lianjun Shi

Shi

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
33:8-13			33:14-17		
44:12-21	FRE 402; 403, Judge Sleet's PTO fn.6 (44:12-13)				
53:3-54:2	Depo. Obj. at 54:3-4				
57:25-58:2	Depo. Obj. at 58:3				
58:4-7	Depo. Obj. at 58:8				
58:9-17	Depo. Obj. at 58:18				
58:19-23	Depo. Obj. at 58:24				
61:3-11	Depo. Obj. at 61:12 No personal knowledge (FRE 602)				
61:13	Depo. Obj. at 61:12 No personal knowledge (FRE 602)				
62:10-13	Depo. Obj. at 62:14 No personal knowledge (FRE 602); calls for speculation				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
62:15	Depo. Obj. at 62:14 No personal knowledge (FRE 602); calls for speculation				
62:21-23	Depo. Obj. at 62:24 No personal knowledge (FRE 602); calls for speculation				
62:25	Depo. Obj. at 62:24 No personal knowledge (FRE 602); calls for speculation				
73:1-3	Depo. Obj. at 73:4 Improper lay opinion (FRE 701)				
73:5-7	Depo. Obj. at 73:4 Improper lay opinion (FRE 701) Depo. Obj. at 73:8 Improper lay opinion (FRE 701)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
92:1-6	Depo. Obj. at 92:7 Improper lay opinion (FRE 701).				
101:3-23	Depo. Obj. at 101:19-21 Hearsay within hearsay (FRE 808)				
112:4-8	Depo. Obj. at 112:3 No personal knowledge; speculation (FRE 602)				
115:10-116:8	FRE 402, Judge Sleet's PTO fn.6 (115:12-21)				
122:6-10	Depo. Obj. at 122:6-10 Mischaracterizes Witness Testimony (FRE 611)				
122:12-16	Depo. Obj. at 122:6-10 Mischaracterizes Witness Testimony (FRE 611) (122:12-13)		122:17-23		

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
127:25-128:1	Depo. Obj. at 128:2 Mischaracterizes Witness Testimony (FRE 611)				
128:3-13	Depo. Obj. at 128:2 Mischaracterizes Witness Testimony (FRE 611) (128:3-13)				
129:13-17	Depo. Obj. at 129:18 No personal knowledge; speculation (FRE 602) (129:15-17)				
129:19	Depo. Obj. at 129:18 No personal knowledge; speculation (FRE 602)				
148:1-12	Depo. Obj. at 148:13 Mischaracterizes Witness Testimony (FRE 611) (148:9-12)				
148:14-15	Depo. Obj. at 148:13 Mischaracterizes Witness Testimony (FRE 611)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
154:14-17	Hearsay within hearsay (FRE 802)				
154:19-155:1	Hearsay within hearsay (FRE 802)				

EXHIBIT 9-Q

TO PRETRIAL ORDER

Abraxis's Designation of Deposition Testimony

Witness: David Taft

Deposition Designations: David Taft

6:1-12

7:20-8:9

8:17- 9:11

12:5-9

141:23

142:2-8

142:11-13-15

218:21-24

219:3-5

219:13-15

220:3-11

220:15

268:25-269:2

269:5-6

269:9

EXHIBIT 9-QQ

TO PRETRIAL ORDER

Elan's Objections and Counter-Designations and Abraxis's Responses and Objections to Abraxis's Designation of Deposition Testimony

Witness: David Taft

Taft

Abraxis's Designations	Elan's Objections	Ruling	Elan's Counter Designations	Abraxis's Objections	Ruling
141:23	Irrelevant (FRE 402)				
142:2-8	Irrelevant (FRE 402)				
142:11 13-15	Irrelevant (FRE 402)				
218:21-24	FRE 403; Irrelevant (FRE 402)				
219:13-15			219:19-24	No question designated; waste of time; FRE 403	
220:3-11	FRE 403; Irrelevant (FRE 402)				
220:15			221:23-25	No question designated; unrelated (FRCP 32(a)(6) and FRE 106); waste of time; FRE 403	
268:25 269:2	Irrelevant (FRE 402)				

EXHIBIT 9-R

TO PRETRIAL ORDER

Abraxis's Designation of Deposition Testimony

Witness: Jeffrey Winkler

Deposition Designations: Jeffrey Winkler

4:24-5:3
12:4-21
32:12-14
41:15-42:2
43:9-19
47:4-6
47:8
47:9-10
47:12
54:4-9
47:13-14
47:16
47:23-48:20
54:10-12
54:15-16
54:18-22
54:24-55:11
55:12-24
56:3-17
56:20-57:5
57:6-8
57:11-17
57:21-23
57:25
60:4-6
60:8
60:25-61:10
61:12-16
61:18
61:19-21
61:23-62:6
63:21-64:4
65:21-66:2

66:4-13

66:15-24

67:2-5

67:7-10

67:18-68:5

68:7-16

69:6-11

69:13

69:14-70:9

70:11-15

70:18-72:12

72:14-19

72:22-73:16

73:18-20

75:9-16

77:7-14

79:22-25

80:2-9

85:9-21

85:23-86:5

86:7-87:6

87:9-21

89:16-19

87:22-88:15

89:24-90:25

92:2-5

92:14-19

93:7-13

94:4-7

99:12-100:6

101:15-22

102:11-103:1

108:17-109:3

113:3-114:11

114:13-14

117:19-22, 24

118:11-17
119:24-120:2
120:4-8
120:10-12
121:25-122:3
122:6
124:4-7
124:12-125:8
126:10-17
127:18-21
129:10-13
129:16-24
130:4-9
148:15-18
148:20-23
132:4-9
136:3-9
138:10-19
138:21-23
138:25-139:2
154:15-155:15
157:7-10
158:10-13, 15
161:18-25
162:5-25
164:21-165:6
165:8-9
165:15-25
166:2, 4-11
166:23-167:5
168:10-20
169:5-24
170:4-17
172:8-16
172:17-25
173:3-9

