

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

ABRAHAM MARTINEZ

CIVIL ACTION NO.

VERSUS

11-648-SDD-SCR

DAVID MASSEY, ET AL.

RULING

This matter is before the Court on Plaintiff's *Motion in Limine addressing All Objections Made During Deposition of Wallace Stanfill June 12, 2012*¹, *Motion in Limine addressing All Objections Made During Deposition of Wallace Stanfill November 25, 2014*² and Defendants' *Motion in Limine to Exclude or Limit the Testimony of Wallace Stanfill*.³ The Court finds that Wallace Stanfill is qualified by education, skill, training, and experience to provide expert opinion testimony in the field of vocational rehabilitation. The following rulings pertain only to the November 25, 2014 deposition of Wallace Stanfill. The Court fails to see how the parties have time to present both depositions at trial; therefore, because the November 25, 2014 deposition is the most current testimony and therefore presumably the most relevant to the issues at trial, the Court rules as follows:

Defendants' objection on page 19, lines 7-10, is OVERRULED.

¹ Rec. Doc. No. 73.

² Rec. Doc. No. 74.

³ Rec. Doc. No. 91.

Defendants' objection on page 21, lines 22-24, through page 22, lines 3-4, is OVERRULED.

Defendants' objection on page 24, lines 15-18, is OVERRULED.

Defendants' objection on page 34, lines 8-10, is SUSTAINED. All testimony related to this objection shall be redacted.

Defendants' objection on page 42, lines 14-16, is OVERRULED.

Defendants' objection on page 43, lines 2-4, is OVERRULED.

Defendants' objection on page 45, lines 10-11, is OVERRULED.

Plaintiff's objection on page 50, lines 7-25, and page 51, lines 1-13, is OVERRULED.

Plaintiff's objection on page 52, lines 7-8, is OVERRULED.

Plaintiff's objection on page 54, lines 9-10, is SUSTAINED.

Plaintiff's objection on page 55, lines 7-9, is OVERRULED.

Plaintiff's objection on page 56, lines 7-8, is OVERRULED; Plaintiff's objection on page 56, lines 22-24, is OVERRULED.

Plaintiff's objections on pages 58, lines 23-25 and page 59, lines 19-22, are OVERRULED.

Plaintiff's objection on page 60, lines 7-9, is OVERRULED.

Plaintiff's objection on page 62, lines 21-22, is SUSTAINED. The testimony should be redacted accordingly.

Plaintiff's objection on page 63, line 25, is SUSTAINED. The testimony should be redacted accordingly.

Plaintiff's objection on page 67, lines 16-25, and page 68, line 1, is OVERRULED.

Plaintiff's objection on page 69, lines 17-18, is OVERRULED.

Defendants' objection on page 72, lines 10-13, is OVERRULED.

Therefore:

Both Plaintiff's *Motions*⁴ and Defendants' *Motion*⁵ are GRANTED in part and DENIED in part as set forth above. The Parties are hereby ordered to redact the deposition of Wallace Stanfill in accordance with this *Ruling* and the Court's *Uniform Pre-Trial Notice*.

IT IS SO ORDERED.

Signed in Baton Rouge, Louisiana, on January 20, 2015.



**JUDGE SHELLY D. DICK
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

⁴ Rec. Doc. Nos. 73 & 74.

⁵ Rec. Doc. No. 91.