

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Charles P. Kocoras	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	09 C 4016	DATE	March 2, 2011
CASE TITLE	Houston vs. Derouin et al		

DOCKET ENTRY TEXT

Enter ruling on parties' motions (Docs [28] and [30]) in limine. Said motions are granted in part and denied in part.

■ [For further details see text below.]

Docketing to mail notices.

ORDER

RULING ON PARTIES' MOTIONS IN LIMINE

Plaintiff's Motions

1. To Bar Plaintiff's Drug Use - Denied. Any improper questions on the topic should be objected to at trial.
2. To Bar Evidence of Arrests - Granted.
3. The Introduce Evidence of Defendants' Complaint Register History - Denied without prejudice.
4. To Bar Defendants' Offer of Character Evidence - Denied to the extent the broadly based request is inconsistent with the Federal Rules of Evidence.
5. To Bar Evidence or Comments Regarding Medical Providers Failure to Testify - Arguments of counsel are limited to evidence admitted at trial and inferences to be drawn therefrom. Comments about any witnesses not called to testify by a party are improper to the extent those witnesses could have been called by either party.

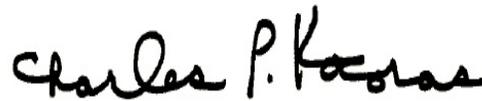
ORDER

Defendants' Motions

1. To Bar Evidence and Arguments of Prior Complaints, Investigations, Lawsuits - Granted to the extent Rule 404 or other rule does not allow for admissibility. Propensity evidence is not admissible.
2. Exclusion of Non-Party Witnesses Prior to Their Testimony - Granted.
3. Evidence Regarding a "Code of Silence" or a "Blue Wall" - Evidence of a general policy of silence will be excluded. Specific instances of relevant silence will be ruled on at trial.
4. To Exclude Allegations of General Police Misconduct in Other Events as reported by the media - Granted.
6. Failure to Comply With Pretrial Discovery - Granted.
7. To Bar Evidence of Conspiracy - Denied. A conspiracy has been charged in this case.
13. To Bar Testimony About Medical Conditions - Granted as to causation, diagnoses and prognoses. Lay testimony is allowable as to pain and suffering.
14. To Bar Evidence as to the Disposition of Plaintiff's Criminal Case - Denied.

Defense motions 5, 8, 9, 10, 11, 12, 15, 16 and 17 are granted.

Dated: March 2, 2011



CHARLES P. KOCORAS
U.S. District Court Judge