

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Edwin Ocasio and	:	CIVIL ACTION
Marisol Ocasio, h/w	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
James Ollson and	:	
Grand Rapids Transport, Inc.,	:	
Defendants.	:	NO. 05-6219

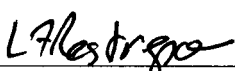
ORDER

AND NOW, this 16th day of January, 2008, upon consideration Defendants’ motion for partial summary judgment and attached memorandum of law in support thereof (Doc. No. 36), and Plaintiffs’ response (Doc. No. 40) and memorandum of law in opposition thereto (Doc. No. 41); Defendants’ motion *in limine* to preclude Plaintiff from claiming injuries not described in his Workers’ Compensation compromise and release agreement and the attached memorandum of law in support thereof (Doc. No. 37), and Plaintiffs’ response (Doc. No. 39) and memorandum of law in opposition thereto (Doc. No. 42); Plaintiffs’ motion *in limine* to exclude evidence of or testimony of the Workers’ Compensation claim (Doc. No. 34), memorandum of law in support thereof (Doc. No. 35), and Defendants’ response in opposition thereto (Doc. No. 38); and counsel’s arguments presented at the oral argument dated 12/23/08, it is hereby **ORDERED** that:

1. Defendants’ motion for partial summary judgment is **DENIED**.
2. Defendants’ motion *in limine* to preclude Plaintiff from claiming injuries not described in his Workers’ Compensation compromise and release agreement is **DENIED**.

3. Plaintiffs' motion *in limine* to exclude evidence of or testimony of the Workers' Compensation claim is **GRANTED** in part and **DENIED** in part in that the defense is **WITHOUT PREJUDICE** to cross-examine Plaintiff regarding any alleged inconsistent statements consistent with the parameters set forth in the attached Memorandum and Opinion.

BY THE COURT:



L. Felipe Restrepo
United States Magistrate Judge