

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

SNOWIZARD, INC.

CIVIL ACTION

VERSUS

CASE NO. 11-0515

RON ROBINSON, et al.

SECTION: "G"(1)

ORDER AND REASONS

Before the Court is defendants, Raggs Supply, LP, Doty Management, LLC, Julie K. Doty, and Ron Robinson's, "Motion in Limine to Preclude Recovery and Exclude Evidence on Dismissed and Un-pleaded Claims"¹ wherein movants seek to have evidence it refers to under general categories excluded from trial. The general categories that defendants refer to are evidence which could be used by SnoWizard to prove a claim for (1) federal trademark dilution²; (2) a claim for "trade-dress" infringement; and (3) "violations of FDA regulations."³ Considering defendants have not identified any specific evidence that SnoWizard intends to offer at trial that it considers objectionable, the Court will deny its motion.

The parties have already submitted a Pre-trial Order to the Court which lists the exhibits the parties intend to offer into evidence at trial. Nevertheless, defendants do not identify in its motion any exhibits or testimony for which it seeks exclusion. Even if the Court agreed with defendants reasoning, the Court cannot fully weigh defendants objections to the evidence it complains of against any other relevant and necessary purpose such evidence might serve for the opposing parties at trial

¹ Rec. Doc. 192.


² This claim was dismissed (Rec. Doc. 151) and SnoWizard does not dispute that it cannot offer evidence at trial to prove this claim. Rec. Doc. 206, p. 2.

³ Rec. Doc. 192-1, (pages 2-3, and 5).

without knowing with more specificity exactly which exhibits or whose testimony defendants seek to have the Court exclude.

Accordingly, defendants Motion in Limine is **DENIED**.

New Orleans, Louisiana, this 18th day of September, 2012.


NANNETTE JOLIETTE BROWN
UNITED STATES DISTRICT JUDGE