

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

ALBERT SNYDER,

\*

Plaintiff,

\*

v.

\*

Civil Action No. RDB-06-1389

FRED W. PHELPS, SR., *et al.*,

\*

Defendants.

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\* \* \* \* \*

**ORDER**

Counsel for the Defendants Fred W. Phelps, Sr., and Westboro Baptist Church, Inc. has requested the presence of expert witnesses in the courtroom during the course of trial. (Paper No. 176.) Counsel has cited Local Rule 107.7 of this Court. Counsel for the Plaintiff has objected to this request and asks that *all* witnesses be sequestered pursuant to Rule 615 of the Federal Rules of Evidence. Both counsel have previously addressed this issue at the hearing of October 15, 2007.

While Rule 615 clearly provides for the sequestration of witnesses, the exclusion of witnesses is within the discretion of this Court. Local Rule 107.7 provides for the presence of expert witnesses approved by this Court in the courtroom during the course of trial.

In the exercise of its discretion, this Court will permit *one* expert witness for the Plaintiff and *one* expert witness for the group of Defendants in this case to be present in the courtroom and not be excluded pursuant to Rule 615. The parties may indicate the names of the two respective experts to the Court on Monday morning, October 22, 2007, prior to the

commencement of the trial. To all other extents, Rule 615 shall apply and there shall be a sequestration of all other witnesses.

Dated: October 19, 2007

/s/  
Richard D. Bennett  
United States District Judge