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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LIVEPERSON, INC.,  
Plaintiff,  
v.  
[24]7.AI, INC.,  
Defendant.

Case No. 17-cv-01268-JST

**ORDER GRANTING LIVEPERSON'S  
MOTION IN LIMINE NO. 3**

Re: ECF No. 574

LivePerson's Motion In Limine No. 3 To Exclude Argument, Evidence, Testimony, or Reference to Statements in LP003352773, LP006108703, Related Deposition Testimony, and Other Similarly Irrelevant References to Race is GRANTED. The language that is the subject of the motion is not relevant to the issues to be decided at trial. Even if it were, its probative value is substantially outweighed by a danger of unfair prejudice. Fed. R. Evid. 403. [24]7's comparison of this language to the "Kill LivePerson" language contained in other documents is based on a false equivalence and is not persuasive to the Court.

This ruling eliminates the need for argument on this motion at the pretrial conference.

**IT IS SO ORDERED.**

Dated: September 10, 2019

  
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JON S. TIGAR  
United States District Judge