

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOIS  
PEORIA DIVISION**

SALVATORE SANDOVAL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 07-cv-1303
	)	
DAVID HEINEKEN,	)	
	)	
Defendant.	)	

**O P I N I O N and O R D E R**

On January 21, 2011 a hearing was held to consider the Motion for Leave to File an Amended Proposed Final Pretrial Order filed by Defendant (Doc. 24), the Motion in Limine filed by Plaintiff (Doc. 25), and the Notice of Compliance filed by Defendant (Doc. 27).

As indicated at the hearing, the Motion for Leave to File Amended Proposed Final Pretrial Order (Doc. 24) is GRANTED IN PART. The Motion is granted as to the addition of the two witnesses, Todd Denslow and Jeffrey Lawson, and the deletion of witness John Longman from Exhibit C to the Final Pretrial Order. The Court notes, however, that the proposed Amended Final Pretrial Order submitted by Defendant was an old version and did not incorporate the changes made at the October 13, 2010 Final Pretrial Conference. An Amended Final Pretrial Order, reflecting the necessary changes, will be entered along with this Order.

The Motion in Limine (Doc. 25) is TAKEN UNDER ADVISEMENT. The relevance of the November 23, 2005 portion of the video will be considered during the course of trial.

The Notice of Compliance (Doc. 27) lists designations of three deposition transcripts to be read and used at trial. These depositions are of Dr. Jeffrey Helwig, Dr. Mario Miranda, and Dr. Catherine Crockett. The specific page and line numbers listed in the Notice will be used by the parties at trial. Only one objection is noted by the parties in the deposition of Dr. Jeffrey Helwig. The objection is on pages 27 and 28 of that deposition and it is SUSTAINED. Page 27, line 6 to Page 28, line 17 ( up to and including only “Thank you, Doctor.”) of Dr. Helwig’s February 23, 2009 deposition are hereby STRICKEN.

Entered this 22nd day of January, 2011

s/ Joe B. McDade  
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JOE BILLY MCDADE  
United States Senior District Judge