UNITED STATES DISTRICT COURT WESTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

ROBERT EUBANKS,

Case No. 1:05-cv-620

Plaintiff.

HONORABLE PAUL L. MALONEY Chief United States District Judge

v.

CITY OF GRAND RAPIDS and ADAM BAYLIS,

Defendants.

Order

Denying without Prejudice as Premature the Plaintiff's Motion In Limine

On October 23, 2008, plaintiff Eubanks filed a motion *in limine*, anticipating the final pretrial conference on October 27, 2008. A pretrial conference was indeed held on October 27, 2008, but another, *final* pretrial conference was scheduled for April 20, 2009, and jury trial was scheduled to commence on May 18, 2009.

In April 2009, on the eve of the final pretrial conference, plaintiff Eubanks moved to adjourn the trial *sine die* to afford the parties time to engage in the court's Case Evaluation program and try to reach a settlement. *See* Doc. No. 89. The court granted the motion and referred to the parties to case evaluation, and on May 1, 2009 the three-member case evaluation panel was selected. *See* Doc. Nos. 91-93. In August 2009, the court granted the parties' motion to extend the time for completion of alternative dispute resolution ("ADR") until October 2, 2009.

Accordingly, the plaintiff's motion in limine [document #69] is **DENIED** without

prejudice.

If the parties do not reach a settlement and trial is scheduled, the plaintiff \mathbf{MAY} file

appropriate motions in limine at that time.

This is not a final order.

IT IS SO ORDERED this <u>14th</u> day of September 2009.

/s/ Paul L. Maloney

Honorable Paul L. Maloney Chief United States District Judge

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