

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

STEPHANIE McREVV and)	
SAMANTHA MULKEY,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 08-508-CG-B
)	
STEPHEN BLAKE RYAN,)	
)	
Defendant.)	

ORDER

This matter is before the court on plaintiffs’ motion for judicial notice of life expectancy (Doc. 63) and plaintiffs’ motions in limine (Doc. 62).

BACKGROUND

This case involves a motor vehicle accident that occurred on September 7, 2006. Plaintiffs allege that defendant negligently operated a vehicle so as to cause or allow the vehicle to strike the rear of the vehicle in which plaintiffs were passengers. Defendant does not contest liability but disputes the extent of any injuries sustained by the plaintiffs and the appropriate measures of damages.

Plaintiffs request that the court take judicial notice of the life expectancy table reported by the National Vital Statistics Report, Vol. 57, No. 1, August 5, 2008. The court finds that it is appropriate to take judicial notice of the table for the purpose of establishing the average life expectancy of a person living in the United States.¹ See Taylor v. Otter Tail Corp., 484 F.3d

¹ The court notes that this table does not conclusively establish that any particular individual have the stated life expectancy. If there is evidence that the individual in question is not “average,” the individual’s life expectancy may be different than that calculated in the table.

1016, 1020 n. 7 (8th Cir.2007); Smith v. United States, 277 F.Supp. 583, 592 (D.C.Fla.1967).

Therefore, plaintiff's motion for judicial notice of life expectancy is **GRANTED**.

The court will take up the other motions in limine immediately prior to trial. The motion for a hearing (Doc. 77) is otherwise **DENIED**.

DONE and ORDERED this 18th day of December, 2009.

/s/ Callie V. S. Granade

CHIEF UNITED STATES DISTRICT JUDGE

For instance, an individual may have a medical condition that could affect the length of time that he or she is expected to live.