

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PANAMA CITY DIVISION**

JOSHUA S. FRIEBEL and ELIZABETH  
F. FRIEBEL,

Plaintiffs,

vs.

CASE NO. 5:10cv120/RS-MD

PARADISE SHORES OF BAY COUNTY,  
LLC, a Florida Limited Liability Company;  
ROBERT E. BLACKERBY; and MAGNUM  
CAPITAL, LLC, a Florida Limited Liability  
Company,

Defendants

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**ORDER**

Before me are Defendants' Motion In Limine To Exclude Reference To Pleadings (Doc. 265) and Motion In Limine To Exclude Testimony Of Prior Depositions (Doc. 266). Defendants do not specifically identify the deponents and pleadings by docket entry number or otherwise. Prior sworn testimony in another action by a party may well be admissible. Admissibility of prior testimony by a non-party witness in another case may be more limited. Likewise, pleadings filed by a party in another proceeding may or may not be admissible. A blanket exclusion at this time is inappropriate.

Defendants' Motions In Limine (Docs. 265 & 266) are denied without prejudice.

**ORDERED** on June 2, 2011.

/S/ Richard Smoak

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**RICHARD SMOAK**

**UNITED STATES DISTRICT JUDGE**