

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

TINA OXLEY,)
)
 Plaintiff,)
)
 v.) CV-09-21-JAW
)
 PENOBSCOT COUNTY, *et al.*,)
)
 Defendants.)

**ORDER ON DEFENDANTS' MOTION *IN LIMINE* TO EXCLUDE EXPERT
TESTIMONY OF DENISE NICKERSON, LCSW AND TESTIMONY OF
MALCOLM L. ULMER**

The Court GRANTS the Defendants' Motion *in Limine* to exclude testimony of Denise Nickerson, LCSW as an expert witness since the Plaintiff did not designate Ms. Nickerson as an expert (Docket # 103). Ms. Nickerson will be allowed to testify as a fact witness.

The Court GRANTS the Defendants' Motion *in Limine* to exclude testimony of Malcolm Ulmer from Plaintiff's case-in-chief since the Plaintiff did not list Mr. Ulmer as a potential witness until July 27, 2010 (Docket # 103). This does not, however, preclude the Plaintiff from calling Mr. Ulmer in rebuttal if he is a proper rebuttal witness.

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
CHIEF UNITED STATES DISTRICT JUDGE

Dated this 6th day of August, 2010

Plaintiff

TINA OXLEY

represented by **DALE F. THISTLE**
LAW OFFICE OF DALE F.
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ATTORNEY TO BE NOTICED

V.

Defendant

PENOBSCOT COUNTY

represented by **PETER T. MARCHESI**
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ATTORNEY TO BE NOTICED

Defendant

GLEN ROSS

*In his official Capacity as Penobscot
County Sheriff (Individual capacity
terminated 5/25/10)*

represented by **PETER T. MARCHESI**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

CASSANDRA S. SHAFFER
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

JANE DOE 1

In her individual Capacity

TERMINATED: 05/12/2009

represented by **PETER T. MARCHESI**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

JANE DOE 2

In her individual Capacity

TERMINATED: 05/12/2009

represented by **PETER T. MARCHESI**

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LEAD ATTORNEY

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Defendant

HANNAH KELLEHER

TERMINATED: 05/25/2010

represented by **JOHN J. WALL , III**

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