

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

JOSEPH FARTHING,

Plaintiff,

vs.

PENNSYLVANIA STATE POLICE,

Defendant.

CIVIL ACTION

NO. 11-1052

ORDER

AND NOW, this 2nd day of August, 2013, upon consideration of Defendant's Third Motion in Limine Withdrawing Defendant's Pending Motion in Limine (Dkt. No. 84) filed on June 17, 2013 and Plaintiff's Memorandum in Response (Dkt. No. 91) filed on July 10, 2013; Defendant's Supplemental Brief in Support of the Motion (Dkt. No. 100) filed on July 26, 2013; Plaintiff's Memorandum in Opposition of the Defendant's Supplemental Brief (Dkt. No. 101) filed on July 29, 2013; and Defendant's Reply to the Response to the Supplemental Brief (Dkt. No. 102) filed on July 29, 2013, for the reasons stated in the Memorandum filed this date, **IT IS ORDERED** that:

Defendant's Motion to preclude the *Bolden* consent decree and related litigation as specified in the Motion together with the testimony of Benjamin Brooks, Tyree Blocker and Mark Lomax is **GRANTED**;

Defendant's Motion to preclude testimony regarding Cindy Smyser's alleged statement on October 26, 2007 to the Plaintiff is **GRANTED**;

Defendant's Motion to preclude expert testimony of Plaintiff's treating physician,

Dr. Garry Mueller is **GRANTED**;

Defendant's Motion to preclude evidence of the 2013 discrimination lawsuit and related EEOC/PHRA charge against Defendant by Sgt. Farzad Sharif is **GRANTED** as unopposed.

Defendant's Motion to preclude Plaintiff's Exhibit No. 31, a January 14, 2004 email exchange between Chris D'Amico and Thomas Tarsavage re: the Governor jumping sheep is **GRANTED**;

In all other respects, Defendant's Motion is **DENIED**.

BY THE COURT:

/s/ Henry S. Perkin
HENRY S. PERKIN
UNITED STATES MAGISTRATE JUDGE