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Pro Se Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

MICHAEL E. SPREADBURY) Cause No: 9:11cv-0064-DWM-JCL
Plaintiff)
v.) **OBJECION TO MOTION**
CITY OF HAMILTON,) ***In Limine* RE: Doc. # 212**
LEE ENTERPRISES, INC.,)
BOONE KARLBERG, PC,)
_____)

Comes now Plaintiff with respectful objection to Defense motion *in limine* (Doc. #212) with respect to Defendant Boone, City, Library premature, controlling authority precludes granting Motion *In Limine*.

Motion:

WHEREFORE, Plaintiff moves court to reject motion as premature; precludes Plaintiff to plead case, final determination of adjudicated material not set.

Defendant opposes motion.

Brief in Support

Defendant Boone presents peculiar requests before this court to limit information before trial, which violates Plaintiff ability to plead case, not consistent with controlling authority citrcumstantial in this Federal Circuit.

Evidence without all possible grounds, inferences, reference is barred by F. Rules of Evidence 404. Boone asks court to limit material with probative, non-prejudicial effect, out of scope of *In Limine* motions *Luce v. United States* 469 US 38 (1984).

Boone and this Honorable Court are reminded that the pleading deadline not past in the aforementioned. Plaintiff has right to ask for reconsideration of Complaint, new material in aforementioned, request for jury prohibitions is premature, and implicate Boone attempting to cover crime, misconduct of Defendants.

Brief comment of Defense *In Limine* requests

1. Boone is a named defendant in this case; even if District Court exonerates behaviors to this point, continued defamation present with request for injunctive relief (latest: "Personality Disorder" not diagnosed by medical provider, Plaintiff Physician precluded diagnosis) [Doc. #10].

2. The Defense litigation costs addressed by Plaintiff [Doc. #29] and is material to the City of Hamilton ambiguous status of incorporation, and the Defense of a non-municipality, Defendant Public Library is material to the case [See concurrent pleading Objection to Findings this date]. Defense costs have probative value in aforementioned *Luce*.
3. “Ostracism” in Hamlton, Montana: Being ostracized is an inherent feature of defamation which does not have to be proved, but an aspect nonetheless. Defendant Mayor slandered Plaintiff with loathsome disease; ostracism is expected result. This motion #3 is vague. **Defendant city has not proven fact municipality lawfully exists**, eligible for MMIA coverage.
4. Defendants caused Plaintiff to lose election: Defamation prior to election; Lee publication, Defendant action was cause of loss of election, severe defamation, negligence, tortious interference with livelihood, ability to work, ultimately led to full disability of Plaintiff. Election and defamation of Plaintiff are material facts to this case, have probative value *Luce*. Election is not circumstantial fact of case which do not require jury to make prejudicial inferences, not available as *In Limine* to Defendants *Palmerin v. City of Riverside 794 F. 2d 1409 (9th Cir., 1986)*.
5. “Bad Acts” of Defendants unrelated to Plaintiff. All evidence which relate to character, actions, misconduct had effect on the Plaintiff; representation

of city as legitimate, lawful as Defendant pretext to non-adherence to law, rules of court have probative value, not inadmissible on all possible grounds *Hawthorne v. AT&T Tech. Inc.* 831 F. Supp. 1398 D. Court, N. Ill. (1983) citing *Luce v. United States* 469 US 38 (1984).

6. Corruption. As Defendant Mayor, Defendant City holds out to be lawful municipality and is not, is admissible, fact has probative value to aforementioned *Luce*. As Defendant City, Public Library have defense litigation paid by MMIA as ineligible entities; material fact to aforementioned and precluded from restriction via *In Limine* motion.
7. Opinion of Plaintiff. The freedom to speak includes opinions as they relate to making case before jury. Bone is reminded of status as named Defendant in aforementioned case for 42 USC§ 1983 [conspiracy to deprive established right] as request before court to limit speech protected in *Amendment 1 US Constitution*.
8. Prior Claims against Plaintiff. As Defendant City is unable via discovery to prove lawful incorporation, admission of Defendant Mayor Steele in official public meeting of no documents to establish lawful incorporation, functions of city court, city police are suspect before this court. Plaintiff holds “public trust” national security clearance [FBI # 37865DC8] without conviction. Any mention of prior acts of Defendant City constitute defamation as false.

Defendant City Judge engages in fraud as no finding of fact, conclusion of law for "Order of Protection" without merit, grounds [PLA197-PLA205]. Intimidation charge without admission of guilt, poisoned jury by Lee article; deferred sentence complete after stay March 26, 2012 prior to aforementioned trial. Boone is reminded *In Limine* excludes prejudicial comments, circumstantial evidence not include them. Defense motion is 5 months prior to trial, 5 weeks prior to pleading deadline, premature.

Honorable Court is requested to reject Defendant City, Public Library *In Limine* motions with cause, lawful controlling authority, in alternative hold hearing to determine restricted material *In Limine* for trial in aforementioned.

Certificate of Compliance

From LR 7(d)(2)(E) US District Court Rules Montana, I certify that this brief conforms with 14 point font, New Times Roman typeface, is double spaced, contains 746 words excluding title page, this compliance.

Respectfully submitted this 3rd day of February, 2012

BY: _____

Michael E. Spreadbury, Self Represented Plaintiff