

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF ARKANSAS
RICHARD SHEPPARD ARNOLD UNITED STATES COURTHOUSE
500 W. CAPITOL, ROOM D444
LITTLE ROCK, ARKANSAS 72201-3325
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Re: *Fuller v. Fiber Glass Systems LP*, 4:07-CV-01120-WRW

Dear Counsel:

Pending is Plaintiff's Motion in Limine (Doc. No. 70), which was filed under seal. Defendant has responded.

After consideration of the authorities cited by both sides and conducting further research, it appears that Plaintiff's motion should be granted only in part. If Plaintiff introduces medical evidence that she was treated for depression in May, June, and July of 2006, then Defendant will be allowed to introduce evidence that Plaintiff was treated for depression before 2006.¹

However, Defendant may not speculate or introduce any of the sensitive medical information that provided grounds for placing Plaintiff's motion in limine under seal. Any such testimony would be inflammatory and more unfairly prejudicial than probative. Accordingly, Plaintiff's motion is GRANTED with respect to sensitive medical testimony, and DENIED with respect to her treatment for depression before 2006.

Cordially,

/s/ Wm. R. Wilson, Jr.

Original to the Clerk of the Court

¹Defendant states in its brief that "Plaintiff admits in her Memorandum in Support of her Motion in Limine that she was treated for depression in 2002 (omitting her continued treatment for depression well into 2006)."