

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

Linda I. Randall, )  
)  
Plaintiff, )  
)  
v. ) Civil Docket No. 03-135-B-C  
)  
United States Postal Service, )  
)  
Defendant. )

**ORDER ON PLAINTIFF’S MOTION IN LIMINE TO DETERMINE  
THAT MEDICAL EXPENSES AND OTHER PAST PECUNIARY  
LOSSES ARE NOT WITHIN THE MEANING OF  
COMPENSATORY DAMAGES UNDER 42 U.S.C. § 1981(a)**

Before the Court is the Plaintiff’s Motion in Limine to Determine that Medical Expenses and Other Past Pecuniary Losses are not Within the Mean of Compensatory Damages under 42 U.S.C. § 1981(a) (Docket Item No. 65). After full consideration of the written submissions on the Motion, it is hereby **ORDERED**, on the consent of the parties, that for purposes of this action medical bills and past pecuniary losses are not within the meaning of compensatory damages for purposes of the statutory cap and may be awarded in addition to any compensatory and punitive damages award. *See* 42 U.S.C. § 1981(a). Accordingly, the parties may assert in proceedings before the Court sitting without jury that medical expenses, properly proven, should be determined by the Court after the completion of the trial on the liability phases of the case before the jury.

/s/Gene Carter  
Gene Carter  
Senior U.S. District Court Judge

Dated at Portland, Maine this 13th day of July, 2005.

**Plaintiff**

**LINDA L RANDALL**

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V.

**Defendant**

**POSTMASTER GENERAL**

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