174:10-175:4
176:22-177:8
178:19-22, 24
179:6-7
179:9-180:2
180:4-8
180:10-20
180:23-181:2
183:11-14
183:20-184:10
184:12
184:15-16
184:18-185:2
186:3-4, 7-14
187:9-11
190:2-5
190:10-17
191:8-11
192:22-25
193:3
193:4-19
193:21-195:24
196:23-197:10
199:5-9, 11-12
200:24-201:3
201:5-17
201:19-21
202:2-12
202:21-24
203:2-18
206:16-19
206:21-25
246:15-25
209:16-19
209:21-24
210:2-15

210:17-20

210:23-25

211:4-11

211:13-25

212:3

212:4-7, 10-13

214:14-25

215:13-216:2

216:4-8

216:10-25

217:3

219:19-25

221:5-10

222:2-5

222:10-11

222:22-223:3

223:4-8

223:25-224:9

224:10-16

224:21-25

225:21-226:12

226:14-17

244:17-245:3

245:5

226:18-227:14

227:19-22

228:5-9

228:16-25

229:2-4

230:5-6, 8-17

230:18-20, 23-24

231:2

233:7-234:7

238:7-16

239:20-240:6

240:14-241:2

242:5-12

243:10-19

268:4-7

269:25-270:3

270:6

274:6-7

274:9-11

274:22-275:5

275:7-276:5

276:8-9

276:24-277:4

277:14-15

277:16-20

278:8-11, 13

286:13-14, 16

291:18-19, 22

295:18-20, 22-24

296:2-8, 10-13

297:2-6

315:10-11, 13-16, 18-19

321:4-6, 8-13, 15-18, 20-21

322:19-323:21

323:23-324:2

324:10-25

325:4-7

325:9-11

325:13-326:15

326:17-327:3

327:9-13

327:15-16

328:6-329:2

329:4-15

329:17-18

330:7-15

330:17-331:18

333:3-20

EXHIBIT 9-RR

TO PRETRIAL ORDER

Elan's Objections and Counter-Designations and Abraxis's Responses and Objections to Abraxis's Designation of Deposition Testimony

Witness: Jeffrey Winkler

Winkler

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
32:12-14	Irrelevant (FRE 402)				
41:15-42:2	Irrelevant (FRE 402)				
54:10-12	Depo. Obj. at 54:13-14 Improper lay opinion (FRE 701)				
54:15-16	Depo. Obj. at 54:17 No personal knowledge; no foundation (FRE 602)				
56:3-17	As to 56:14-17 Depo. Obj. at 56:18-19 Mischaracterizes witness testimony (FRE 611); FRE 402; 403-Designation is only a question without answer				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
57:6-8	Depo. Obj. at 57:6-8 Improper lay opinion (FRE 701)				
57:11-17	Depo. Obj. at 57:6-8, 57:18-20 Improper hypothetical; Improper lay opinion (FRE 701)				
57:21-23	Depo. Obj. at 57:18-20 Improper hypothetical; Improper lay opinion (FRE 701)				
80:2-9	Irrelevant (FRE 402)				
87:22-88:15			88:16-20	Irrelevant; FRE 403	
93:7-13			93:14-20		
108:17-109:3			109:7-25	Irrelevant; improper attorney colloquy	
124:12-125:8			125:9-11 125:14-17		

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
136:3-9			136:10-13		
158:10-13, 15	Depo. Obj. at 158:14 Improper lay opinion (FRE 701)		158:16-17 158:19-20		
168:10-20	Irrelevant (FRE 402); FRE 403; (168:15-20)				
176:22-177:8	Hearsay within hearsay (FRE 802)				
202:21-24	As to 202:23-203:18 (FRE 402; 403), Judge Sleet's PTO fn. 6-Improper Attorney Colloquy				
230:18-20, 23-24	Depo. Obj. at 230:21-22 Improper lay opinion (FRE 701)				
231:2	Depo. Obj. at 230:25 Improper lay opinion (FRE 701)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
240:14-241:2	Depo. Obj. at 241:6 & 241:9 Improper lay opinion (FRE 701) As to 241:11-12 (FRE 402; 403), Judge Sleet's PTO fn. 6-Improper Attorney Colloquy				
269:25-270:3	Depo. Obj. at 270:4-5 Mischaracterizes witness testimony (FRE 611(a))				
291:18-19, 22	Depo. Obj. at 291: 20-21 (FRE 402) Irrelevant; (FRE 403); -Vague, Ambiguous; Lacks Foundation (				
328:6-329:2	Depo. Obj. at 329:3 Mischaracterizes Witness Testimony (FRE 611(a)) (328:21-329:2)				

Abraxis's Designations	**Elan's Objections**	**Ruling**	**Elan's Counter Designations**	**Abraxis's Objections**	**Ruling**
329:4-15	Depo. Obj. at 329:3 Mischaracterizes Witness Testimony (FRE 611(a)) (329:4-10)				
333:3-20	Irrelevant (FRE 402); FRE 403				