

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

NICHOLAS ALSTON, <i>et al.</i> ,	:	
Plaintiffs,	:	
v.	:	Case No. 3:18-cv-247
PHIL PLUMMER, Sheriff of	:	JUDGE WALTER H. RICE
Montgomery County, Ohio,	:	
Defendant.	:	

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DECISION AND ENTRY OVERRULING DEFENDANT'S MOTION IN LIMINE TO PRECLUDE TESTIMONY OF PLAINTIFFS RELEASED FROM THE JAIL (DOC. #42); SUSTAINING IN PART AND OVERRULING IN PART DEFENDANT'S MOTION IN LIMINE TO PRECLUDE TESTIMONY OF ATTORNEY CAROL HOLM AT THE PRELIMINARY INJUNCTION HEARING (DOC. #52); SUSTAINING IN PART AND OVERRULING IN PART DEFENDANT'S MOTION IN LIMINE TO PRECLUDE TESTIMONY OF PLAINTIFF KEVIN BOWLING (DOC. #60)

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As discussed during the conference call held on November 30, 2018, the Court OVERRULES Defendant's Motion in Limine to Preclude Testimony of the Plaintiffs Released from the Jail, Doc. #42. Regardless of whether those Plaintiffs have standing to assert claims for injunctive and declaratory relief, their testimony may be relevant to the claims asserted.

The Court SUSTAINS IN PART and OVERRULES IN PART Defendant's Motion in Limine to Preclude Testimony of Attorney Carol Holm, Doc. #52. Attorney Holm may testify about her experience in attempting to obtain a

grievance form for her client, but not about her experience in attempting to file an incident report related to her own slip and fall at the Montgomery County Jail.

The Court SUSTAINS IN PART and OVERRULES IN PART Defendant's Motion in Limine to Preclude Testimony of Plaintiff Kevin Bowling, Doc. #60. Bowling may testify about his experience in attempting to obtain a grievance form. To the limited extent necessary to provide the appropriate context, he may testify about the jail conditions that gave rise to his request for a grievance form.

Date: December 3, 2018

  
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WALTER H. RICE  
UNITED STATES DISTRICT JUDGE