

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

MEMDATA, LLC, a Texas limited liability
company,

Plaintiff,

vs.

INTERMOUNTAIN HEALTHCARE, INC.,
a Utah corporation, and IHC HEALTH
SERVICES, INC., a Utah corporation,

Defendants.

MEMORANDUM DECISION AND
ORDER DENYING PLAINTIFF'S
MOTION IN LIMINE TO EXCLUDE
EVIDENCE OF PLAINTIFF'S THIRD
PARTY CONTRACTS AND
RELATIONSHIPS

Case No. 2:08-CV-190 TS

The Court has before it Plaintiff's Motion in Limine to Exclude Evidence of Plaintiff's Third Party Contracts and Relationships.¹ Plaintiff argues that the Court should prohibit Defendants from mentioning or introducing evidence relating to MEMdata's contractual relationships with third parties because the probative value of such evidence is substantially outweighed by its risk of unfair prejudice, confusion and misleading of the jury, and undue

¹Docket No. 128.

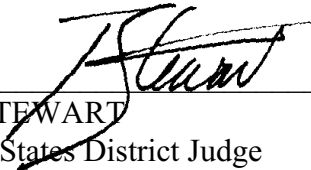
delay.² The Court finds that the probative value of the evidence is not substantially outweighed by its prejudicial effect and the Court will therefore deny Plaintiff's Motion. Indeed, the Court finds the proffered testimony to have significant probative value of the parties' course of dealing and the meaning of the parties' contract.

It is therefore

ORDERED Plaintiff's Motion in Limine to Exclude Evidence of Plaintiff's Third Party Contracts and Relationships (Docket No. 128) is DENIED.

DATED November 23, 2010.

BY THE COURT:



TED STEWART
United States District Judge

²See Fed.R.Evid. 403.