

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

CELESTE AMOS, et al.,

Plaintiffs,

vs.

W.L. PLASTICS, INC., a Delaware
corporation,

Defendant.

ORDER GRANTING DEFENDANT'S
MOTION TO EXCLUDE AUDIO
PORTION OF GILLESPIE VIDEO

Case No. 2:07-CV-49 TS

This matter is before the Court on Defendant's Motion to Exclude Audio Portion of Gillespie Video. This is one of five motions in limine filed by Defendant after the deadline for filing such motions had passed. Many of those motions, though not this Motion, are also over length. As stated in its prior order, the Court is extremely discouraged by Defendant's disregard for the orders of the Court and has the authority to deny the Motion on the grounds of untimeliness alone. However, considering the merits of the Motion, it will be granted.

Plaintiffs have designated a video taken by Plaintiffs' counsel of their expert Dwayne Gillespie. The audio portion of that video contains comments by Plaintiffs' counsel and statements by Mr. Gillespie. Defendant does not object to the video itself, but does object to the audio portion of the video. Plaintiffs stipulate to the exclusion of the audio portion of the video.


The Court agrees that the audio portion should be excluded.

It is therefore

ORDERED that Defendant's Motion to Exclude Audio Portion of Gillespie Video
(Docket No. 150) is GRANTED.

DATED January 15, 2010.

BY THE COURT:



TED STEWART
United States District Judge