

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ALBERTO ESPINOLA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:09CV2090 HEA
)	
INGERSOLL RAND CO., et al.,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on Defendant Ingersoll Rand Company’s (“Defendant”) Motion to Bifurcate [ECF No. 213]. Defendant requests to bifurcate liability and his request for punitive damages. Plaintiff Alberto Espinola (“Plaintiff”) opposes Defendant’s motion [ECF No. 227]. Defendant contends that the Court should bifurcate the trial on liability from damages because trying the issues of liability and damages together may result in confusion of the issues and could further confuse the jury.

Pursuant to 42(b) of the Federal Rules of Civil Procedure, “[f]or convenience, to avoid prejudice, or to expedite and economize, the court may order a separate trial of one or more separate issues [.]” Embracing the spirit of Fed. R. Civ. Proc. 42(b), the Court is dubious that the facts presented in this case would be so confusing that the jury would misconceive the issues at hand. To

bifurcate would cause considerable inconvenience, and it would not expedite or economize the flow of the case. *See* Fed. R. Civ. Proc. 42(b).

Accordingly,

IT IS HEREBY ORDERED that Defendant Ingersoll Rand Company's Motion to Bifurcate [ECF No. 213] is **DENIED**.

Dated this 10th day of July, 2012.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE