

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

TINA OXLEY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CV-09-21-JAW
	)	
PENOBSHOT COUNTY, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER ON DEFENDANTS’ MOTION *IN LIMINE* TO EXCLUDE EXPERT TESTIMONY OF DENISE NICKERSON, LCSW AND TESTIMONY OF MALCOLM L. ULMER**

The Court GRANTS the Defendants’ Motion *in Limine* to exclude testimony of Denise Nickerson, LCSW as an expert witness since the Plaintiff did not designate Ms. Nickerson as an expert (Docket # 103). Ms. Nickerson will be allowed to testify as a fact witness.

The Court GRANTS the Defendants’ Motion *in Limine* to exclude testimony of Malcolm Ulmer from Plaintiff’s case-in-chief since the Plaintiff did not list Mr. Ulmer as a potential witness until July 27, 2010 (Docket # 103). This does not, however, preclude the Plaintiff from calling Mr. Ulmer in rebuttal if he is a proper rebuttal witness.

SO ORDERED.

/s/ John A. Woodcock, Jr.  
JOHN A. WOODCOCK, JR.  
CHIEF UNITED STATES DISTRICT JUDGE

Dated this 6th day of August, 2010