

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

**TRAVELERS PROPERTY CASUALTY  
COMPANY OF AMERICA, as subrogee of  
PANATTONI INVESTMENTS, LLC,**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO.: 2:09CV200-B-S**

**BRANDENBURG INDUSTRIAL SERVICE  
COMPANY**

**DEFENDANTS**

**ORDER**

This cause is before the court on the plaintiffs' motion in limine to preclude reference to, and the admissibility of, defendant's second supplemental initial disclosures for want of timeliness (#53). The court, having reviewed the record, the motion, and the applicable law and having heard oral argument, finds as follows:

For the reasons announced by the court on the record at the conclusion of the parties' oral argument on December 15, 2010, the court finds plaintiffs' motion in limine is well taken, and it shall be **GRANTED**.

IT IS, THEREFORE, ORDERED that reference to and admissibility of, defendant Brandenburg Industrial Services Company's second supplemental initial disclosures is precluded for want of timeliness. The court notes, however, that admissibility for purposes of impeachment are not addressed in this order. That issue is better left to the discretion of the district judge.

SO ORDERED, this the 15<sup>th</sup> day of December 2010.

/s/ David A. Sanders  
UNITED STATES MAGISTRATE JUDGE