

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

JOHN C. DILLARD,)	
)	
Plaintiff,)	8:14CV219
)	
V.)	
)	
STATE FARM FIRE AND)	ORDER
CASUALTY COMPANY, a foreign)	
corporation,)	
)	
Defendant.)	

In this action, Plaintiff seeks to recover insurance proceeds stemming from a fire which occurred at a house he owned. Defendant denied Plaintiff’s insurance claim, citing the policy exclusions for intentional acts and fraud. Essentially, it appears that Defendants will argue that Plaintiff set the subject fire, or was involved in planning the fire, in order to collect insurance money.

On March 10, 2015, Plaintiff filed a Motion in Limine ([filing 15](#)), seeking an order precluding Defendant from making any reference to a 2004 fire which occurred at a different residence that Plaintiff purchased at auction. Plaintiff also wants an order preventing Defendants from attempting to have their experts testify that Plaintiff, himself, set or was involved in planning the subject fire or the 2004 fire. Further, Plaintiff seeks an order barring Defendants from mentioning any previous criminal charges filed against Plaintiff.

The Court finds that Plaintiff’s Motion in Limine is premature. The question of whether the testimony or evidence anticipated by Plaintiff is permissible will be decided at the time of trial within the context it is offered.

IT IS ORDERED that Plaintiff’s Motion in Limine ([filing 15](#)) is denied.

DATED May 14, 2015.

BY THE COURT:

**S/ F.A. Gossett
United States Magistrate Judge**