

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

THERESA MALONE, individually  
and as a derivative action on behalf of  
BLUE VALLEY FOODS, INC., a  
Nebraska Corporation, et al.,

Plaintiffs,

vs.

DOUGLAS KANTNER, et al.,

Defendants.

4:12-CV-3190

MEMORANDUM AND ORDER

The parties have filed motions in limine (filings [285](#) and [288](#)), each seeking to exclude the other's expert witness.

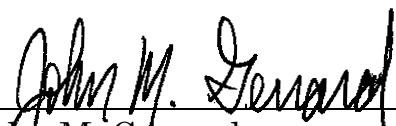
This matter is set for a bench trial. Accordingly, instead of resolving the parties' evidentiary complaints before trial, the Court can resolve any remaining issues at trial. Specifically, whether the parties' experts are offering relevant testimony, whether appropriate foundation was laid for their opinions, and whether the parties complied with disclosure requirements, are matters that can, and will, be addressed at trial or after trial on a fully-developed record.

IT IS ORDERED:

1. The parties' motions in limine are denied without prejudice to timely and appropriate objections at trial.

Dated this 10th day of November, 2015.

BY THE COURT:

  
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John M. Gerrard  
United States District Judge