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

COLUMBIA GAS TRANSMISSION, : No. 4:13-cv-00783

LLC,

Plaintiff, : (Judge Brann)

:

V.

•

101 ACRES AND 41,342 SQ. FT. MORE OR LESS IN HEIDELBERG

TOWNSHIP, YORK COUNTY,

PENNSYLVANIA, et al.,

•

Defendants. :

COLUMBIA GAS TRANSMISSION, : No. 4:13-cv-00785

LLC,

Plaintiff, : (Judge Brann)

:

v. :

:

1.5561 ACRES MORE OR LESS IN HEIDELBERG TOWNSHIP, YORK COUNTY, PENNSYLVANIA, et al.,

:

Defendants. :

ORDER

October 26, 2016

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. BrannMatthew W. BrannUnited States District Judge