

06-60309.o1

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA**
Miami Division

Case Number: 06-60309 -CIV-COOKE-BROWN

THIS IS A CONSENT CASE

NEW HAMPSHIRE INSURANCE COMPANY,

Plaintiffs,

vs.

ROBERT KRILICH and RAINBOW AIR CORP.,

Defendants.

ORDER DENYING MOTION FOR LEAVE TO FILE MOTION IN LIMINE

THIS MATTER is before the Court on Plaintiff's Motion for Leave to File Motions *In Limine*..., filed September 4, 2008 (D.E. 108). The Court has considered the motion and all pertinent materials in the file.

The Court is constrained to react with "yer' kidding, right?" The deadline for filing motions in limine was June 20, 2008...over two months ago. The trial is set to begin some eighteen (18) days from the date of the filing of these motions. Accepting the suggestion that defendants be given five (5) days to file a response (without considering how this might impact their trial preparations, closing of hurricane shutters and the like), this would make the responses due September 15th. If we completely disregard the possibility of a reply, we're left with one week to resolve same prior to the start of trial. This does not even begin to consider any other possible imposition on defense counsel at this late date prior to trial, to say nothing of the imposition on the Court.

This is not the first, nor the second nor even the third time the parties' desire to litigate has infringed on the trial. Therefore, and the Court being otherwise fully advised in the premises, it is hereby **ORDERED AND ADJUDGED** that said motion be and the same is hereby **DENIED**. However, the Court will reconsider

same if - and only if the trial is continued, and that, at this stage of the game, would have to be agreed to.

DONE AND ORDERED in Chambers at Miami, Florida, this 5th day of September, 2008.



STEPHEN T. BROWN
UNITED STATES MAGISTRATE JUDGE

cc: Counsel of record