

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

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|-------------------------------|---|----------------------------|
| MARGARET LONG, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Docket no. 1:09-cv-592-GZS |
| |) | |
| FAIRBANK FARMS RECONSTRUCTION |) | |
| CORP., |) | |
| |) | |
| Defendant & Third-Party |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | |
| GREATER OMAHA PACKING |) | |
| COMPANY, INC., |) | |
| |) | |
| Third-Party Defendant. |) | |
| |) | |

ORDER ON MOTION IN LIMINE

RE: Cargill Complaint

Before the Court is the Motion in Limine for an Order to Exclude Evidence Relating to Unproven Allegations and Unproven Claims by Third-Party Defendant Greater Omaha Packing Company, Inc. (“GOPAC”) (Docket # 274). The Motion is hereby GRANTED WITHOUT OBJECTION.

At trial, Third Party Plaintiff Fairbank Farms Reconstruction Corp. (“Fairbank”) shall not offer evidence or make reference to the claims against GOPAC in the case of *American Home Assurance Company & Cargill Meat Solutions Corporation v. GOPAC*, District of Nebraska Case No. 8:11-cv-270-LES-TDT (the “Cargill Complaint”). This preliminary exclusion of evidence regarding the Cargill Complaint is made WITHOUT PREJUDICE to Fairbank seeking to introduce evidence after a proffer at sidebar should it believe that GOPAC has introduced evidence suggesting that GOPAC’s products have never been connected to other outbreaks or recalls.

SO ORDERED.

/s/ George Z. Singal
United States District Judge

Dated this 17th day of October, 2011.