

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

_____)	
ERIN CHIONCHIO,)	
Plaintiff,)	
)	
v.)	C.A. No. 13-678-M
)	
WILLIAM CORREIA, et al,)	
Defendants.)	
_____)	

ORDER

The Defendants have filed motions in limine seeking to exclude four of the Plaintiff's expert witnesses. (ECF Nos. 53, 54, 56, and 57).

After a review of the papers filed by both sides as to each of the expert witnesses, the Court finds that, based on the record before it at this time, each of the witnesses appears to be qualified by their knowledge, skill, experience, training, or education; that their proffered testimony may help the trier of fact to understand the evidence or to determine a fact in issue; that their testimony appears to be based on sufficient facts or data and is the product of reliable principles and methods; and that each has reliably applied the principles and methods to the facts of the case. Fed. R. Evid. 702.

Elizabeth Loftus: Defendants' assertion that Dr. Loftus' opinions were common knowledge and unsupported by the record, does not support excluding her testimony. The Court finds after reviewing Dr. Loftus' background and opinions, that her testimony would assist the jury in determining the facts in this case. If the Defendants believe her opinions are unsupported by the record, they can address that issue during cross-examination.

Karl S. Bona: The Court, after a review of the materials submitted, does not agree with Defendants' assertion that Mr. Bona's opinions are sufficiently contrary to the record and

premised on almost no methodology, such that the Court should exclude his testimony. The Court will allow the Defendants to fully cross-exam him on these matters.

Wilson Dobson and Jerold Baird: The Defendants assert that the Court should exclude Mr. Dobson and Dr. Baird because their testimony would be cumulative and their opinions are unreliable. The Court does not find, at this stage, that the proposed testimony would be cumulative. The Plaintiff will be afforded some leeway to present the admissible evidence she believes is necessary to support her claims. If the testimony is overly cumulative at the time of the trial testimony, it will be appropriately limited. Moreover, the opinions set forth in the papers do not appear to the Court at this stage to be unreliable requiring the Court to exclude either or both of their testimony.

Defendants' Motions in Limine (ECF Nos. 53, 54, 56, and 57) are DENIED.

IT IS SO ORDERED.

A handwritten signature in blue ink, reading "John J. McConnell, Jr.", written over a horizontal line.

John J. McConnell, Jr.
United States District Judge

Date: March 30, 2015