

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

BOBBY FABRE

CIVIL ACTION

VERSUS

NO. 11-800-JJB-RLB

ROYAL FREIGHT, LP AND MEGA
TRANSPORTATION SERVICES, LLC

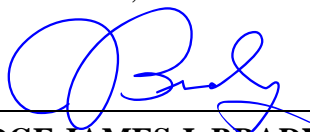
RULING

This matter is before the Court on the Plaintiff Bobby Fabre’s Motion (doc. 124) in Limine. The plaintiff seeks “to exclude from trial any and all documentary evidence and testimony relative to Bobby Fabre’s application for social security disability benefits and/or any evidence or testimony regarding social security whatsoever.” (Doc. 124, p. 1). The defendants oppose this motion. (Doc. 128).

Contrary to what the plaintiff avers, the collateral source rule is not implicated in this situation, because the plaintiff was denied social security benefits and “the collateral source rule is not implicated where no benefits have been allowed.” *Boudreaux v. United States*, 1999 WL 288775, at *1 (E.D. La. May 6, 1999). Nevertheless, the Court finds that the probative value from this evidence—if any—is substantially outweighed by the danger of unfair prejudice. Accordingly, pursuant to Rule 403 of the Federal Rules of Evidence, the Court will exclude any evidence and testimony related to the plaintiff’s application for social security disability benefit and any other evidence regarding social security.

Therefore, the Court **GRANTS** the Plaintiff Bobby Fabre’s Motion (doc. 124) in Limine. Additionally, the Clerk of Court’s office shall terminate Document 122 and Document 123, as they are duplicative of Document 124.

Signed in Baton Rouge, Louisiana, on March 7, 2014.



**JUDGE JAMES J. BRADY
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**