

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CARGILL, INCORPORATED, )  
)  
Plaintiff, )  
)  
v. )  
)  
KURT KROEGER, KATHY )  
KROEGER, and H & M FARMS, )  
INC., )  
)  
Defendants. )  
\_\_\_\_\_ )

8:11CV81

**MEMORANDUM  
AND ORDER**

In this case one or more motions in limine have been filed (filings [157](#), [160](#), [162](#), [166](#), [168](#), [170](#)). It appears that the court should defer consideration of such motions until at or about time of trial, unless some reason is shown why earlier consideration is warranted.

In addition to the motions in limine referenced above, plaintiff Cargill has filed a Motion in Limine for a Rule 104(a) Hearing (filing [164](#)). Inasmuch as I have previously carefully considered and denied (filing [150](#)) Cargill’s *Daubert* motion (filing [102](#)), and because Cargill has failed to provide a specific reason to hold a Rule 104(a) hearing, I shall deny Cargill’s motion in limine.

Accordingly,

IT IS ORDERED:

1. The motions in limine (filings [157](#), [160](#), [162](#), [166](#), [168](#), [170](#)) shall be held in abeyance and not considered until the first day of trial during the pretrial conference which will be held in chambers immediately prior to trial, unless a party shall show

cause, within five working days of this order, why such deferral would be inappropriate; and

2. Plaintiff Cargill's Motion in Limine for a Rule 104(a) Hearing (filing [164](#)) is denied.

DATED this 27<sup>th</sup> day of August, 2012.

BY THE COURT:

*Richard G. Kopf*

Senior United States District Judge

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