IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

FILED
M. DEC 6 1971 19
James R. Cooney, Clerk, U. S. Court
By Hazel E. Studdard DEPUTY

SAMUEL R. POTTER :

VS. : CIVIL ACTION NO. ~~6449~~ 6329

FIBREBOARD PAPER PRODUCTS CORPORATION, ET AL :

ORDER OF THE COURT ON PLAINTIFF'S MOTION IN LIMINE

On this the 6th day of December, 1971, came on to be heard plaintiff's motion in limine filed herein; and the Court, after having considered said motion, is of the opinion that the same should be granted.

It is therefore ORDERED, ADJUDGED AND DECREED by the Court that counsel for the defense, and through such counsel any and all defense witnesses, are instructed to refrain from making any mention or interrogation, directly or indirectly, in any manner whatsoever, concerning any of the following matters, without first approaching the Bench and obtaining a ruling from the Court outside the presence and hearing of all prospective jurors and jurors ultimately selected in this case, and further from suggesting or inferring to the jury that plaintiff has moved to prohibit proof or that the Court has excluded proof of any particular nature:

(1) That plaintiff has received, has been entitled to receive, will receive, or will become entitled to receive benefits of any kind or character from a collateral source, including, but not limited to such collateral source benefits as the following:

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(a) Benefits from collateral insurance coverage;

(b) Social Security and Pensions.

(2) That plaintiff has been accused or, in fact, guilty of any misconduct or criminal conviction, and in this connection, that plaintiff has never been convicted of any crime involving moral turpitude so as to make proof thereof admissible for purposes of impeachment or any other legitimate purpose, and the mere questioning of him concerning any alleged crime or misconduct would be incurably prejudicial even though objection were timely made and sustained.

(3) That plaintiff has had unrelated, prior or subsequent claims, suits or settlement, or the amount thereof.

(4) The time or circumstances under which plaintiff employed his attorney.

(5) The plaintiff's personal habits, such as his drinking habits.

(6) That any recovery by plaintiff either would or would not be subject to Federal income taxation, or any other form of taxation.

(7) That this motion has been filed or any ruling by the Court made thereon.

SIGNED AND ENTERED this 6th day of December, 1971.

JUDGE PRESIDING

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