

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

G&K SERVICES CO. , INC.

PLAINTIFF

v.

3:08-CV-00048-JJV

**BILL'S SUPER FOODS, INC.
and BILL ORR**

DEFENDANTS

ORDER

The following rulings are based on the findings of fact and conclusions of law made in the telephone conference held today:

1. Plaintiff's Motion to Dismiss Defendant Billy Orr Without Prejudice (Doc. No. 162) is GRANTED.

2. Plaintiff's Third Motion in Limine and Objections to Charts (Doc. Nos. 169) is DENIED without prejudice. However, if the parties expect their summaries to be admitted under Federal Rule of Evidence 1006, the exhibits must contain only accurate, factual, objective data based on the invoices.

3. Plaintiff's Motion for Order to Establish Certain Facts for Which No Proof Will Be Required (Doc. No. 171) is GRANTED. A jury instruction will address this issue.

4. Plaintiff's Fourth Motions in Limine and Objections to Charts (Doc. No. 175) is DENIED without prejudice in PART and GRANTED in PART. To the extent that Plaintiff seeks to exclude evidence already deemed irrelevant in earlier rulings, *e.g.*, pre-July 2006 "ghost charges," the motion is granted. The remaining requests are denied; see paragraph 2 above.

IT IS SO ORDERED this 29th day of April, 2013.

/s/ Joe J. Volpe
UNITED STATES MAGISTRATE JUDGE