

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Case No. 10-cv-03041-LTB-MJW

GARY G. WALKER, JR.,

Plaintiff,

v.

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, an Illinois corporation,

Defendant.

**ORDER RE: UNOPPOSED MOTION IN LIMINE RE: COLLATERAL SOURCE
EVIDENCE AND MEDICAL EXPENSES**

This Motion comes before the court on an Unopposed Motion in Limine re: Collateral Source Evidence and Medical Expenses filed by Plaintiff. Being sufficiently apprised of the contents of said motion, the pertinent law, and all attendant circumstances, this Court hereby finds and orders as follows:

1. That pursuant to F.R.E. 401, 402, and 403, evidence, whether testimonial or documentary, of Plaintiff's health insurance is not admissible at trial.
2. That pursuant to Colorado statutes C.R.S. § 13-21-111.6 and § 10-1-135(10)(a) evidence, whether testimonial or documentary, of Plaintiff's health insurance should not be admitted at trial.
3. That the correct measure of damages for Plaintiff's past medical expenses are those amounts billed by the medical providers and not the amounts paid by Plaintiff's health insurers or others.
4. That evidence of Plaintiff's health insurance including, but not limited to, amounts paid by such health insurers and any reductions in medical bills shall not be referred to, introduced or admitted at trial in any manner including by testimony, documents, or by argument. That any such evidence shall be redacted from evidence otherwise admissible at trial.

5. That counsel for the parties shall affirmatively explain the prohibitions herein to their witnesses prior to their testimony at trial.

Dated this 8th day of June, 2012.

BY THE COURT:

s/Lewis T. Babcock
Lewis T. Babcock, Judge