

Paul Boudreau

From: Harden, Joshua K. <joshua.harden@stinson.com>
Sent: Monday, August 13, 2018 2:43 PM
To: Clark, John
Cc: Paul Boudreau; Dean Cooper; Westen, Jacob; Shemwell, Lera; Sarah Giboney; Aslin, Casi
Subject: List of Exhibits Silverleaf.DOCX
Attachments: List of Exhibits Silverleaf (3).DOCX

Judge – Attached is Silverleaf's list of exhibits.

Please note that Silverleaf's initial rebuttal testimony is *included* on this list. The only reason for including it is: Filing the rebuttal testimony on EFIS is not the legal equivalent of offering testimony into evidence. I believe that technically one cannot strike testimony which has not been offered into evidence. So I plan on actually offering the rebuttal testimony into evidence at which point your honor can strike* the testimony pursuant to your August 2, 2018 Order, if you so desire. This is strictly procedural to ensure that I have preserved my client's appeal rights on this issue. (I believe that at some point in history someone filed a recipe for chocolate mac 'n cheese in EFIS).

Thanks,

Josh

*More accurately deny its admission, as the ruling is more of an action on a motion in limine.

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