

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

GLENN BELLE

CIVIL ACTION

VERSUS

NO: 09-2757

**NEW ORLEANS PUBLIC BELT RAILROAD
COMMISSION**

SECTION: "C" (2)

ORDER AND REASONS

Before the Court are two Motions in Limine by defendant New Orleans Public Belt Railroad Commission. (Rec. Docs. 29, 30). The motions are before the Court on the briefs without oral argument. After reviewing the memoranda of the parties, the record in the case, and the applicable law, the Court GRANTS the Defendant's motion, Rec. Doc. 30, and DISMISSES as MOOT Defendant's motion, Rec. Doc. 29.

Motion in Limine to Exclude Part of the Testimony of Dr. Kenneth Adatto

New Orleans Public Belt Railroad Commission ("NOPB") moves to exclude selected portions of Dr. Kenneth Adatto's testimony.

Page 42:1 – p. 44:10

GRANTED. The statements in question call for speculation outside of the doctor's area of expertise.

Page 44:22 – p. 45:12

GRANTED. The statements in question call for speculation outside of the doctor's area

of expertise.

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EXCLUDED, per NOPB's motion.

Page 50:22 – 52:22

GRANTED. The statements in question call for speculation outside of the doctor's area of expertise.

Motion in Limine to Exclude Part of Dr. Donald Dietze's Trial Testimony

The Court has been informed that this Motion is now MOOT.

Accordingly,

IT IS ORDERED that defendant's Motion in Limine (Rec. Doc. 30) is GRANTED and defendant's Motion in Limine (Rec. Doc. 29) is DISMISSED as MOOT.

New Orleans, Louisiana, this 5th day of February, 2010.


HELEN G. BERRIGAN
UNITED STATES DISTRICT JUDGE