

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

MARGARET LONG,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Docket no. 1:09-cv-592-GZS
	)	
FAIRBANK FARMS	)	
RECONSTRUCTION CORP.,	)	
	)	
Defendant & Third-Party	)	
Plaintiff,	)	
	)	
v.	)	
	)	
GREATER OMAHA PACKING	)	
COMPANY, INC.,	)	
	)	
Third-Party Defendant.	)	

**ORDER ON MOTION IN LIMINE**

**RE: Martin’s Abattoir, PUL and/or ECO**

Before the Court is Third-Party Plaintiff Fairbank Farms Reconstruction Corp.’s (“Fairbank’s”) Motion in Limine to Exclude Evidence Relating to Other Suppliers That Have Been Eliminated as Possible Sources of the *E. coli* 0157:H7 (Docket # 317). Expert witness reports and expert deposition testimony suggest a possibility that Martin’s Abattoir, PUL and/or ECO could have been the source of the *E. coli* contamination at Fairbank’s plant. Therefore, at this stage in the case, a factual dispute remains as to whether Martin’s Abattoir, PUL and/or ECO were possible sources of the *E. coli* contamination at issue and the Court will allow the jury to hear evidence relevant to this source issue. Accordingly, Fairbank’s Motion is hereby DENIED WITHOUT PREJUDICE to Fairbank’s renewing these objections at trial.

SO ORDERED.

/s/ George Z. Singal  
United States District Judge

Dated this 25<sup>th</sup> day of November, 2011.

**Plaintiff**

**MARGARET LONG**  
*TERMINATED: 03/11/2011*

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V.

**Defendant**

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**Defendant**

**FAIRBANK RECONSTRUCTION  
CORP**

*TERMINATED: 03/11/2011*  
*doing business as*

**FAIRBANK FARMS**

*TERMINATED: 03/11/2011*

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**Defendant**

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**ThirdParty Plaintiff**

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