

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

DEMETRIUS HARDY

PLAINTIFF

VS.

3:10CV00204JMM

**OLUSEYI T. OSINOWO; ARMSTRONG
TRANSFER AND STORAGE, INC./
ARMSTRONG RELOCATION COMPANY,
AND UNITED VAN LINES, LLC**

DEFENDANT

ORDER

Pending are Defendants' motion for partial summary judgment as to Plaintiff's claim for punitive damages, docket # 48 and motion to bifurcate, docket # 51.

Summary judgment on the issue of punitive damages is denied at this time. Pursuant to Fed. R. Civ. P. 42(b), the Court finds that the case should proceed as follows for convenience, to avoid prejudice and to expedite and economize:

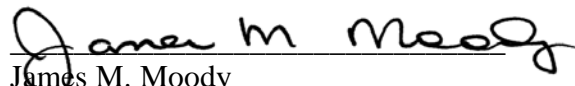
Phase 1: Trial on the issues of liability and compensatory damages.

Phase 2: If the Court finds that sufficient evidence exists, trial will proceed on the issue of punitive damages.

Evidence of the financial condition of the Defendant is not admissible with regard to any compensatory damages determination. Accordingly, any evidence of the Defendants' financial condition will be excluded during Phase 1 of the trial.

Wherefore, Defendants' motion for partial summary judgment, docket #48 is DENIED. Defendants' motion to bifurcate, docket #51 is GRANTED.

IT IS SO ORDERED this 4th day of October, 2011.


James M. Moody
United States District Judge