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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

IDS PROPERTY AND CASUALTY  
INSURANCE COMPANY, an admitted insurer,  
  
Plaintiff,  
  
v.  
  
CHARLES H. FELLOWS,  
  
Defendant.

No. 2:15-CV-2031 TSZ  
  
ORDER ON DEFENDANT’S MOTION  
*IN LIMINE*

Defendant Charles H. Fellows’s Motion *in Limine*, docket no. 128, is GRANTED in part, DENIED in part, and DEFERRED in part, as follows:

MOTION 1 is GRANTED in part as to the 2001 drug conviction based on Rule 403 and as to other charges, arrests, or allegations of misbehavior that did not ripen into a conviction.

Except as granted, MOTION 1 is otherwise DENIED.

MOTION 2 is GRANTED in part as to opinion testimony, expert testimony, or other non-disclosed testimony by Eric Michalak relating to Battered Women’s Syndrome. Except as granted, MOTION 2 is DEFERRED.

1            MOTION 3 to preclude argument by IDS that Fellows committed “domestic abuse” or  
2 “domestic violence” or was “the abuser” is DENIED.

3            MOTION 4 to preclude argument regarding insurance fraud is DENIED as moot.

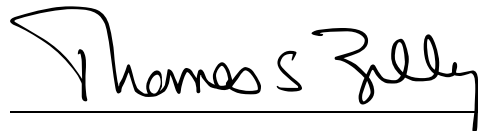
4            MOTION 5 to preclude improper rebuttal evidence is DEFERRED to trial.

5            MOTION 6 to preclude argument that Osborne did not commit domestic violence  
6 because she was not arrested, charged, or convicted is DEFERRED.  
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8            MOTION 7 to preclude argument that coverage is excluded based on intentional acts by  
9 Osborne’s children is DENIED.

10           IT IS SO ORDERED.

11           DATED this 8th day of March, 2017.

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15           Thomas S. Zilly  
16           United States District Judge

17  
18           Presented by:

19           KELLER ROHRBACK L.L.P.

20  
21           By: s/ Ian S. Birk

22           William C. Smart, WSBA #8192

23           Ian S. Birk, WSBA # 31431

24           Attorneys for Plaintiffs  
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