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19 UNITED STATES DISTRICT COURT

20 CENTRAL DISTRICT OF CALIFORNIA

21 FOX BROADCASTING COMPANY,  
22 INC., TWENTIETH CENTURY FOX  
FILM CORP., and FOX TELEVISION  
23 HOLDINGS. INC.,

24 Plaintiffs,

25 v.

26 DISH NETWORK L.L.C. and DISH  
NETWORK CORP.,

27 Defendants.  
28

Case No. CV12-04529 DMG (SHx)

**DEFENDANTS' EVIDENTIARY  
OBJECTIONS TO  
DECLARATIONS AND  
EXHIBITS OFFERED BY  
PLAINTIFFS IN SUPPORT OF  
THEIR PRELIMINARY  
INJUNCTION REQUEST**

1 Defendants DISH Network, LLC and DISH Network Corporation (“DISH”)  
 2 hereby object to the declarations and certain exhibits appended thereto offered in  
 3 support of plaintiffs’ Motion for Preliminary Injunction.

4 **Separate Statement of Evidentiary Objections**

EVIDENCE	OBJECTION(S)
5 Paragraph 2 of Singer Declaration (2:13- 6 22) and Exhibit A 7 8 9 10 11	<b>Relevance (FRE 401, 402)</b> <b>Lack of Authentication (FRE 901)</b> <b>Doctrine of Completeness (FRE 106)</b> <b>Misleading and Vague (FRE 403)</b> <b>Best Evidence Rule (FRE 1002)</b>
12 Exhibit A to Singer Declaration (all) 13 14 15 16 17	<b>Relevance (FRE 401, 402)</b> <b>Misleading and Vague (FRE 403)</b> <b>Lack of Authentication (FRE 901)</b> <b>Doctrine of Completeness (FRE 106)</b> <b>Best Evidence Rule (FRE 1002)</b>
18 Paragraph 3 of Singer Declaration (2:26- 19 28) 20 21 22 23 24 25	<b>Relevance (FRE 401, 402)</b> <b>Misleading and Vague (FRE 403)</b> <b>Lack of Authentication (FRE 901)</b> <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Hearsay (FRE 801-804)</b>
26 Paragraph 5 of Singer Declaration (3:8- 27 13) and Exhibit A 28	<b>Relevance (FRE 401, 402)</b> <b>Misleading and Vague (FRE 403)</b>

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	<p><b>Lack of Authentication (FRE 901)</b>  <b>Misstates the Evidence</b>  <b>Best Evidence Rule (FRE 1002)</b>  <b>Doctrine of Completeness (FRE 106)</b></p>
<p>Paragraphs 6 and 7 of Singer Declaration (3:15-25 and 3:26-4:4) and Exhibit A</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>No Foundation: Lacks Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Best Evidence Rule (FRE 1002)</b>  <b>Misstates the Evidence</b>  <b>Doctrine of Completeness (FRE 106)</b></p>
<p>Paragraph 8 of Singer Declaration (4:5-9) and Exhibit A</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>Lack of Authentication (FRE 901)</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Hearsay (FRE 801-804)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Best Evidence Rule (FRE 1002)</b>  <b>Doctrine of Completeness (FRE 106)</b></p>
<p>Paragraph 9 of Singer Declaration (4:10-16) and Exhibit A</p>	<p><b>Relevance (FRE 401, 403)</b>  <b>Lack of Authentication (FRE 901)</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b></p>

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	<p><b>Misleading and Vague (FRE 403)</b>  <b>Hearsay (FRE 801-804)</b>  <b>Speculation (FRE 602)</b>  <b>Doctrine of Completeness (FRE 106)</b>  <b>Best Evidence Rule (FRE 1002)</b></p>
<p>Paragraph 10 of Singer Declaration  (4:17-21) and Exhibit A</p>	<p><b>Relevance (FRE 401, 403)</b>  <b>Lack of Authentication (FRE 901)</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Hearsay (FRE 801-804)</b>  <b>Speculation (FRE 602)</b>  <b>Doctrine of Completeness (FRE 106)</b>  <b>Best Evidence Rule (FRE 1002)</b></p>
<p>Paragraph 11 of Singer Declaration  (4:22-27) and Exhibit A</p>	<p><b>Relevance (FRE 401, 403)</b>  <b>Lack of Authentication (FRE 901)</b>  <b>Hearsay (FRE 801-804)</b>  <b>Doctrine of Completeness (FRE 106)</b>  <b>Best Evidence Rule (FRE 1002)</b></p>
<p>Heading in Singer Declaration: “Dish Controls the PrimeTime Anytime Service” (5:1)</p>	<p><b>Improper Opinion Testimony (FRE 701)</b>  <b>Improper Expert Testimony (FRE 702)</b>  <b>No Foundation: Lack of Personal</b></p>

