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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
10

11	JOHN JUSTIN JAMES,)	CASE NO. 1:08-CV-01943-OWW-GSA	
12	Plaintiff,)	ORDER RE MOTIONS IN LIMINE OF	
13	vs.)		DEFENDANT SHANT SHEKLANIAN
14	SHANT SHEKLANIAN, JASON)		
15	GUTKNECHT, MICHAEL B. KIME,)		
16	CITY OF MADERA, and DOES 1)	Trial Date: April 20, 2010	
17	THROUGH 100, INCLUSIVE,)		
	Defendants.)		

18 The motions in limine of Defendant SHANT SHEKLANIAN came on for hearing on April
19 13, 2010. The following rulings were made:

20 Motion in Limine No. 1, to preclude evidence not produced in discovery, is granted.

21 Motion in Limine No. 2, to preclude improper comments regarding damages, is granted.

22 Motion in Limine No. 3, to preclude evidence of liability insurance, is granted.

23 Motion in Limine No. 4, to preclude evidence of indemnification of Defendant by his
24 employer, is granted.

25 Motion in Limine No. 5, to exclude non-party witnesses from the courtroom, is granted.

26 Motion in Limine No. 6, to preclude references to alleged inadequate training or supervision,
27 is granted; however, plaintiff can inquire as to the extent of Officer Sheklanian’s taser training and
28 circumstances under which he is authorized to use the taser.

1 Motion in Limine No. 7, to preclude evidence of Plaintiff's alleged peacemaking activity
2 prior to the arrival of the police officers to the scene, is denied; however, the jury will be instructed
3 that the officers are not tasked with knowledge of plaintiff's actions prior to their arrival.

4 Motion in Limine No. 8, to preclude evidence of any other complaints or lawsuits against
5 Defendant, or any other Madera Police Department officer, is granted.

6 Motion in Limine No. 9, to preclude evidence that Plaintiff's criminal case was dismissed,
7 is granted; however, the jury will be instructed as to the limited purpose for which the evidence will
8 be introduced and counsel is precluded from arguing or in any way inferring that the decision of the
9 District Attorney in dismissing the case is evidence that the arrest of plaintiff was unlawful.

10 Motion in Limine No. 10, to preclude evidence of the lack of an administrative
11 investigation, is granted.

12 Motion in Limine No. 11, to preclude use of video footage at trial, is reserved pending
13 presentation of further evidence on the issue.

14 Motion in Limine No. 12, to preclude evidence related to any officer's personnel file
15 including discipline or previous internal affairs complaints, is granted.

16
17 IT IS SO ORDERED.

18 **Dated:** April 20, 2010

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE