

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION -- LEXINGTON

THOMAS BIESTY,

Plaintiff,

V.

JEFF KNUCKLES,

Defendant.

CIVIL ACTION NO. 5:15-23-KKC

OPINION AND ORDER

This matter is before the Court on the plaintiff's motions to amend the Court's August 2, 2016 Opinion and Order (DE 52) and his motion to strike certain portions of the trial deposition of Dr. Mark Rukavina (DE 54).

The Court conducted a pretrial conference in this matter on August 8, 2016 and heard argument from the parties. For the reasons stated on the record, the Court hereby **ORDERS** that the motion to amend the Court's August 2, 2016 opinion and order is **GRANTED**. The motion asks the Court to reconsider its ruling which deferred ruling on plaintiff's motion to exclude a written statement by Stephen Todd Wells. The Court stated it was unable to rule on the motion without knowing the circumstances behind the statement. After hearing further argument from the parties, the Court hereby **ORDERS** that the statement is **EXCLUDED**.

For the reasons stated on the record, the Court hereby **ORDERS** that the motion to strike certain portions of Dr. Rukavina's deposition is **DEFERRED**. The Court is unable to rule on this motion until after hearing the other testimony and evidence to be offered at trial.

Dated August 8, 2016.



Karen K. Caldwell

KAREN K. CALDWELL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY