

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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ELINOR GOLDBERG,

Plaintiff,

-v-

1:15-CV-3

WESTCHESTER-ELLENVILLE HOSPITAL,  
INC. *doing business as* Ellenville Regional  
Hospital,

Defendant.

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APPEARANCES:

OF COUNSEL:

EISENBERG & BAUM LLP  
Attorneys for Plaintiff  
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KRUPA A. SHAH, ESQ.  
EDWARD FOGARTY, JR., ESQ.

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Plaintiff Elinor Goldberg brought suit against defendant Westchester-Ellenville Hospital, Inc. doing business as Ellenville Regional Hospital. In her three count amended complaint, plaintiff alleges defendant discriminated against her on the basis of her disability, in violation of: (1) Title III of the Americans with Disabilities Act; (2) Section 504 of the

Rehabilitation Act; and (3) the New York State Human Rights Law. Both parties have now moved in limine to preclude the use of certain evidence in the upcoming trial in this matter.

Pursuant to the oral decision of the Court, entered into the record after hearing oral argument on December 21, 2017, in Utica, New York, it is hereby

ORDERED that

1. Plaintiff's motion in limine to preclude evidence of her prior lawsuits and testimony by Nicole Knapp (ECF No. 44) is DENIED;

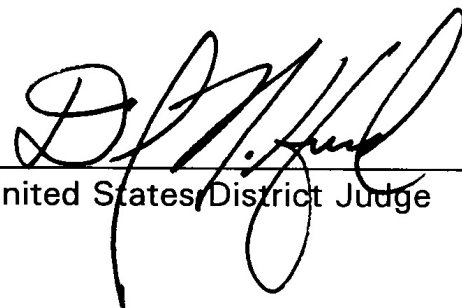
2. Plaintiff's motion in limine to preclude testimony relating to defendant's corporate representative (ECF No. 61) is DENIED;

3. Defendant's motion in limine to preclude testimony by plaintiff's expert (ECF No. 54) is DENIED;

4. Defendant's motion in limine to preclude evidence of plaintiff's lost wages and medical treatment or records (ECF No. 63) is DENIED as moot; and

5. Trial is scheduled for January 16, 2018, in Utica, New York.

IT IS SO ORDERED.

  
United States District Judge

Dated: December 21, 2017  
Utica, New York.