

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CHARLES JUAN PROCTOR, ) 3:12-cv-00328-MMD-WGC
Plaintiff, ) MINUTES OF THE COURT
vs. )
DR. VAN HORN, et al., ) March 1, 2016
Defendants )

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is Plaintiff’s “Motion Concerning Exhibits That are Authentic, But Not Admissible.” (ECF No. 175.) Plaintiff’s appears to be arguing that certain documents listed under § VII (2) of the Joint Pre-Trial Order (ECF No. 165 at 8), characterized as being stipulated as to their authenticity – but objected to (by Defendants) as to admissibility – should be identified “as admissible.” (ECF No. 175 at 3.)

The reason why the documents Plaintiff references were not identified as being admissible when the parties filed their proposed Joint Pre-Trial Order (ECF No. 162) is because Defendants were not then amenable to stipulating to their admissibility. It was not because of any “major mistake” Plaintiff made, as he suggests. (ECF No. 175 at 2.) It was part of the typical document evaluation parties will go through when identifying exhibits which might be utilized at trial are stipulated as to both authenticity and admissibility (§ VII (1)), which documents are stipulated as to authenticity but as to which parties do not agree as to their admissibility (§ VII (2)), and those as to which a party objects on the grounds of both authenticity and admissibility.

Thus, Plaintiff may submit the § VII (2) exhibits at trial without having to address their authenticity, and the court will at that time address their admissibility.

Plaintiff’s motion is denied without prejudice to be able to offer the § VII (2) exhibits at trial.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/ Deputy Clerk