

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

**TE PRODUCTS PIPELINE
COMPANY, LLC**

PLAINTIFF

v.

CASE NO. 4:08CV000204 BSM

DAVIDSON RANCH, INC.

DEFENDANT

ORDER

After careful consideration and review, the plaintiff's Motion In Limine [Doc. No. 43] is granted. The court understands that Mr. Charles Darwin "Skip" Davidson, as the owner of the defendant Davidson Ranch, Inc., is in the unique position of being a licensed attorney with a personal interest in the present case. Except for a limited number of circumstances, Rule 3.7(a) of the Arkansas Rules of Professional Conduct forbids an attorney from acting as an advocate at trial in which he is likely to be a necessary witness. The court, therefore, orders Mr. Davidson and the witnesses who are employed in the Davidson Law Firm, Ltd., particularly Kim Bennefeld and Brandon Harrison, to refrain from coaching, offering suggestions, directing or managing the manner in which the defendant's designated counsel, Mr. Matthew D. Wells, conducts the trial of this matter.

IT IS SO ORDERED this 13th day of March, 2009.


UNITED STATES DISTRICT JUDGE