

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

SIPCO, LLC, and IP CO, LLC  
(d/b/a INTUS IQ),

Plaintiffs,

v.

Civil Action No. 6:15-cv-907

EMERSON ELECTRIC CO., EMERSON  
PROCESS MANAGEMENT LLLP, FISHER-  
ROSEMOUNT SYSTEMS, INC.,  
ROSEMOUNT INC., BP, p.l.c., BP  
AMERICA, INC., and BP AMERICA  
PRODUCTION COMPANY,

Defendants.

**DEFENDANTS' OBJECTIONS TO THE DECLARATION OF TIMOTHY  
J. REPPUCCI, ESQ. IN SUPPORT OF OPPOSITION TO DEFENDANTS'  
JOINT MOTION TO SEVER AND STAY (DKT. 76)**

Defendants Emerson Electric Co., Emerson Process Management LLLP, Fisher-Rosemount Systems, Inc., Rosemount Inc., BP p.l.c., BP America, Inc., BP America Production Company hereby make the following objections to the "Declaration of Timothy J. Reppucci, Esq. in Support of Opposition to Defendants' Joint Motion to Sever and Stay." (*See* Dkt. 76). Other than the statements purporting to authenticate the various exhibits, Defendants object to remainder of the declaration as an improper attempt to circumvent the Court's page limits for opposition briefs. These statements are argumentative and, if included at all, should have been included in the Plaintiffs' opposition brief.

Declaration Paragraph 4 – Defendants object to the final sentence in this paragraph under FRE 602 and 701 because the declarant lacks personal knowledge of any of the matters described in Exhibit 1 to the declaration, and also has no basis to provide any opinion testimony

about that document.

Declaration Paragraph 5 – Defendants object to the final sentence in this paragraph under FRE 602 and 701 because the declarant lacks personal knowledge of any of the matters described in Exhibit 2 to the declaration, and also has no basis to provide any opinion testimony about that document.

Declaration Paragraph 6 – Defendants object to the subparagraphs (a)-(b), and (d)-(e) in this paragraph under FRE 602 and 701 because the declarant lacks personal knowledge of any of the matters described in Exhibit 3 to the declaration, and also has no basis to provide any opinion testimony about that document.

Declaration Paragraph 8 – Defendants object to the final sentence in this paragraph under FRE 602 and 701 because the declarant lacks personal knowledge of any of the matters described in Exhibit 5 to the declaration, and also has no basis to provide any opinion testimony about that document.

Declaration Paragraph 9 – Defendants object to the final two sentences in this paragraph under FRE 602 and 701 because the declarant lacks personal knowledge of any of the matters described in Exhibit 6 to the declaration, and also has no basis to provide any opinion testimony about that document.

Declaration Paragraph 11 – Defendants object to subparagraphs (a) and (b) in this paragraph under FRE 602 and 701 because the declarant lacks personal knowledge of any of the matters described in Exhibit 8 to the declaration, and also has no basis to provide any opinion testimony about that document.

Declaration Paragraph 12 – Defendants object to subparagraphs (c)-(e) in this paragraph under FRE 602 and 701 because the declarant lacks personal knowledge of any of the matters

described in Exhibit 9 to the declaration, and also has no basis to provide any opinion testimony about that document.

Declaration Paragraph 13 – Defendants object to the final sentence in this paragraph under FRE 602 and 701 because the declarant lacks personal knowledge of any of the matters described in Exhibit 10 to the declaration, and also has no basis to provide any opinion testimony about that document.

Declaration Paragraph 14 – Defendants object to subparagraphs (a)-(b) in this paragraph under FRE 602 and 701 because the declarant lacks personal knowledge of any of the matters described in Exhibit 11 to the declaration, and also has no basis to provide any opinion testimony about that document.

Declaration Paragraph 15 – Defendants object to subparagraphs (c)-(d) in this paragraph under FRE 602 and 701 because the declarant lacks personal knowledge of any of the matters described in Exhibit 12 to the declaration, and also has no basis to provide any opinion testimony about that document.

Declaration Paragraph 19 – Defendants object to subparagraph (b) in this paragraph under FRE 602 and 701 because the declarant lacks personal knowledge of any of the matters described in Exhibit 16 to the declaration, and also has no basis to provide any opinion testimony about that document.

Declaration Paragraph 20 – Defendants object to the second sentence in this paragraph under FRE 602 and 701 because the declarant lacks personal knowledge of any of the matters described in Exhibit 17 to the declaration, and also has no basis to provide any opinion testimony about that document.

Declaration Paragraph 21 – Defendants object to the second sentence and subparagraphs

(b)-(e) in this paragraph under FRE 602 and 701 because the declarant lacks personal knowledge of any of the matters described in Exhibit 11 to the declaration, and also has no basis to provide any opinion testimony about that document.

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BP AMERICA, INC., AND BP AMERICA  
PRODUCTION COMPANY***

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 6th day of May, 2016, a true and correct copy of the foregoing document has been served via the Court's ECF system to all counsel of record.

/s/ Melissa R. Smith  
Melissa R. Smith