

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

TREVA LEE,

Plaintiff,

vs.

RICHARD ROLLINGER and BNSF
RAILWAY COMPANY,

Defendants.

No. 16-CV-4126-LRR

ORDER

The matters before the court are Plaintiff Treva Lee's Motion in Limine (docket no. 52), which Plaintiff filed on November 8, 2018; Defendants Richard Rollinger and BNSF Railway Company's ("Defendants") Federal Rule of Evidence 609 Motion (docket no. 54) and Defendants' Motion in Limine (docket no. 55), which Defendants filed on November 8, 2018; Defendants' Motion to Strike Dr. Adams's Report, Exclude Dr. Adams's Testimony or Limit the Scope of Dr. Adams's Testimony ("Motion to Strike") (docket no. 76), which Defendants filed on March 7, 2019; and Defendants' Motion to Exclude Additional Undisclosed Witnesses ("Motion to Exclude") (docket no. 77), which Defendants filed on March 12, 2019. On March 28, 2019, the court held a Final Pretrial Conference, at which the parties addressed their respective motions. *See* March 28, 2019 Minute Entry (docket no. 80).

For the reasons stated on the record at the Final Pretrial Conference, Paragraphs 1, 3 and 6-8 of Plaintiff's Motion in Limine (docket no. 52) are **OVERRULED** and Paragraphs 2 and 5 are **SUSTAINED**. The court reserves ruling on Paragraph 4, as the parties agreed to work towards a joint stipulation on this issue.

For the reasons stated on the record at the Final Pretrial Conference, Defendants' Federal Rule of Evidence 609 Motion (docket no. 54) is **GRANTED**.

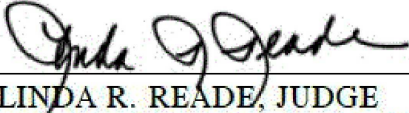
For the reasons stated on the record at the Final Pretrial Conference, Subparagraphs A-H and J-L of Defendants' Motion in Limine (docket no. 55) are **SUSTAINED** and Subparagraph I is **OVERRULED**, as Defendants' request to prohibit disparaging or inflammatory remarks about the railroad industry is too general for the court to rule on at this time.

For the reasons stated on the record at the Final Pretrial Conference, Defendants' Motion to Strike (docket no. 76) is **GRANTED**. Dr. Adams's testimony is limited to his treatment and care for Plaintiff, which includes the time period of November 2014 through October 2015.

For the reasons stated on the record at the Final Pretrial Conference, Defendants' Motion to Exclude (docket no. 77) is **GRANTED**.

IT IS SO ORDERED.

DATED this 1st day of April, 2019.



LINDA R. READE, JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA