
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

ARVA ANDERSON,

Plaintiff,

v.

FORD MOTOR COMPANY, et al.,

Defendants.

MEMORANDUM DECISION AND
ORDER GRANTING DEFENDANT’S
MOTION IN LIMINE SEEKING
JUDICIAL NOTICE OF FEDERAL
REGISTER DOCUMENTS

Case No. 2:06-CV-741 TS

District Judge Ted Stewart

This matter is before the Court on Defendant Flowserve Corporation’s (f/k/a Durco International, Inc.) Motion in Limine Seeking Judicial Notice of Federal Register Documents (Docket No. 391). For the reasons set forth below, the Court will grant Defendant’s Motion.

Defendant seeks to have the Court take judicial notice of 55 Fed. Reg. 5144 published by the Environmental Protection Agency (“EPA”), which is attached to Docket No. 391 as Exhibit A. Plaintiff has not responded to Defendant’s Motion.

Federal Rule of Evidence 201(b)(2) defines a judicially noticeable fact as “one that . . . can be accurately and readily determined from sources whose accuracy cannot reasonably be questions.” The pertinent section of which Defendant would like the Court to take judicial notice includes “summaries of the information submitted to EPA by manufactures and processors of certain asbestos products in accordance with the Asbestos Information Act of 1988.”¹ The Court

¹ Asbestos; Publication of Identifying Information, 55 Fed. Reg. 5144 (Feb. 13, 1990).

will take judicial notice that the Federal Register contains information submitted to the EPA in compliance with the Asbestos Information Act of 1988.

It is therefore

ORDERED that Defendant Flowserve Corporation's (f/k/a Durco International, Inc.) Motion in Limine Seeking Judicial Notice of Federal Register Documents (Docket No. 391) is GRANTED as set forth above.

DATED this 16th day of September, 2014.

BY THE COURT:



Ted Stewart
United States District Judge