

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION


ALMA BURRELL, VICKYE HAYTER,)	Case No.: 11-CV-04569-LHK
MARGARET HEADD,)	
)	
Plaintiffs,)	ORDER GRANTING IN PART AND
v.)	DENYING IN PART OBJECTIONS TO
)	VICKYE HAYTER PROFFER
COUNTY OF SANTA CLARA, DAN)	
PEDDYCORD, RAE WEDEL, MARTY)	
FENSTERSHEIB AND DOES 1 THROUGH)	
50, INCLUSIVE,)	
Defendants.)	
)	

The Court’s Pre-Trial Conference Order ordered Plaintiff to file a “detailed proffer of Vickye Hayter’s testimony” by 4 p.m. on Friday, May 3, 2013, and ordered Defendants to file a response by noon on Monday, May 6, 2013. ECF No. 111. Contrary to the Court’s Order, Plaintiff’s proffer, ECF No. 114, is a list of general topics with no identification of specific facts to which Ms. Hayter would testify or the basis of Ms. Hayter’s knowledge. Defendant filed its response on Sunday, May 5, 2013. ECF No. 130.

Having considered the parties’ submissions and the record in this case, the Court **OVERRULES** Defendant’s objections as to topics 1 through 10 identified in Plaintiff’s “Vickey [sic] Hayter Trial Testimony Proffer,” ECF No. 114. The Court **SUSTAINS** Defendant’s objections to topics 11-14 in Plaintiff’s “Vickey [sic] Hayter Trial Testimony Proffer,” ECF No. 114, because Plaintiff has failed to show that the probative value of such testimony substantially outweighs the danger of confusing the issues, misleading the jury, undue delay, wasting time, and needlessly presenting cumulative evidence.

IT IS SO ORDERED.

Dated: May 5, 2013



 LUCY H. KOH
 United States District Judge