

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

ALBERT SNYDER,  
Plaintiff

v.

FRED W. PHELPS, SR.,  
SHIRLEY L. PHELPS-ROPER;  
REBEKAH A. PHELPS-DAVIS; and  
WESTBORO BAPTIST CHURCH, INC.  
Defendants

Civil Action No. 06-CV-1389 RDB

**PLAINTIFF'S MOTION IN LIMINE TO EXCLUDE REFERENCES TO LIFE  
INSURANCE AND BENEFITS RECEIVED FROM THE MILITARY**

Plaintiff, Albert Snyder, by and through counsel, files the within Motion in Limine to Exclude References to Life Insurance and Benefits Received from the Military.

1. As part of defendants' proposed Pretrial Order, defendants identified "[d]ocuments showing the benefits received by plaintiff from the military due to the death of his son" as an exhibit.

2. Plaintiff is not sure what specific document that defendants are referring to. However, plaintiff received a payment concerning the return of a portion of the Montgomery G.I. Bill. Plaintiff does not recall the specific amount but believes that it was approximately \$600.

3. Defendants have identified Dr. Blumberg as an expert witness and produced a report from Dr. Blumberg.<sup>1</sup>

4. In the aforementioned report, Dr. Blumberg refers to life insurance received by plaintiff and plaintiff's ex-wife. See Doc. No. 152, Ex. A to Motion in Limine to Preclude Dr. Blumberg from Presenting Hearsay Evidence, pp. 5, 9, 11 & 16.

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<sup>1</sup> This report was submitted under seal previously and, therefore, is not being attached again. Doc. No. 152.

5. Motions in Limine are due on or before the Pretrial Conference scheduled on October 15, 2007.

6. Military death benefits and life insurance do not demonstrate “any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence.” Fed. R. Civ. P. 401. Consequently, evidence concerning military death benefits and life insurance is not admissible. Fed. R. Civ. P. 402.

WHEREFORE, plaintiff Albert Snyder respectfully requests that this Honorable Court exclude any evidence concerning military death benefits and life insurance.

BARLEY SNYDER LLC

/s/ Sean E. Summers

By: \_\_\_\_\_

Paul W. Minnich  
Sean E. Summers  
100 East Market Street  
P.O. Box 15012  
York, PA 17405-7012  
(717) 846-8888

Craig T. Trebilcock  
Shumaker Williams PC  
135 North George Street  
York, PA 17401  
(717) 848-5134  
Attorneys for Plaintiff

2071448

**CERTIFICATE OF SERVICE**

I hereby certify that on this date true and correct copies of Plaintiff's Motion in Limine to Exclude References to Life Insurance and Benefits Received from the Military are being served in the following manner:

Via ECF:

Jonathan L. Katz, Esquire  
Marks & Katz, LLC  
1400 Spring Street  
Suite 410  
Silver Spring, MD 20910

Via First Class Mail:

Shirley L. Phelps-Roper  
3640 Churchill Road  
Topeka, KS 66604

Rebekah A. Phelps-Davis  
1216 Cambridge  
Topeka, KS 66604

BARLEY SNYDER LLC

/s/ Sean E. Summers

By: \_\_\_\_\_

Paul W. Minnich  
Sean E. Summers  
100 East Market Street  
P.O. Box 15012  
York, PA 17405-7012  
(717) 846-8888

Date: October 9, 2007