IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DARCELLA M. DANIELS	:	CIVIL ACTION
v.	:	
ERIC K. SHINSEKI, SECRETARY	:	NO. 09-4859

MEMORANDUM

Fullam, Sr. J. June 17, 2010

Counsel for the defendant has filed a Motion *in Limine* to preclude the testimony of certain witnesses at trial. I am not prepared to exclude any witnesses at this point; final rulings on the admissibility of evidence must be determined in the context of the trial, not in the abstract.

A limited ruling can be expressed. The issues in this case are whether the plaintiff was denied a promotion because she ended a sexual relationship with a supervisor and whether she was retaliated against for filing an administrative complaint of discrimination, and the trial testimony should assist the jury in deciding those claims. In that regard, counsel for both sides are expected to observe the Rules of Evidence. Hearsay evidence will not be permitted, and witnesses will not be permitted to testify as to events of which they have no direct knowledge. It is expected that counsel will not call witnesses if the salient points of their testimony could be stipulated to by the parties.

An Order follows.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.

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	:	
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	:	
ERIC K. SHINSEKI, SECRETARY	:	NO. 09-4859

ORDER

AND NOW, this 17th day of June 2010, upon consideration of defendant's Motion *in Limine*, and plaintiff's opposition, IT IS ORDERED:

That the Motion is DENIED WITHOUT PREJUDICE to the assertion of appropriate objections at trial.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.