

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

BLUE FLAME MEDICAL LLC

Plaintiff,

V.

**CHAIN BRIDGE BANK, N.A.,
JOHN J. BROUGH, and
DAVID M. EVINGER,**

Defendants.

Civil Action No. 1:20-cv-00658

The Honorable Leonie Brinkema

CHAIN BRIDGE BANK, N.A.

Third-Party Plaintiff,

V.

JPMORGAN CHASE BANK, N.A.

Third-Party Defendant.

**PLAINTIFF BLUE FLAME MEDICAL LLC'S OBJECTIONS TO
DEFENDANT/THIRD-PARTY PLAINTIFF CHAIN BRIDGE BANK, N.A. AND
DEFENDANTS JOHN J. BROUGH AND DAVID M. EVINGER AND THIRD-PARTY
DEFENDANT JPMORGAN CHASE BANK, N.A.'S RULE 26(a)(3)(A)(ii)
DESIGNATIONS OF WITNESSES WHOSE TESTIMONY IS TO BE PRESENTED BY
DEPOSITION**

Pursuant to Federal Rules of Civil Procedure 26(a)(3)(B) and 32(a), Plaintiff Blue Flame Medical LLC ("Plaintiff") respectfully submits the following objections to (1) the Witness List of Defendant/Third-Party Plaintiff Chain Bridge Bank, N.A. ("Chain Bridge") and Defendants John J. Brough and David M. Evinger (collectively with Chain Bridge, "Defendants") (ECF No. 94), which identifies certain witness testimony that Defendants may seek to present through designated

depositions and otherwise reserves the right to introduce deposition testimony in place of live testimony, and (2) JPMorgan Chase Bank, N.A.'s ("JPMC") Pretrial Disclosures Concerning Witnesses (ECF No. 91), in which JPMC reserves the right to call witnesses by deposition.

These objections are made based on information reasonably available to Plaintiff at this time and stage of the proceedings. As additional information becomes available, Plaintiff reserves the right to supplement, revise, waive, or otherwise amend these objections, including through motions *in limine* and in light of any rulings thereupon. As the parties have not yet designated specific portions of depositions to be presented at trial, Plaintiff reserves the right to object to any grounds to any such portions designated by Defendants and/or JPMC. Further, given that both Defendants and JPMC have reserved the right to call additional witnesses by deposition to the extent a witness's circumstances change or a witness becomes unavailable for trial, Plaintiff further reserves the right to object to any such additional witnesses that Defendants or JPMC may so designate. Under Federal Rule of Civil Procedure 32(a), Plaintiff objects to Defendants and/or JPMC presenting witness testimony by deposition to the extent that any designated witness is not unavailable.

Witness Whose Testimony May Be Presented by Deposition	Objection
Ethan Bearman (January 21, 2021)	Fed. R. Evid. 106: Plaintiff objects to any incomplete portions of Mr. Bearman's deposition that may confuse the issues or mislead the jury as to his testimony.
California State Controller's Office 30(b)(6) (Richard Chivaro) (March 4, 2021)	Fed. R. Evid. 106: Plaintiff objects to any incomplete portions of Mr. Chivaro's Rule 30(b)(6) deposition that may confuse the issues or mislead the jury as to his testimony. Fed. R. Civ. P. 30(b)(6): Plaintiff objects to any testimony that exceeds the scope of the Rule 30(b)(6) topics designated for this deposition.

Witness Whose Testimony May Be Presented by Deposition	Objection
Timothy Coffey (February 11, 2021)	Fed. R. Evid. 106: Plaintiff objects to any incomplete portions of Mr. Coffey's deposition that may confuse the issues or mislead the jury as to his testimony.
Natalie Gonzales (January 28, 2021)	Fed. R. Evid. 106: Plaintiff objects to any incomplete portions of Ms. Gonzales's deposition that may confuse the issues or mislead the jury as to her testimony.
Michael Gula (January 12, 2021)	Fed. R. Evid. 106: Plaintiff objects to any incomplete portions of Mr. Gula's deposition that may confuse the issues or mislead the jury as to his testimony.
Daniel Kim (March 29, 2021)	Fed. R. Evid. 106: Plaintiff objects to any incomplete portions of Mr. Kim's deposition that may confuse the issues or mislead the jury as to his testimony.
Rakesh Korpall/JPMC 30(b)(6) (February 9, 2021)	Fed. R. Evid. 106: Plaintiff objects to any incomplete portions of Mr. Korpall's individual and/or Rule 30(b)(6) deposition that may confuse the issues or mislead the jury as to his testimony. Fed. R. Civ. P. 30(b)(6): Plaintiff objects to testimony that exceeds the scope of the Rule 30(b)(6) topics designated for this deposition.
Mathew Littman (April 12, 2021)	Fed. R. Evid. 106: Plaintiff objects to any incomplete portions of Mr. Littman's deposition that may confuse the issues or mislead the jury as to his testimony.
Stephanie Smith (April 12, 2021)	Fed. R. Evid. 106: Plaintiff objects to any incomplete portions of Ms. Smith's deposition that may confuse the issues or mislead the jury as to her testimony.
Andrew Sturmfels (February 10, 2021)	Fed. R. Evid. 106: Plaintiff objects to any incomplete portions of Mr. Sturmfels's deposition that may confuse the issues or mislead the jury as to his testimony.
John Thomas (January 11, 2021)	Fed. R. Evid. 106: Plaintiff objects to any incomplete portions of Mr. Thomas's deposition that may confuse the issues or mislead the jury as to his testimony.
Michael Wong (January 19, 2021)	Fed. R. Evid. 106: Plaintiff objects to any incomplete portions of Mr. Wong's deposition that may confuse the issues or mislead the jury as to his testimony.

Dated: April 29, 2021

Respectfully submitted,

/s/ Peter H. White

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CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of April, 2021, I caused the foregoing document to be filed and served electronically using the Court's CM/ECF system, which automatically sent a notice of electronic filing to all counsel of record.

Dated: April 29, 2021

/s/ Peter H. White

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