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	<p><b>Knowledge (FRE 602)</b>  <b>Misstates the Evidence</b>  <b>Misleading and Vague (FRE 403)</b></p>
<p>Paragraph 12 of Singer Declaration (5:2-5) and Exhibit A</p>	<p><b>Relevance (FRE 401, 403)</b>  <b>Lack of Authentication (FRE 901)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Doctrine of Completeness (FRE 106)</b>  <b>Best Evidence Rule (FRE 1002)</b></p>
<p>Paragraph 13 of Singer Declaration (5:7-13) and Exhibit 1</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>Mischaracterizes the Evidence</b>  <b>Hearsay (FRE 801-804)</b>  <b>Lack of Authentication (FRE 901)</b>  <b>Doctrine of Completeness (FRE 106)</b></p>
<p>Paragraph 14 of Singer Declaration (5:18-22) and Exhibit A</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>Misstates the Evidence</b>  <b>Hearsay (FRE 801-804)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Lack of Authentication (FRE 901)</b>  <b>Doctrine of Completeness (FRE 106)</b>  <b>Best Evidence Rule (FRE 1002)</b></p>
<p>Paragraph 15 of Singer Declaration (5:23-6:1) and Exhibit A</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>Lack of Authentication (FRE 901)</b>  <b>No Foundation: Lack of Personal</b></p>

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	<p><b>Knowledge (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Hearsay (FRE 801-804)</b>  <b>Speculation (FRE 602)</b>  <b>Misstates the Evidence</b>  <b>Misleading and Vague (FRE 403)</b></p>
<p>Paragraphs 16 and 17 of Singer Declaration (6:2-12)</p>	<p><b>Relevance (FRE 401, 402)</b></p>
<p>Paragraph 18 of Singer Declaration (6:13-16)</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates the Evidence</b></p>
<p>Paragraph 19 of Singer Declaration (6:17-20) and Exhibit 1</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>Lack of Authentication (FRE 901)</b></p>
<p>Paragraph 20 of Singer Declaration (6:22-28) and Exhibit 1</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates the evidence</b>  <b>Lack of Authentication (FRE 901)</b></p>
<p>Paragraph 21 of Singer Declaration (7:1-5)</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b>  <b>Lack of Authentication (FRE 901)</b></p>

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<p>Paragraph 22 of Singer Declaration (7:6-10) and Exhibit A</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>Lack of Authentication (FRE 901)</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misstates and Mischaracterizes the Evidence</b>  <b>Doctrine of Completeness (FRE 106)</b>  <b>Best Evidence Rule (FRE 1002)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b></p>
<p>Paragraph 23 of Singer Declaration (7:11-17) and Exhibit A</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>Misstates the Evidence</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b></p>
<p>Paragraph 24 of Singer Declaration (7:18-23) and Exhibit A</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>Lack of Authentication (FRE 901)</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Hearsay (FRE 801-804)</b>  <b>Speculation (FRE 602)</b>  <b>Doctrine of Completeness (FRE 106)</b>  <b>Best Evidence Rule (FRE 1002)</b></p>

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<p>Paragraph 25 of Singer Declaration (7:24-8:2) and Exhibit A</p>	<p><b>Lack of Authentication (FRE 901)</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Mischaracterizes the Evidence</b>  <b>Hearsay (FRE 801-804)</b>  <b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Doctrine of Completeness (FRE 106)</b>  <b>Best Evidence Rule (FRE 1002)</b></p>
<p>Paragraph 26 of Singer Declaration (8:3-9) and Exhibit A</p>	<p><b>Lack of Authentication (FRE 901)</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Hearsay (FRE 801-804)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Doctrine of Completeness (FRE 106)</b>  <b>Best Evidence Rule (FRE 1002)</b></p>
<p>Heading in Singer Declaration: “Dish Markets and Promotes PrimeTime Anytime As a Video On Demand Service that Competes with Similar Services Offered by Fox’s Licensees” (8:10-11)</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b></p>



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<p>Paragraph 27 of Singer Declaration (8:12-15) and Exhibit A</p>	<p><b>Relevance (FRE 401, 402)</b> <b>Misleading and Vague (FRE 403)</b> <b>Mischaracterizes the Evidence</b> <b>Lack of Authentication (FRE 901)</b></p>
<p>Paragraph 28 of Singer Declaration (8:19-25) and Exhibit F</p>	<p><b>Relevance (FRE 401, 402)</b> <b>Lack of Authentication (FRE 901)</b> <b>Mischaracterizes the Evidence</b></p>
<p>Paragraph 29 of Singer Declaration (8:26-9:6) and Exhibit A</p>	<p><b>Relevance (FRE 401, 402)</b> <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Lack of Authentication (FRE 901)</b> <b>Best Evidence Rule (FRE 1002)</b> <b>Mischaracterizes the Evidence</b> <b>Misleading and Vague (FRE 403)</b></p>
<p>Paragraph 30 of Singer Declaration (9:7-10)</p>	<p><b>Relevance (FRE 401, 402)</b> <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Lack of Authentication (FRE 901)</b> <b>Speculation (FRE 602)</b> <b>Misleading and Vague (FRE 403)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Improper Lay Opinion (FRE 701)</b></p>

