

THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
NO: 7:12-CV-20-FL

FILED

JAN 24 2013

JULIE A. RICHARDS, CLERK  
US DISTRICT COURT, EDNC  
BY LIK DEP CLK

SHERRYL LYNN JACOBS, )

Plaintiff, )

vs. )

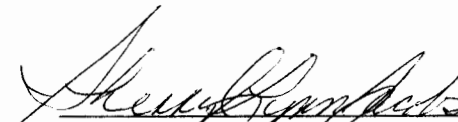
ROBESON COUNTY PUBLIC LIBRARY, )  
BOARD OF DIRECTORY FOR ROBESON )  
COUNTY PUBLIC LIBRARY, ROBERT F. )  
FISHER, HORACE STACY, GAYLE MCLEAN, )  
and TINA MELLEN STEPP THOMAS )

Defendants. )

**Motion to Exclude Evidence  
From Expert Witness Per  
Fed. R. Civ. P. Rule 403**

The Defendants have requested Expert Witness Disclosures pursuant to Fed. R. Civ. P. Rule 26 (a) (2). The witness, Dr. Joey Harris and his organization Carolina Eye Associates, were the subjects of a Health Insurance Portability and Accountability Act of 1996 (HIPAA) Investigation filed on behalf of the Plaintiff. Per Fed. R. Civ. P. 403 this would make Dr. Harris' and any member of his organization's testimony in this action lacking in probative value and substantially outweighed by the danger of unfair prejudice, confusing the issues, misleading the jury, wasting time, and needlessly presenting cumulative evidence.

This 22<sup>nd</sup> Day of January 2013

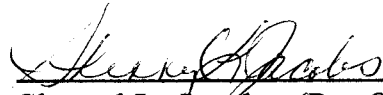
  
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Sherryl Lynn Jacobs  
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Orrum, North Carolina 28369  
910-628-6334  
[finder01@yahoo.com](mailto:finder01@yahoo.com)

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served upon Defendants' Attorney by depositing a copy thereof in the United States Mail, first-class, postage prepaid, addressed as follows:

Law Office of William R. Purcell, II, PLLC  
ATTN: Mr. William R. Purcell, II  
210 West Cronly Street  
Post Office Box 1567  
Laurinburg, North Carolina 28352

This the 23<sup>rd</sup> day of January 2013



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Orrum, North Carolina 28369