

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

JERALD McCULLOUGH

CIVIL ACTION

VERSUS

NO. 09-6359

THE INSURANCE COMPANY  
OF THE STATE OF PENNSYLVANIA, ET AL.

SECTION "N" (4)

**ORDER AND REASONS**

Before the Court is Defendants' Motion in Limine to Exclude the Rebuttal Testimony of Sinjin McCullough (Rec. Doc. 34). This motion is opposed. (See Rec. Doc. 38). After considering the memoranda of the parties and the applicable law,

**IT IS ORDERED** that **Defendants' Motion in Limine to Exclude the Rebuttal Testimony of Sinjin McCullough (Rec. Doc. 34)** is **DENIED**. The Court has allowed Defendants, over Plaintiff's objections (See Rec. Docs. 24, 25, and 26), to offer evidence relating to Plaintiff's MySpace page at trial. Defendants acknowledge that Plaintiff's credibility is at issue. The Court will allow Plaintiff to offer the testimony of Sinjin McCullough to testify regarding the creation of Plaintiff's MySpace Page. Defendants can cross examine both Sinjin McCullough and Plaintiff regarding Plaintiff's alleged use of the MySpace page after its creation.

New Orleans, Louisiana, this 13th day of October, 2010.



KURT D. ENGELHARDT  
United States District Judge