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	<b>Mischaracterizes the Evidence</b>
Paragraph 31 of Singer Declaration (9:11-15) and Exhibit A	<b>Relevance (FRE 401, 402)</b> <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Lack of Authentication (FRE 901)</b> <b>Best Evidence Rule (FRE 1002)</b> <b>Mischaracterizes the Evidence</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Improper Lay Opinion (FRE 701)</b> <b>Misleading and Vague (FRE 403)</b> <b>Doctrine of Completeness (FRE 106)</b>
Paragraph 32 of Singer Declaration (9:16-21) and Exhibit A	<b>Relevance (FRE 401, 402)</b> <b>Misleading and Vague (FRE 403)</b> <b>Lack of Authentication (FRE 901)</b> <b>Mischaracterizes the Evidence</b> <b>Best Evidence Rule (FRE 1002)</b> <b>Doctrine of Completeness (FRE 106)</b>
Paragraph 33 of Singer Declaration (9:22-26)	<b>Relevance (FRE 401, 402)</b> <b>Misleading and Vague (FRE 403)</b> <b>Mischaracterizes the Evidence</b> <b>Hearsay (FRE 801-804)</b>
Paragraph 34 of Singer Declaration	<b>Relevance (FRE 401, 402)</b>

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(9:27-10:16)	<p><b>Hearsay (FRE 801-804)</b></p> <p><b>Mischaracterizes the Evidence</b></p>
<p>Heading in Singer Declaration: “PrimeTime Anytime Is Commercial-Free” (10:17)</p>	<p><b>Misleading and Vague (FRE 403)</b></p> <p><b>Misstates and Mischaracterizes the Evidence</b></p> <p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b></p> <p><b>Improper Lay Opinion (FRE 701)</b></p>
<p>Paragraph 35 of Singer Declaration (10:18-23) and Exhibit H</p>	<p><b>Relevance (FRE 401, 402)</b></p> <p><b>Misleading and Vague (FRE 403)</b></p> <p><b>Misstates and Mischaracterizes the Evidence</b></p> <p><b>Hearsay (FRE 801-804)</b></p>
<p>Paragraph 36 of Singer Declaration (10:24-11:2) and Exhibit G</p>	<p><b>Relevance (FRE 401, 402)</b></p> <p><b>Misstates and Mischaracterizes the Evidence</b></p> <p><b>Hearsay (FRE 801-804)</b></p>
<p>Paragraph 37 of Singer Declaration (11:3-5) and Exhibit A</p>	<p><b>Relevance (FRE 401, 402)</b></p> <p><b>Best Evidence Rule (FRE 1002)</b></p> <p><b>Misstates and Mischaracterizes the Evidence</b></p>
<p>Paragraph 38 of Singer Declaration</p>	<p><b>Relevance (FRE 401, 402)</b></p>

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(11:6-8) and Exhibit A	<b>Best Evidence Rule (FRE 1002)</b>
Paragraphs 39 of Singer Declaration (11:9-11) and Exhibit D	<b>Relevance (FRE 401, 402)</b> <b>Misstates and Mischaracterizes the Evidence</b> <b>Misleading and Vague (FRE 403)</b> <b>No Foundation: Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Cited Exhibit Does not Supported Assertions</b>
Paragraph 40 of Singer Declaration (11:12-16)	<b>Relevance (FRE 401, 402)</b> <b>Misstates and Mischaracterizes the Evidence</b> <b>Misleading and Vague (FRE 403)</b> <b>No Foundation: Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Improper Lay Opinion (FRE 701)</b> <b>Cited Exhibit Does not Supported Assertions</b>
Paragraph 41 of Singer Declaration (11:17-23) and Exhibit I	<b>Misleading and Vague (FRE 403)</b> <b>Mischaracterizes the Evidence</b> <b>Hearsay (FRE 801-804)</b>

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	<b>Improper Lay Opinion (FRE 701)</b>
Paragraph 42 of Singer Declaration (11:24-26) and Exhibit J	<b>Relevance (FRE 401, 402)</b> <b>Best Evidence Rule (FRE 1002)</b> <b>Lack of Authentication (FRE 901)</b> <b>Hearsay (FRE 801-804)</b> <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Misleading and Vague (FRE 403)</b> <b>Mischaracterizes the Evidence</b>
Paragraph 43 of Singer Declaration (12:3-9) and Exhibit A	<b>Relevance (FRE 401, 402)</b> <b>Best Evidence Rule (FRE 1002)</b> <b>Lack of Authentication (FRE 901)No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Misstates and Mischaracterizes the Evidence</b> <b>Speculation (FRE 602)</b> <b>Misleading and Vague (FRE 403)</b>
Paragraph 44 of Singer Declaration (12:11-17) and Exhibit K	<b>Doctrine of Completeness (FRE 106)</b>
Paragraph 45 of Singer Declaration (12:20-23) and Exhibit L	<b>Doctrine of Completeness (FRE 106)</b>
Paragraph 46 of Singer Declaration	<b>Relevance (FRE 401, 402)</b>

