

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL MENZIES,

Plaintiff,

- against -

LONG ISLAND RAILROAD COMPANY,

Defendant.

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19-cv-11235 (JGK)

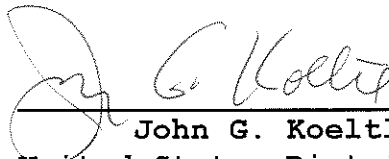
MEMORANDUM OPINION  
AND ORDER

JOHN G. KOELTL, District Judge:

The plaintiff has moved in limine to exclude any evidence that the plaintiff received Long Island Rail Road sick pay benefits and Veterans' Administration benefits. The plaintiff argues that any evidence of the receipt of those benefits would violate the collateral source rule. See Eichel v. New York Central R.R. Co., 375 U.S. 253 (1963). There is no opposition to the motion and the motion is well-founded. Therefore, the defendant is precluded from offering any evidence of or referring to those collateral sources. Similarly, the defendant should not refer to any other collateral sources without raising the issue with the Court outside the presence of the jury. The Clerk is directed to close Docket Number 20.

SO ORDERED.

Dated: New York, New York  
May 27, 2021

  
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John G. Koeltl

United States District Judge