

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

BROCK WEAST

PLAINTIFF

VS.

3:09CV00196-JMM

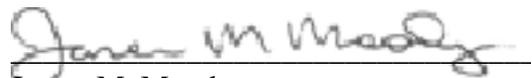
FAMILY DOLLAR DISTRIBUTION CENTER

DEFENDANT

ORDER

Pending is Plaintiff's motion for reconsideration. (Docket # 33). Plaintiff asks the Court to reconsider its Order striking from the record letters attached to Plaintiff's complaint which included offers of settlement. Plaintiff's complaint states: "Family Dollar Inc./Distribution Center counselor confessed to damages and did not want to go to court told Plaintiff thanks for returning last week settlement letter." (Amended Complaint ¶22). Fed. R. Evid. 408 expressly excludes evidence pertaining to settlement discussions and offers to compromise when offered to prove liability. The letters between the parties are inadmissible for the purposes offered by Plaintiff and were properly removed from the record. Plaintiff's motion is DENIED.

IT IS SO ORDERED this 11th day of March, 2010.



James M. Moody
United States District Judge