

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

UNITED STATES OF AMERICA,)	
)	
PLAINTIFF)	
)	
v.)	CIVIL No. 2:14-cv-521-DBH
)	
JOHN H. KIMBALL, JR., AND)	
KIMBALL FAMILY REALTY TRUST,)	
)	
DEFENDANTS)	

ORDER ON PLAINTIFF’S MOTION IN LIMINE

The plaintiff has filed a motion in limine requesting that I “defin[e] the legal standard that [I] will apply following the upcoming trial in order to determine” the ultimate issue in the trial. Pl.’s Mot. in Limine 1 (ECF No. 74). The defendants have objected (ECF No. 77).

I decline the plaintiff’s invitation. I will certainly consider all the plaintiff’s (and the defendants’) arguments in making my findings of fact and conclusions of law under Federal Rule of Civil Procedure 52, but it is not helpful in this case to announce the legal principles abstractly in advance before finding the facts. My opinion granting in part and denying in part the plaintiff’s motion for summary judgment already contains a lengthy discussion of the legal issues as I saw them then (ECF No. 46). Further elaboration or amendment, as necessary, will come with the final decision.

Accordingly, the plaintiff's motion in limine is **DENIED**, but without prejudice to the legal arguments it has made therein.

SO ORDERED.

DATED THIS 18TH DAY OF JULY, 2017

/s/D. BROCK HORNBY
D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE