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**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

JAMES LI,)	1:07-cv-1039 LJO GSA
)	
Plaintiff,)	ORDER CONCERNING
v.)	MOTIONS IN LIMINE ON
)	EXPERTS
MICHAEL SHELTER, et al.,)	
)	
Defendants.)	

On February 12, 2009, a pre-trial conference was held in the above captioned matter. On February 13, 2009, the court issued its order memorializing the court’s rulings during the hearing.

At the hearing, the court deferred ruling on whether to allow Wayne Eisenhart and Norman Koplof to provide expert testimony on behalf of Plaintiff. In the court’s February 13, 2009 order, the court ordered that it would defer ruling on this motion until February 18, 2009. The court ordered Plaintiff to send a fax to the Court or file electronically with the Court documentation that he believes shows that he satisfies his disclosure obligations under Federal Rule of Civil Procedure 26(a)(2) by noon (12:00 p.m.) February 18, 2009. The court further ordered that if Plaintiff does not believe that he complied with the disclosure requirements of Rule 26(a)(2), he was to fax to the Court or file electronically with the Court (by the same deadline) a statement that he has reviewed his file and has determined that he did not comply with Rule 26(a)(2).

1 Plaintiff faxed to the court a document indicating that he had no records showing he had
2 complied with Rule 26.

3 Accordingly, the court ORDERS that Defendants' motion in limine four is GRANTED,
4 and Plaintiff's motion in limine nine is DENIED. Specifically, Wayne Eisenhart, Norman
5 Koplof, and John Martinez SHALL NOT provide *any* expert testimony at trial. To the extent
6 these witnesses have percipient evidence, they may still testify as percipient witnesses.

7 IT IS SO ORDERED.

8 **Dated: February 18, 2009**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE

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