

UNITED STATES DISTRICT COURT  
EASTERN DIVISION OF KENTUCKY  
**CENTRAL DIVISION at LEXINGTON**

TAMARA BOWLING, individually )	
and as Administratrix of the )	
Estate of Don Bowling, )	
deceased )	Civil Case No.
)	5:11-cv-140-JMH
Plaintiff, )	
v. )	<b>MEMORANDUM OPINION &amp; ORDER</b>
)	
UNITED STATES OF AMERICA, )	
)	
Defendant. )	

This action is before the Court on Plaintiff's motions in limine to 1) reduce any award for future damages to present value; 2) exclude evidence that Plaintiff has been arrested and/or convicted of a crime; 3) preclude the Defendant from introducing improper character evidence; 4) preclude Defendant from arguing that fault should be apportioned; 5) exclude the use of any medical literature on direct examination that was not disclosed in discovery; and 6) preclude the introduction of medical records except when introduced through a qualified witness. (D.E. 61).

Plaintiff's second, third, fifth, and sixth motions in limine simply seek to ensure that Defendant follows the Federal Rules of Evidence. This Court naturally expects both parties in this case to adhere to the Rules at trial and will address any objections to these respective

evidentiary issues as they arise at trial. Plaintiff's motions are thus denied.

Plaintiff's first and fourth motions in limine are similarly inappropriate in limine, as they are questions of law for this Court. The parties are free to present arguments on these issues at trial, at which time the Court will make its decision.

For the reasons stated above, **IT IS ORDERED** that Plaintiff's Motions in Limine (D.E. 61) are **DENIED**.

This, the 17th day of October, 2012.



**Signed By:**

**Joseph M. Hood** *JMH*

**Senior U.S. District Judge**