

Minute Order re Motions *in Limine*

The United States of America (“Government”) moves the Court for relief by way of Motions *in Limine*. The Court now enters its rulings.

I. Government Motion *in Limine*. No. 1: Property Damages

The Government seeks an order to exclude evidence of property damages sustained by plaintiff Eugenia S. Bernal (“Bernal”). (Docket No. 28.) Bernal has filed an opposition (Docket No. 38), and the Government has replied (Docket No. 40).

Although styled as a motion *in limine*, the Motion is fact a stealth motion for partial summary judgment which meets none of the requirements and provides none of procedural protections under Rule 56 of the Federal Rules of Civil Procedure. Moreover, the Motion would fail under Rule 56 for the lack of any evidence. Further, the Court declines to consider the substantive arguments raised for the first time in the rebuttal (e.g., Rule 37 sanctions).

The Motion is denied without prejudice.

II. Government Motion *in Limine*. No. 2: Loss of Use Property Damages

The Government seeks an to exclude evidence of loss of use damages sustained by plaintiff Eugenia S. Bernal (“Bernal”). (Docket No. 28.) Bernal ahas filed an opposition (Docket No. 34), and the Government has replied (Docket No. 41).

For the same reasons noted with respect to Motion *in limine* No. 1, the Motion is denied without prejudice.

