

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

**MARTHA WILLIS, Individually, and
as Mother and Next Friend of
JALESSA WILLIS, a Minor,**

PLAINTIFF,

VS.

CIVIL ACTION NO. 2:07CV062-P-A

**KIA MOTORS CORPORATION and
KIA MOTORS AMERICA, INC.,**

DEFENDANTS.

ORDER

This matter comes before the court upon the plaintiff's motion *in limine* to prohibit statements of sympathy [248]. After due consideration of the motion and the response filed thereto, the court finds as follows, to-wit:

The plaintiff seeks to prevent the defendants from expressing any sympathy to the plaintiffs during opening statements, examination, and closing arguments. However, the defendants are correct that if the plaintiffs are allowed to do so, it would be unfairly prejudicial to the defendants to prohibit them from acknowledging that sympathetic aspects of the subject injuries. At the same time, the jury will be instructed that they will not be allowed base their decisions on sympathy.

IT IS THEREFORE ORDERED AND ADJUDGED that the plaintiff's motion *in limine* to prohibit statements of sympathy [248] is **DENIED**.

SO ORDERED this the 8th day of July, A.D., 2009.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE