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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FREDDIE M. DAVIS,
Plaintiff,

No. C 09-2629 SI

ORDER RE: IN LIMINE MOTIONS

v.

PRISON HEALTH SERVICES, ET AL.,
Defendant.

Defendant has filed motion in limine no. 2 to “preclude reference to the amount of and rationale for the settlement between plaintiff and the PHS defendants.” Plaintiff has filed a statement of non-opposition to that motion. Accordingly, the Court GRANTS defendant’s motion in limine no 2. Docket No. 139.

The Court’s October 6, 2011 final pretrial order reserved judgment on defendant’s motion in limine no. B regarding the NLRB charges against PHS. After further review of the parties’ arguments and *Plummer v. Western Int’l Hotels Co., Inc.*, 656 F.2d 502 (9th Cir. 1981), the Court rules as follows: the NLRB probable cause charges against PHS are relevant and admissible provided that plaintiff first introduces evidence showing that defendants acted in concert with PHS to violate plaintiff’s First Amendment and other civil rights.

IT IS SO ORDERED.

Dated: November 9, 2011



SUSAN ILLSTON
United States District Judge