

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

TODD JANSON, GERALD T. ARDREY, CHAD M.
FERRELL, and C & J REMODELING LLC, on behalf of
themselves and on behalf of all others similarly situated,

Plaintiffs,

v.

LEGALZOOM.COM, INC.,

Defendant.

Case No. 2:10-cv-04018-NKL

**DEFENDANT LEGALZOOM.COM, INC.'S MOTION IN LIMINE TO
EXCLUDE ADVERTISING UNDER FEDERAL RULES OF EVIDENCE 402 AND 403**

Defendant LegalZoom.com, Inc. (“LegalZoom”) hereby moves to exclude evidence concerning the company’s advertisements. LegalZoom requests that the Court prohibit plaintiffs from presenting any LegalZoom ads at trial. In support of this Motion, LegalZoom states as follows:

1. LegalZoom’s advertisements are irrelevant to the factual determination of the central issue of this case — how LegalZoom’s online process actually works. FED. R. EVID. 401, 402.
2. Even if they were relevant, the advertisements would be prejudicial, are likely to confuse or mislead the jury, and will cause undue delay and waste of time. FED. R. EVID. 403.
3. Further, the content of the advertisements is not relevant to plaintiffs’ claim under the Missouri Merchandising Practices Act. Inclusion of the ads on that count also would be cumulative. FED. R. EVID. 402, 403.

WHEREFORE, for all the foregoing reasons and for all the reasons stated in LegalZoom's Suggestions in Support of Motion in Limine to Exclude Advertising Under Federal Rules of Evidence 402 and 403, LegalZoom respectfully requests that the Court prohibit plaintiffs from presenting at trial any documentary, audio, or video evidence pertaining to LegalZoom's advertising.

Respectfully submitted,

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Attorneys for LegalZoom.com, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on August 2, 2011, I electronically filed the above and foregoing with the clerk of court using the CM/ECF system, which will send notice of electronic filing to all counsel of record.

s/ Robert M. Thompson