

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

CHARLES NEWSOME, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 KWANGSUNG AMERICA, CORP., )  
 )  
 )  
 Defendant. )

Civil Action No. 3:10CV548-WHA  
  
(wo)

**ORDER**

The court was advised at the pre-trial hearing that the Defendant intends to move in limine to exclude evidence regarding an award of back pay in this case, should the Plaintiff prevail on the merits. The court having preliminarily looked into this issue, it is hereby ORDERED that in any motion in limine filed by the Defendant on the issue of back pay, the Defendant should address application of *Walker v. Ford Motor Co.*, 684 F.2d 1355, 1360-62 (11th Cir. 1982) and *LaFleur v. Wallace State Cmty. Coll.*, 955 F. Supp. 1406, 1425-26 (M.D. Ala. 1996) to the Plaintiff's race and national origin claims, and the application of those cases to the age discrimination claim in this case, in light of *Gross v. FBL Financial Services, Inc.*, \_\_U.S.\_\_, 129 S.Ct. 2343 (2009).

Done this 19th day of August, 2011.

/s/ W. Harold Albritton  
W. HAROLD ALBRITTON  
SENIOR UNITED STATES DISTRICT JUDGE