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<p>(12:25-13:2) and Exhibit M</p>	<p><b>Misleading and Vague (FRE 403)</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Lack of Authentication (FRE 901)</b>  <b>Hearsay (FRE 801-804)</b></p>
<p>Paragraph 47 of Singer Declaration                  (13:3-11) and Exhibit N</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Lack of Authentication (FRE 901)</b>  <b>Hearsay (FRE 801-804)</b></p>
<p>Paragraph 3 of Haslingden Declaration                  (2:18-22)</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Hearsay (FRE 801-804)</b>  <b>Misleading and Vague (FRE 403)</b></p>
<p>Paragraph 6 of Haslingden Declaration                  (3:11-14)</p>	<p><b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b></p>

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Paragraph 7 of Haslingden Declaration (3:15-24)	<b>Speculation (FRE 602)</b> <b>Misleading and Vague (FRE 403)</b> <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>
Paragraph 8 of Haslingden Declaration (3:25-4:2)	<b>Hearsay (FRE 801-804)</b> <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Improper Lay Opinion (FRE 701)</b> <b>Needlessly Cumulative (FRE 403)</b>
Paragraph 9 of Haslingden Declaration (4:3-8)	<b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Improper Lay Opinion (FRE 701)</b>
Paragraph 10 of Haslingden Declaration (4:9-20)	<b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Improper Lay Opinion (FRE 701)</b>
Heading in Haslingden Declaration: “Dish’s Unauthorized Conduct” (4:21)	<b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b>

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	<p><b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Improper Legal Conclusion</b>  <b>Misleading and Vague (FRE 403)</b></p>
<p>Paragraph 11 of Haslingden Declaration                  (4:22-5:5)</p>	<p><b>Hearsay (FRE 801-804)</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Needlessly Cumulative (FRE 403)</b>  <b>Mischaracterizes the Evidence</b></p>
<p>Paragraph 12 of Haslingden Declaration                  (5:8-17)</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Improper Legal Conclusion</b>  <b>Misleading and Vague (FRE 403)</b></p>
<p>Paragraph 13 of Haslingden Declaration                  (5:18-28)</p>	<p><b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Mischaracterizes the Evidence</b></p>



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<p>Heading in Haslingden Declaration: “If Dish Is Not Enjoined, Other MVPDs Will Begin Offering Services Similar to PrimeTime Anytime and AutoHop” (6:1-2)</p>	<p><b>Relevance (FRE 401, 402)</b> <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Improper Lay Opinion (FRE 701)</b> <b>Misleading and Vague (FRE 403)</b></p>
<p>Paragraph 14 of Haslingden Declaration (6:3-11) and Exhibit A</p>	<p><b>Relevance (FRE 401, 402)</b> <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Lack of Authentication (FRE 901)</b> <b>Double Hearsay (FRE 801-804)</b> <b>Speculation (FRE 602)</b></p>
<p>Paragraph 15 of Haslingden Declaration (6:12-19) and Exhibit B</p>	<p><b>Relevance (FRE 401, 402)</b> <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Lack of Authentication (FRE 901)</b> <b>Double Hearsay (FRE 801-804)</b> <b>Speculation (FRE 602)</b></p>
<p>Paragraph 16 of Haslingden Declaration (6:20-7:2)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Improper Lay Opinion (FRE 701)</b></p>

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	<p><b>Improper Legal Conclusion</b> <b>Misleading and Vague (FRE 403)</b></p>
<p>Heading in Haslingden Declaration: “If Dish Is Not Enjoined, Advertisers Will Shift Spending Away from Prime Time Broadcast Television Commercials” (7:3-4)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Improper Lay Opinion (FRE 701)</b> <b>Misleading and Vague (FRE 403)</b></p>
<p>Paragraph 18 of Haslingden Declaration (7:12-17)</p>	<p><b>Relevance (FRE 401, 402)</b> <b>Speculation (FRE 602)</b> <b>Misleading and Vague (FRE 403)</b> <b>Improper Expert Opinion (FRE 702)</b></p>
<p>Paragraph 19 of Haslingden Declaration (7:18-25) and Exhibit C</p>	<p><b>Relevance (FRE 401, 402)</b> <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Lack of Authentication (FRE 901)</b> <b>Double Hearsay (FRE 801-804)</b> <b>Speculation (FRE 602)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Improper Lay Opinion (FRE 701)</b> <b>Misleading and Vague (FRE 403)</b></p>
<p>Paragraph 20 of Haslingden Declaration (7:26-8:3)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b></p>

