

AND NOW, in accordance with the accompanying Memorandum, **IT IS**

HEREBY ORDERED that:

1. Plaintiff's Motion to Exclude Expert Testimony Based on False Extraordinary Assumptions, ECF No. 119, is **DENIED**.
2. Defendants' Motion to Exclude Testimony and Evidence of Plaintiff's Expert Witness, ECF No. 115, is **DENIED**.
3. Defendants' Motion to Exclude Plaintiff's Witnesses, ECF No. 117, is **DENIED**.
4. Plaintiff's Motion to Exclude Improper Lay Opinion and Other Testimony by Defendants, ECF No. 121, is **GRANTED IN PART AND DENIED IN PART**.
5. Plaintiff's Motion to Exclude Testimony relating to Fear of Pipelines, ECF No. 113, is **GRANTED IN PART AND DENIED IN PART**.
6. At the request of the parties, the Court has decided the following two issues as a matter of law and will instruct the jury accordingly:
 - (a) The date of the taking was December 9, 2014.
 - (b) The rights taken included the "Right-of-Way" documents appended to the Complaints in Condemnation.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge