

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

MARGARET GOETZEE NAGLE and  
JOHN ERIC GOETZEE

CIVIL ACTION

VERSUS

NO. 12-1910

SHERIFF MARLIN GUSMAN, ET AL.

SECTION "R" (2)

**ORDER AND REASONS**

Defendant Sheriff Marlin Gusman moves the Court to exclude evidence regarding decedent William Goetzee's military background because, according to Sheriff Gusman, this evidence is irrelevant to any issues at trial.<sup>1</sup> As Sheriff Gusman admits, Goetzee was a Commander of the United States Coast Guard Reserves and a civilian employee of the Coast Guard. The Court finds that this evidence is relevant to certain issues in this case beyond Goetzee's character—for example, the appropriate measure of any potential damage award. In addition, Goetzee's military career is not substantially outweighed by unfair prejudice, as Sheriff Gusman's suggests. *See, e.g., Doty v. Sewall*, 908 F.2d 1053 (1st Cir. 1990) (finding military service was not "purely emotional" and therefore not unfairly prejudicial because it directly pertained to issues in the case). Therefore, the Court DENIES Sheriff

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<sup>1</sup> R. Doc. 309.

Gusman's motion to exclude evidence of William Goetzee's military background.

New Orleans, Louisiana, this 1st day of March, 2016.

A handwritten signature in black ink that reads "Sarah S. Vance". The signature is written in a cursive style and is positioned above a horizontal dashed line.

SARAH S. VANCE  
UNITED STATES DISTRICT JUDGE