

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:15CV182**

MERCEDES KAMARIA POWELL)	
McAFEE,)	
)	
Plaintiff,)	
)	
v.)	
)	
HOWARD BAER, INC. and KEITH)	
LOVELL CAMPBELL,)	
)	
Defendants.)	
<hr style="width: 40%; margin-left: 0;"/>)	

ORDER

This matter is before the Court following the February 8, 2018, pretrial conference before the undersigned. At the pretrial conference, the Court addressed Plaintiff’s Motion in Limine (# 93) and Defendants’ Motion in Limine (# 95). For the reasons set forth on the record of the hearing, the Court **ORDERS** the following:

- 1) Plaintiff’s Motion in Limine (# 93) is **GRANTED** in part and **DENIED** in part with the remainder to be ruled on during the trial.
 - a. Issue Number One is **GRANTED**, as it relates to Defendants being prohibited from reading any of Plaintiff’s medical records into the record on cross examination before the records have been admitted into evidence. Issue Number One is **DENIED** as it relates to the use of Plaintiff’s referral doctors’ records.
 - b. Issue Number Two will be ruled on at trial.
 - c. Issues Number Three and Four are **GRANTED**.
 - d. Issue Number Five will be ruled on at trial if the issue arises.
 - e. Issue Numbers Six and Seven will be ruled on at trial.

2) Defendants' Motion in Limine (# 95) is GRANTED in part and DENIED in part with the remainder to be ruled on during trial.

a. Issue Numbers One and Two will be addressed in a written order to follow.

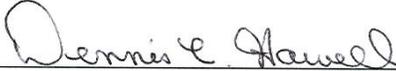
b. Issue Number Three is GRANTED to the extent that Plaintiff's expert Steven Farlow cannot testify that Defendant Campbell is not credible. Farlow can testify about his reconstruction efforts, and Farlow can say that Defendant Campbell's account of events is inconsistent with his findings.

c. Issue Number Four will be addressed in a written order to follow.

d. Issue Number Five is DENIED.

3) The trial is scheduled for the March 5, 2018, trial calendar, to begin after the completion of criminal matters. The trial is tentatively set to begin at 9:30 a.m. on Monday, March 12, 2018.¹

Signed: February 8, 2018



Dennis L. Howell
United States Magistrate Judge



¹ Court personnel will keep counsel advised regarding the exact start date of the trial.