

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

ÁNGEL RAMOS-MATOS, et al.,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant

CIVIL NO.: 11-1522 (MEL)

**OPINION AND ORDER**

On October 11, 2012, defendant United States of America (“defendant”) filed a motion *in limine* to exclude the expert testimony introduced by plaintiffs Ángel Ramos-Matos and Marilyn Ramos-Matos (“plaintiffs”) (D.E. 36). On October 17, 2012, plaintiffs filed a response in opposition (D.E. 40). Pending before the court is defendant’s motion to strike the two exhibits attached to plaintiffs’ response in opposition, reports by plaintiffs’ and defendant’s expert witnesses (“exhibits”) (D.E. 41).

Defendant’s motion to strike plaintiffs’ exhibits (D.E. 41) is **DENIED**. The exhibits are not stricken; they were only considered to the extent that they aided the court in the disposition of the motion *in limine* to exclude plaintiffs’ expert testimony (D.E. 36). However, the written reports themselves, as opposed to the experts’ testimonies, constitute hearsay and thus are inadmissible at trial. See FED. R. EVID. 802. The motion for leave to file is **MOOT** in light of the opinion and order (D.E. 49) denying defendant’s motion *in limine* (D.E. 36).

**IT IS SO ORDERED.**

In San Juan, Puerto Rico, this 21<sup>st</sup> day of November, 2012.

s/Marcos E. López  
U.S. Magistrate Judge