**SEPARATE STATEMENT OF FACTS**

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| **Moving Party’s Undisputed Material Facts and Supporting Evidence** | **Opposing Party’s Response/Additional Facts and Supporting Evidence** | **Moving Party’s Reply and Supporting Evidence** |
| 1. Plaintiff’s First Undisputed Fact. Ex. 1 (Defendant’s Response to Interrogatory 8). | 1. Undisputed. |  |
| 2. Plaintiff’s Second Undisputed Fact. Ex. 2 (Deposition of Jane Doe), at 10:13-17 | 2. Disputed. Although Jane Doe testified X, John Doe testified Y. Ex. A (Deposition of John Doe), at 5:5-8. | 2. John Doe does not have personal knowledge of the issue and, therefore, his testimony does not create a disputed issue of fact. Ex. A, at 12:4-10.  |
|  | 3. Defendant’s First Additional Fact. Ex. B (Plaintiff’s Response to Interrogatory 15). | 3. Undisputed. |
|  | 4. Defendant’s Second Additional Fact. Ex. C (Plaintiff’s Response to Request for Admission 9). | 4. Disputed. Plaintiff’s response to Request for Admission 9 is contradicted by Plaintiff’s deposition testimony. Ex. D, at 20:3-12. |