

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

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|-----------------------------|---|--------------------------------------|
| TYRONE GREEN, | : | CIVIL ACTION NO. 1:09-CV-0154 |
| | : | |
| Plaintiff | : | (Judge Conner) |
| | : | |
| v. | : | |
| | : | |
| DET. SNEATH, et al., | : | |
| | : | |
| Defendants | : | |

ORDER

AND NOW, this 6th day of April, 2011, upon consideration of plaintiff's motion in limine (Doc. 82), and plaintiff's motion to deem his motion in limine as unopposed (Doc. 88), and it appearing that plaintiff seeks to prohibit defendants from producing certain documentary evidence at trial based upon their failure to comply with his request for production of documents (Doc. 83), it is hereby

ORDERED that:

1. Plaintiff's motion to deem his motion in limine as unopposed (Doc. 88) is GRANTED based upon defendants' failure to oppose the motion in accordance with Local Rule 7.6.
2. The motion in limine (Doc. 82) is DENIED with respect to defendants' responses to document production requests 1-2 (Doc. 83-1, at 7) and 5-6 (Doc. 83-1, at 8-9), as the responses to the requests are deemed adequate.

3. The motion in limine (Doc. 82) is **CONDITIONALLY DENIED** with respect to defendants' responses to document production requests 3 and 4 (Doc. 83-1, at 8). Defendants are afforded fifteen days from the date of this order to provide to plaintiff responses to these requests.¹ Failure to do so will result in the motion being granted with respect to the documents related to these requests.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge

¹The polestar of discovery is relevance to a claim or defense. Federal Rule of Civil Procedure 26(b)(a) states that “[p]arties may obtain discovery regarding any matter, not privileged, that is relevant to the claim or defense of any party. . . . Relevant information need not be admissible at the trial if the discovery appears reasonably calculated to lead to the discovery of admissible evidence.”