

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MICHAEL J. CRUTCHFIELD,

Plaintiff,

Case No. 16-14207

v.

HON. DENISE PAGE HOOD

BEAVER AEROSPACE &
DEFENSE INC. and PHILLIPS
SERVICE INDUSTRIES, INC.,

Defendants.

**ORDER DENYING WITHOUT PREJUDICE
PLAINTIFF’S MOTION IN LIMINE [#53]**

On November 30, 2016, Plaintiff Michael J. Crutchfield filed the instant action alleging that Defendants discriminated against him on the basis of his age and disability. The Court previously denied Defendants’ Motion for Summary Judgment [Dkt. No. 49]

Plaintiff filed a motion in limine to preclude Defendants from mentioning at trial any evidence of Plaintiff’s multiple marriages and divorces and that Plaintiff’s wife lost her license to practice law. Plaintiff contends that such evidence is irrelevant, inadmissible, and would be unfairly prejudicial to Plaintiff, such that it should be excluded under Federal Rules of Evidence 401 and 403. Defendants have

filed a response opposing the motion in limine and argue that, at this time and without any context, the motion in limine should be denied as premature.

In this employment action involving alleged age discrimination when Plaintiff was not hired directly by Beaver Aerospace & Defense, Inc. after a period of contract work, it seems to the Court that evidence regarding Plaintiff's marriages and divorces or his current wife losing her license to practice law would not be relevant. As the Court does not know the context in which such evidence may be relevant or how Plaintiff intends to present his case, however, the Court finds that making a ruling regarding the exclusion of such evidence would be premature at this time.

Accordingly,

IT IS ORDERED that Plaintiff's Motion in Limine [Dkt. No. 53] is **DENIED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that, if at trial a party desires to mention, make reference to, or ask a question regarding, Plaintiff's previous marriages and divorces or his current wife's loss of her license to practice law, the party shall raise the issue with the Court outside the presence of the jury.

IT IS ORDERED.

s/Denise Page Hood _____
Chief Judge, U. S. District Court

Dated: November 13, 2018

I hereby certify that a copy of the foregoing document was served upon counsel of record on November 13, 2018, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry
Case Manager