

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 13-3168-CV-S-ODS
)	
UNITED STATES CURRENCY IN)	
THE APPROXIMATE AMOUNTS OF)	
\$118,245.00 and \$69,700.00,)	
)	
Defendants.)	

ORDER (1) GRANTING PLAINTIFF’S MOTION IN LIMINE TO PRECLUDE TESTIMONY AND EXCLUDE DOCUMENTS; AND (2) GRANTING PLAINTIFF’S MOTION TO AMEND EXHIBIT LIST

Plaintiff moves for an order in limine prohibiting the testimony of undisclosed witnesses and unproduced documents. The Motion (Doc. # 42) is granted in its entirety. Plaintiff also moves to amend its exhibit list. The Motion (Doc. # 43) is granted.

Plaintiff’s request to preclude the testimony of Paul Manley from testifying is granted, given that Manley was not disclosed by Initial Disclosure as required by Fed. R. Civ. P. 26 or otherwise disclosed during the course of discovery.

Plaintiff’s request to preclude the testimony of Michael Maniaci and Deborah Maniaci is granted, given that they were not disclosed by Initial Disclosure as required by Fed. R. Civ. P. 26. This ruling does not affect the parties’ ability to utilize the stipulation regarding the DEA-6 report.

Plaintiff’s request to prohibit Claimants’ counsel from mentioning, referring to, relying upon, interrogating, or attempting to convey to the finder of fact, in any manner, either directly or indirectly, during any portion of the trial any document which was not provided in discovery, as required by the Federal Rules of Civil Procedure is granted.

Plaintiff’s request for leave to amend its proposed exhibit list to add two documents which were disclosed to Claimants in Plaintiff’s Rule 26 Disclosures is granted as it is no surprise to Claimants. The exhibits are:

1. United Airlines Records for Marco A. Maniaci and Lucas J. Taggart; and

2. The *Disclaimer of Ownership of Currency* executed by Taggart on December 11, 2012.

IT IS SO ORDERED.

DATE: June 19, 2014

/s/ Ortrie D. Smith
ORTRIE D. SMITH, SENIOR JUDGE
UNITED STATES DISTRICT COURT