

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

AMERICAN HOME ASSURANCE)
COMPANY and CARGILL MEAT)
SOLUTIONS CORPORATION,)
)
Plaintiffs,) 8:11CV270
)
v.)
)
GREATER OMAHA PACKING COMPANY,) ORDER
INC.,)
)
Defendant.)
_____)

This matter is before the Court on defendant's motion *in limine* (Filing No. [325](#)), the brief of the defendant (Filing No. [326](#)), the response of the plaintiff (Filing No. [393](#) and Filing No. [395](#)), and the reply of the defendant (Filing No. [449](#)). After viewing the motion, briefs, and relevant law, the Court will grant defendant's motion as to paragraphs 1 and 2. The motion will be denied as to paragraphs 4 through 12 without prejudice to raising the objections during the course of the trial.¹

The Court has found that evidence or testimony relating to prior lawsuits, claims, judgments, or verdicts filed against the defendant, including but not limited to Fairbanks Farms and

¹The Court has already ruled on the issue in paragraph 3. (See Filing No. [474](#)).

Rochester Meat Company lawsuits, are inadmissible. In addition, the Court has found that evidence of other recalls involving the defendant and not related to the plaintiff's case is also inadmissible. The plaintiff agrees that lawsuits and recalls involving the defendant do not directly relate to the question before this Court. (See Filing No. [395](#) at 2). However, if the defendant seeks to introduce evidence at trial that it has never been associated with lawsuits or recalls, the Court is prepared to reconsider the issue to ensure that the jury is not improperly misled. Accordingly,

IT IS ORDERED:

1) The motion in limine is granted as to Paragraphs 1 and 2.

2) The motion is denied without prejudice as to Paragraphs 4 to 12.

DATED this 19th day of August, 2014.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court