

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MEKKEL RICHARDS and
ADAM MALINOWSKI,

Plaintiffs,

v.

Civil Case No. 15-12211
Honorable Linda V. Parker

DETROIT POLICE OFFICER GADWELL
and DETROIT POLICE OFFICER REIZIN,

Defendants.

OPINION AND ORDER DENYING WITHOUT PREJUDICE DEFENDANTS'
MOTION IN LIMINE

Plaintiffs filed this lawsuit against the City of Detroit and six City of Detroit police officers on June 18, 2015, asserting civil rights violations under 42 U.S.C. § 1983. Plaintiffs' claims arise from their arrest on June 23, 2014, following the City of Detroit's annual fireworks display. Following this Court's May 11, 2017 decision granting in part and denying in part the defendants' motion for summary judgment, the case remains pending against only two Detroit police officers: Brian Gadwell and Michael Reizin. Before the Court issued its decision, however, several defendants (including Officers Gadwell and Reizin) filed a motion in limine to preclude Plaintiffs from introducing certain evidence at trial. (ECF No. 55.) Plaintiffs never filed a response to the motion and the matter currently is scheduled for a settlement conference before Magistrate Judge Stephanie Dawkins Davis on September 20, 2017.

Due to the pendency of the settlement conference and because Plaintiffs have not indicated whether they in fact will seek to introduce any of the evidence addressed in the motion in limine, the Court concludes that the motion should be denied without prejudice at this time. If the parties do not settle the matter at the conference before Magistrate Judge Davis and they expect the case to proceed to trial, Plaintiffs shall inform Officers Gadwell and Reizin whether they intend to introduce any of the evidence addressed in the motion in limine. Officers Gadwell and Reizin may then make an oral motion in limine addressing that specific evidence during the final pretrial conference currently scheduled for October 4, 2017.

Accordingly,

IT IS ORDERED that Defendants' motion in limine (ECF No. 55) is **DENIED WITHOUT PREJUDICE**.

s/ Linda V. Parker _____
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: August 31, 2017

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, August 31, 2017, by electronic and/or U.S. First Class mail.

s/ R. Loury _____
Case Manager