

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>GORDON RIPPS,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Civil Action No. 07-0832-CG-B</b>
	)	
<b>D. LEON POWERS,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

This matter came on for jury selection on August 31, 2010. Prior to the selection process the court held an in-camera hearing regarding pretrial motions at which the following rulings were rendered:

Plaintiff's motion in limine to exclude evidence of the oral agreement or reference to the oral agreement (Doc. 121) was **DENIED** as to any reference to the oral agreement, but **GRANTED** as to the substance of the oral agreement or whether it had any force and effect at any time beyond when it was first entered into.

Plaintiff's motion in limine to exclude evidence of defendant's ability to pay any judgment rendered against him and reference to said ability (Doc. 122) was deemed to be **MOOT** as the defendant represented that he did not intend to introduce such evidence.

Defendant's motion for leave to call Xavier Hartman as a character witness (Doc. 127) was **DENIED** as inadmissible.

Plaintiff's plaintiff's motion in limine to exclude character evidence and any reference to character evidence (Doc. 123) was deemed to be **MOOT**.

**DONE and ORDERED** this 31st day of August, 2010.

/s/ Callie V. S. Granade  
\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE