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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DAVID AMEZCUA) No. 1:07-CV-01268-OWW (SMS)
Plaintiff,) **ORDER re DEFENDANTS'**
vs.) **NOTICE OF MOTION AND**
CITY OF FRESNO, FRESNO POLICE) **MOTION IN LIMINE NO. 3 re:**
DEPARTMENT, FRESNO POLICE OFFICER) **CRIMINAL DISPOSITION**
BRYAN WILLIAMS, individually and in his)
official capacity, and DOES 1 through 100,)
inclusive,)
Defendants.)

APPLICATION FOR AN ORDER TO EXCLUDE EVIDENCE having been
brought before this Court, the Order to Show Cause came on for hearing by the Court on
February 27, 2009, in Courtroom 3. Plaintiff appeared by counsel Juan Falcon, and
Defendants herein appeared telephonically by counsel Bruce D. Praet of Ferguson, Praet
& Sherman. Evidence, both written and oral, having been considered, and good cause
appearing therefore:

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1 IT IS HEREBY ORDERED:

2 1. That Plaintiff cannot introduce or present any testimony concerning,
3 questioning upon, reference to, or any other form of evidence pertaining to the disposition
4 of his arrest or the lack of criminal prosecution.

5 2. Plaintiff, his counsel and his witnesses are not to attempt to introduce such
6 evidence, in any form, and not to suggest, comment directly or indirectly on, or refer to
7 the evidence in any way, before the jury without first obtaining the Court's permission.

8 3. Plaintiff's counsel is to caution, warn and instruct Plaintiff's witnesses not
9 to make any reference to such evidence and to follow the same order.

10 Dated: February 9, 2009

11 /s/ OLIVER W. WANGER
12 Honorable Oliver W. Wanger
13 United States District Court Judge

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