

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JEREMY EDEN,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:15CV00212 ERW
)	
RONALD VAUGHN, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter comes before the Court for the pretrial conference on Plaintiff Jeremy Eden and Defendants Ronald Vaughan and Kyle Chandler’s Motions in Limine [ECF No. 84, 85].

On Defendants’ Motion in Limine, the Court makes the following rulings on each of the Defendants’ numbered requests:

1. No objection by Plaintiff.
2. Sustained, in part. Plaintiff may ask if anyone on the jury panel is related to or is acquainted with anyone working at the Attorney General’s Office.
3. The Court withholds ruling until such an issue arises at trial.
4. The Court withholds ruling until such an issue arises at trial.
5. The parties agree neither side will offer such information.
6. Withdrawn. This may be reconsidered at the time of trial.
7. It is agreed neither party shall make any reference to failure to call any witness without further notice to the court.
8. Plaintiff is only permitted to say the hearing was resolved in favor of Plaintiff. Plaintiff is prohibited to make any reference to any comment of Judge Garvey.

9. Plaintiff is prohibited from saying the words “excessive force.”
10. Plaintiff will be allowed to say he was maced, after specifically identifying the time it happened. He will not be able to identify either defendant specifically as to the one who maced him.
11. Plaintiff will be allowed to say he complained to Defendants about his treatment, but not he complained to other officers, without prior court approval.
12. The video(s) stand for what they show, without interpretation. If officer Adam Koeln attempts to identify some movement or depiction as a light beam, he must first get court approval. The Plaintiff and Defendants can testify as to what they believed happened, and explain at certain times on the video, when they believe events occurred, but cannot say what they believe the video(s) show.
13. Withdrawn on consent of parties.

On Plaintiff’s Motion in Limine, the Court makes the following rulings on each of the Plaintiff’s numbered requests:

1. Parties consent.
2. Parties consent.
3. Defendants will be allowed to produce evidence or cross examine Plaintiff in an effort to show Plaintiff was on probation for violating an offense, without identifying the offense. Defendants will be allowed to produce evidence, or by cross examination, attempt to establish Plaintiff was aware his probation might be revoked if he further violated any term of probation.. Defendants will not be permitted to offer evidence or cross examine on whether Plaintiff was required to or did take a drug test.

4. Ruling is held in abeyance. Defendants are allowed seven days to file a responsive brief to Plaintiff's supplemental motion in limine.
5. Ruling withheld until final ruling is made on issue of whether Plaintiff's conviction is a felony.
6. Parties consent.
7. Ruling withheld until trial if issue arises.
8. Denied.
9. Parties consent.
10. Parties consent.
11. Parties consent.

So Ordered this 25th day of August, 2016.



E. RICHARD WEBBER
SENIOR UNITED STATES DISTRICT JUDGE