

IN THE UNITED STATES DISTRICT COURT FOR THE  
 DISTRICT OF NEBRASKA

|                         |   |            |
|-------------------------|---|------------|
| KAAPA ETHANOL, LLC,     | ) |            |
|                         | ) |            |
| Plaintiff,              | ) | 7:05CV5010 |
|                         | ) |            |
| v.                      | ) |            |
|                         | ) |            |
| AFFILIATED FM INSURANCE | ) | ORDER      |
| COMPANY,                | ) |            |
|                         | ) |            |
| Defendant.              | ) |            |
| _____                   | ) |            |

This matter is before the Court on defendant's motion in limine to exclude the supplemental report of Ryan Beckman (Filing No. 282). The Court has reviewed the motion, the memorandum of the defendant in support of its motion (Filing No. 283), the index of evidence filed by the defendant in support of its motion (Filing No. 284), the plaintiff's brief in opposition to defendant's motion (Filing No. 321), and the affidavit and index in support of plaintiff's opposition to defendant's motion (Filing No. 322). After review of these materials, the Court finds the defendant's motion should be denied. Accordingly,

IT IS ORDERED that defendant's motion in limine to exclude the supplemental report of Ryan Beckman is denied.

DATED this 3rd day of November, 2009.

BY THE COURT:

/s/ Lyle E. Strom

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 LYLE E. STROM, Senior Judge  
 United States District Court