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	<p><b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Misleading and Vague (FRE 403)</b></p>
<p>Paragraph 21 of Haslingden Declaration                  (8:4-12)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Improper Legal Conclusion</b>  <b>Misleading and Vague (FRE 403)</b></p>
<p>Paragraph 22 of Haslingden Declaration                  (8:13-22)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Misleading and Vague (FRE 403)</b></p>
<p>Heading in Haslingden Declaration:                  “Dish’s Unauthorized Conduct Is Having Negative Credit Implications Across the Entire Industry” (8:23-24)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Improper Legal Conclusion</b>  <b>Misleading and Vague (FRE 403)</b></p>

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<p>Paragraph 23 of Haslingden Declaration (8:25-9:9) and Exhibit D</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Lack of Authentication (FRE 901)</b>  <b>Double Hearsay (FRE 801-804)</b>  <b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Misleading and Vague (FRE 403)</b></p>
<p>Paragraph 24 of Haslingden Declaration (9:10-18)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Hearsay (FRE 801-804)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Improper Legal Conclusion</b>  <b>Misleading and Vague (FRE 403)</b></p>
<p>Paragraph 4 of Liodice Declaration (2:26-3:5)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Misleading and Vague (FRE 403)</b></p>

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Paragraph 5 of Liodice Declaration (3:6-8)	<b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Improper Lay Opinion (FRE 701)</b> <b>Misleading and Vague (FRE 403)</b>
Paragraph 6 of Liodice Declaration (3:9-22)	<b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Improper Lay Opinion (FRE 701)</b> <b>Misleading and Vague (FRE 403)</b> <b>Misstates and Mischaracterizes Evidence</b>
Paragraph 7 of Liodice Declaration (3:23-4:7)	<b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Improper Lay Opinion (FRE 701)</b> <b>Misleading and Vague (FRE 403)</b>
Paragraph 8 of Liodice Declaration (4:8-14)	<b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Improper Expert Opinion (FRE 702)</b>

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	<p><b>Improper Lay Opinion (FRE 701)</b>  <b>Misleading and Vague (FRE 403)</b></p>
<p>Paragraph 3 of Smith Declaration (2:17-22)</p>	<p><b>Relevance (FRE 401, 402)</b></p>
<p>Paragraph 4 of Smith Declaration (2:23-26)</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Misleading and Vague (FRE 403)</b></p>
<p>Paragraph 5 of Smith Declaration (2:27-3:4)</p>	<p><b>Relevance (FRE 401, 402)</b></p>
<p>Paragraph 6 of Smith Declaration (3:8-10)</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Mischaracterizes the Evidence</b></p>
<p>Paragraph 7 of Smith Declaration (3:12-20)</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b></p>

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	<p><b>Improper Lay Opinion (FRE 701)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Mischaracterizes the Evidence</b></p>
<p>Paragraph 8 of Smith Declaration (3:21-4:3)</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Misleading and Vague (FRE 403)</b></p>
<p>Paragraph 2 of Brennan Declaration (2:14-20)</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>Hearsay (FRE 801-804)</b></p>
<p>Paragraph 3 of Brennan Declaration (2:21-24) and Exhibit A</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Lack of Authentication (FRE 901)</b></p>
<p>Paragraph 7 of Brennan Declaration (3:14-16) and Exhibit B</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Lack of Authentication (FRE 901)</b>  <b>Hearsay (FRE 801-804)</b>  <b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Misleading and Vague (FRE 403)</b></p>

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<p>Paragraph 8 of Brennan Declaration (3:17-20) and Exhibit C</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Lack of Authentication (FRE 901)</b>  <b>Double Hearsay (FRE 801-804)</b>  <b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Misleading and Vague (FRE 403)</b></p>
<p>Paragraph 9 of Brennan Declaration (3:21-23)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b></p>
<p>Paragraph 10 of Brennan Declaration (3:26-4:11)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Needlessly Cumulative (FRE 403)</b></p>
<p>Paragraph 11 of Brennan Declaration (4:14-16)</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b></p>



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	<p><b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b></p>
<p>Paragraph 12 of Brennan Declaration                  (4:17-5:3)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Needlessly Cumulative (FRE 403)</b></p>
<p>Paragraph 13 of Brennan Declaration                  (5:5-17)</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b></p>
<p>Paragraph 14 of Brennan Declaration                  (5:18-22; 6:3-5; 6:20-22; 7:1-3)</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Misleading and Vague (FRE 403)</b></p>
<p>Paragraph 15 of Brennan Declaration                  (7:28-8:4)</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>Speculation (FRE 602)</b></p>

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	<p><b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b></p>
<p>Heading in Brennan Declaration:          “Dish’s Unauthorized Exploitation of          the Fox Programs in the Secondary          Market” (8:5-6)</p>	<p><b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>No Foundation: Lack of Personal          Knowledge (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Improper Legal Conclusion</b></p>
<p>Paragraph 16 of Brennan Declaration          (8:7-20)</p>	<p><b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Needlessly Cumulative (FRE 403)</b>  <b>Mischaracterizes the Evidence</b></p>
<p>Paragraph 17 of Brennan Declaration          (8:23-28)</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>No Foundation: Lack of Personal          Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Mischaracterizes the Evidence</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b></p>
<p>Paragraph 18 of Brennan Declaration</p>	<p><b>No Foundation: Lack of Personal</b></p>

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(9:3-13)	<p><b>Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Mischaracterizes the Evidence</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Improper Legal Conclusion</b></p>
Heading in Brennan Declaration: “Fox Is Being, and Will Continue to Be, Irreparably Harmed By Dish’s Unauthorized Conduct” (9:14-15)	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Improper Legal Conclusion</b></p>
Paragraph 20 of Brennan Declaration (9:22-10:2)	<p><b>Speculation (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b></p>
Paragraph 22 of Brennan Declaration (10:9-13)	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b></p>
Paragraph 23 of Brennan Declaration	<p><b>No Foundation: Lack of Personal</b></p>

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<p>(10:16-20)</p>	<p><b>Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b></p>
<p>Paragraph 24 of Brennan Declaration                  (10:21-11:2)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b></p>
<p>Paragraph 25 of Brennan Declaration                  (11:3-9)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Improper Legal Conclusion</b></p>
<p>Paragraph 26 of Brennan Declaration                  (11:10-19)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b></p>

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	<p><b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Improper Legal Conclusion</b></p>
<p>Paragraph 27 of Brennan Declaration                  (11:20-28)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b></p>
<p>Paragraph 28 of Brennan Declaration                  (12:1-6)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b></p>
<p>Paragraph 29 of Brennan Declaration</p>	<p><b>No Foundation: Lack of Personal</b></p>

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<p>(12:7-16)</p>	<p><b>Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Improper Legal Conclusion</b></p>
<p>Paragraph 30 of Brennan Declaration                  (12:17-26)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Double Hearsay (FRE 801-804)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Needlessly Cumulative (FRE 403)</b></p>
<p>Paragraph 31 of Brennan Declaration                  (12:27-13:7)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Mischaracterizes the Evidence</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Needlessly Cumulative (FRE 403)</b></p>

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<p>Paragraph 32 of Brennan Declaration (13:8-16) and Exhibit D</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Lack of Authentication (FRE 901)</b>  <b>Best Evidence Rule (FRE 1002)</b>  <b>Speculation (FRE 602)</b>  <b>Hearsay (FRE 801-804)</b>  <b>Mischaracterizes the Evidence</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Needlessly Cumulative (FRE 403)</b></p>
<p>Paragraph 33 of Brennan Declaration (13:17-23)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Needlessly Cumulative (FRE 403)</b></p>
<p>Paragraph 34 of Brennan Declaration (13:24-28)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b></p>

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<p>Paragraph 35 of Brennan Declaration (14:1-6)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Misleading and Vague (FRE 403)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Improper Lay Opinion (FRE 701)</b></p>
<p>Paragraph 36 of Brennan Declaration (14:7-14) and Exhibit C</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Hearsay (FRE 801-804)</b> <b>Misleading and Vague (FRE 403)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Improper Lay Opinion (FRE 701)</b> <b>Needlessly Cumulative (FRE 403)</b></p>
<p>Paragraph 37 of Brennan Declaration (14:15-24) and Exhibit E</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Double Hearsay (FRE 801-804)</b> <b>Misleading and Vague (FRE 403)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Improper Lay Opinion (FRE 701)</b> <b>Doctrine of Completeness (FRE 106)</b></p>
<p>Paragraph 38 of Brennan Declaration (14:26-15:2)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b></p>



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	<p><b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b></p>
<p>Paragraph 39 of Brennan Declaration                  (15:3-14)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Mischaracterizes the Evidence</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b></p>
<p>Paragraph 40 of Brennan Declaration                  (15:15-19)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Improper Legal Conclusion</b></p>
<p>Paragraph 41 of Brennan Declaration                  (15:20-26)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b></p>

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	<b>Improper Legal Conclusion</b>
Paragraph 42 of Brennan Declaration (16:1-11) and Exhibit F	<b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Best Evidence Rule (FRE 1002)</b> <b>Speculation (FRE 602)</b> <b>Double Hearsay (FRE 801-804)</b> <b>Misleading and Vague (FRE 403)</b> <b>Mischaracterizes the Evidence</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Improper Lay Opinion (FRE 701)</b> <b>Improper Legal Conclusion</b>
Paragraph 3 of Biard Declaration (2:25-3:3)	<b>Relevance (FRE 401, 402)</b>
Paragraph 6 of Biard Declaration (3:25-4:4)	<b>Relevance (FRE 401, 402)</b>
Paragraph 7 of Biard Declaration (4:9-12)	<b>Hearsay (FRE 801-804)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Improper Lay Opinion (FRE 701)</b> <b>Needlessly Cumulative (FRE 403)</b>
Paragraph 8 of Biard Declaration (4:14-26)	<b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Needlessly Cumulative (FRE 403)</b>

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Paragraph 10 of Biard Declaration (5:10-15)	<b>Improper Expert Opinion (FRE 702)</b> <b>Improper Legal Conclusion</b>
Paragraph 11 of Biard Declaration (5:16-26)	<b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Hearsay (FRE 801-804)</b> <b>Speculation (FRE 602)</b> <b>Improper Lay Opinion (FRE 701)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Needlessly Cumulative (FRE 403)</b> <b>Misleading and Vague (FRE 403)</b>
Paragraph 12 of Biard Declaration (6:2-17)	<b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Improper Lay Opinion (FRE 701)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Needlessly Cumulative (FRE 403)</b> <b>Misleading and Vague (FRE 403)</b>
Paragraph 13 of Biard Declaration (6:18-23)	<b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Improper Lay Opinion (FRE 701)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Needlessly Cumulative (FRE 403)</b>

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	<b>Misleading and Vague (FRE 403)</b>
Paragraph 14 of Biard Declaration (6:27-7:2) and Exhibit A	<b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Lack of Authentication (FRE 901)</b> <b>Doctrine of Completeness (FRE 106)</b> <b>Best Evidence Rule (FRE 1002)</b>
Paragraphs 15-17 of Biard Declaration (7:3-25) and Exhibit A	<b>Doctrine of Completeness (FRE 106)</b> <b>Best Evidence Rule (FRE 1002)</b> <b>Misstates and Mischaracterizes the Evidence</b> <b>Needlessly Cumulative (FRE 403)</b>
Paragraph 18 of Biard Declaration (7:26-8:4)	<b>Doctrine of Completeness (FRE 106)</b> <b>Improper Legal Conclusion</b> <b>Best Evidence Rule (FRE 1002)</b>
Paragraph 20 of Biard Declaration (8:12-17)	<b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Misleading and Vague (FRE 403)</b> <b>Hearsay (FRE 801-804)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Improper Lay Opinion (FRE 701)</b> <b>Needlessly Cumulative (FRE 403)</b>

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Paragraph 21 of Biard Declaration (8:18-9:3) and Exhibit B	<b>Doctrine of Completeness (FRE 106)</b> <b>Lack of Authentication (FRE 901)</b> <b>Best Evidence Rule (FRE 1002)</b> <b>Needlessly Cumulative (FRE 403)</b> <b>Misleading and Vague (FRE 403)</b> <b>Misstates and Mischaracterizes the Evidence</b>
Paragraph 22 of Biard Declaration (8:4-10) and Exhibit B	<b>Doctrine of Completeness (FRE 106)</b> <b>Lack of Authentication (FRE 901)</b> <b>Best Evidence Rule (FRE 1002)</b> <b>Needlessly Cumulative (FRE 403)</b> <b>Misleading and Vague (FRE 403)</b> <b>Misstates and Mischaracterizes the Evidence</b>
Paragraph 23 of Biard Declaration (9:12-17) and Exhibit B	<b>Doctrine of Completeness (FRE 106)</b> <b>Lack of Authentication (FRE 901)</b> <b>Best Evidence Rule (FRE 1002)</b> <b>Needlessly Cumulative (FRE 403)</b> <b>Misleading and Vague (FRE 403)</b> <b>Misstates and Mischaracterizes the Evidence</b>
Paragraph 24 of Biard Declaration (9:18-10:5) and Exhibit B	<b>Doctrine of Completeness (FRE 106)</b> <b>Lack of Authentication (FRE 901)</b>

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	<p><b>Best Evidence Rule (FRE 1002)</b>  <b>Needlessly Cumulative (FRE 403)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b></p>
<p>Paragraph 25 of Biard Declaration          (10:6-15) and Exhibits A and B</p>	<p><b>Doctrine of Completeness (FRE 106)</b>  <b>Lack of Authentication (FRE 901)</b>  <b>Best Evidence Rule (FRE 1002)</b>  <b>Needlessly Cumulative (FRE 403)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b></p>
<p>Paragraph 26 of Biard Declaration          (10:16-20) and Exhibits A and B</p>	<p><b>Doctrine of Completeness (FRE 106)</b>  <b>Lack of Authentication (FRE 901)</b>  <b>Best Evidence Rule (FRE 1002)</b>  <b>Needlessly Cumulative (FRE 403)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b></p>
<p>Paragraph 27 of Biard Declaration          (10:21-26) and Exhibits A and B</p>	<p><b>Doctrine of Completeness (FRE 106)</b>  <b>Lack of Authentication (FRE 901)</b></p>

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	<p><b>Best Evidence Rule (FRE 1002)</b>  <b>Needlessly Cumulative (FRE 403)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b></p>
<p>Paragraph 28 of Biard Declaration                  (11:1-6) and Exhibits A and B</p>	<p><b>Doctrine of Completeness (FRE 106)</b>  <b>Lack of Authentication (FRE 901)</b>  <b>Best Evidence Rule (FRE 1002)</b>  <b>Needlessly Cumulative (FRE 403)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b>  <b>Improper Legal Conclusion</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b></p>
<p>Paragraph 29 of Biard Declaration                  (11:7-12)</p>	<p><b>Relevance (FRE 401, 402)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b>  <b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b></p>
<p>Paragraph 30 of Biard Declaration</p>	<p><b>Doctrine of Completeness (FRE 106)</b></p>

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<p>(11:13-20) and Exhibit B</p>	<p><b>Lack of Authentication (FRE 901)</b>  <b>Best Evidence Rule (FRE 1002)</b>  <b>Needlessly Cumulative (FRE 403)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b></p>
<p>Paragraph 31 of Biard Declaration                  (11:21-25) and Exhibit B</p>	<p><b>Doctrine of Completeness (FRE 106)</b>  <b>Lack of Authentication (FRE 901)</b>  <b>Best Evidence Rule (FRE 1002)</b>  <b>Needlessly Cumulative (FRE 403)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates the Evidence</b></p>
<p>Heading in Biard Declaration: “Dish’s                  Unauthorized Conduct” (12:1)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Improper Legal Conclusion</b></p>
<p>Paragraph 32 of Biard Declaration</p>	<p><b>No Foundation: Lack of Personal</b></p>



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<p>(12:2-14)</p>	<p><b>Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Needlessly Cumulative (FRE 403)</b>  <b>Improper Legal Conclusion</b></p>
<p>Paragraph 33 of Biard Declaration                  (12:15-23)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b>  <b>Hearsay (FRE 801-804)</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Needlessly Cumulative (FRE 403)</b>  <b>Improper Legal Conclusion</b></p>
<p>Paragraph 34 of Biard Declaration                  (12:24-26)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the</b></p>

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	<p><b>Evidence</b></p> <p><b>Improper Expert Opinion (FRE 702)</b></p> <p><b>Improper Lay Opinion (FRE 701)</b></p> <p><b>Needlessly Cumulative (FRE 403)</b></p> <p><b>Improper Legal Conclusion</b></p>
<p>Paragraph 35 of Biard Declaration (13:1-13)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b></p> <p><b>Speculation (FRE 602)</b></p> <p><b>Misleading and Vague (FRE 403)</b></p> <p><b>Misstates and Mischaracterizes the Evidence</b></p> <p><b>Improper Expert Opinion (FRE 702)</b></p> <p><b>Improper Lay Opinion (FRE 701)</b></p>
<p>Heading in Biard Declaration: “Dish’s Unauthorized Conduct Will Cause Irreparable Harm to Fox ” (13:14)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b></p> <p><b>Speculation (FRE 602)</b></p> <p><b>Misleading and Vague (FRE 403)</b></p> <p><b>Improper Expert Opinion (FRE 702)</b></p> <p><b>Improper Lay Opinion (FRE 701)</b></p> <p><b>Improper Legal Conclusion</b></p>
<p>Paragraph 36 of Biard Declaration (13:15-26)</p>	<p><b>Speculation (FRE 602)</b></p> <p><b>Misleading and Vague (FRE 403)</b></p> <p><b>Improper Expert Opinion (FRE 702)</b></p> <p><b>Improper Lay Opinion (FRE 701)</b></p>

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	<b>Needlessly Cumulative (FRE 403)</b>
Paragraph 37 of Biard Declaration (14:1-3)	<b>Speculation (FRE 602)</b> <b>Misleading and Vague (FRE 403)</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Improper Legal Conclusion</b>
Paragraph 38 of Biard Declaration (14:4-7)	<b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Triple Hearsay (FRE 801-804)</b> <b>Misleading and Vague (FRE 403)</b> <b>Improper Lay Opinion (FRE 701)</b> <b>Needlessly Cumulative (FRE 403)</b>
Paragraph 39 of Biard Declaration (14:8-17)	<b>No Foundation: Lack of Personal Knowledge (FRE 602)</b> <b>Speculation (FRE 602)</b> <b>Misleading and Vague (FRE 403)</b> <b>Misstates and Mischaracterizes the Evidence</b> <b>Improper Expert Opinion (FRE 702)</b> <b>Improper Lay Opinion (FRE 701)</b> <b>Needlessly Cumulative (FRE 403)</b> <b>Improper Legal Conclusion</b>
Paragraph 40 of Biard Declaration	<b>No Foundation: Lack of Personal</b>

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<p>(14:18-24)</p>	<p><b>Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Legal Conclusion</b></p>
<p>Paragraph 41 of Biard Declaration                  (14:25-15:17)</p>	<p><b>No Foundation: Lack of Personal Knowledge (FRE 602)</b>  <b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b>  <b>Improper Expert Opinion (FRE 702)</b>  <b>Improper Lay Opinion (FRE 701)</b>  <b>Improper Legal Conclusion</b></p>
<p>Paragraph 42 of Biard Declaration                  (15:18-16:2)</p>	<p><b>Speculation (FRE 602)</b>  <b>Misleading and Vague (FRE 403)</b>  <b>Misstates and Mischaracterizes the Evidence</b>  <b>Improper Expert Opinion (FRE 702)</b></p>

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