

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
AMERICAN SOCIETY FOR THE)	
PREVENTION OF CRUELTY)	
TO ANIMALS, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civ. Action No. 03-2006 (EGS)
)	
FELD ENTERTAINMENT, INC.)	
)	
Defendant.)	
_____)	

ORDER

Pending before the Court are four motions in limine. For the reasons stated in open Court on October 24, 2008, it is hereby **ORDERED** that Plaintiffs' Motion to Exclude Defendant's Witnesses Not Timely Disclosed is **DENIED IN PART AND GRANTED** with respect to Julie Strauss only; Defendant's Motion to Exclude Irrelevant Evidence is **DENIED**; Defendant's Motion to Amend its Exhibit List is **GRANTED**; and Plaintiffs' Motion to Exclude and for Additional Sanctions is **DENIED WITHOUT PREJUDICE** subject to further briefing on the objections to Judge Facciola's Order pertaining to the missing health certificates; and it is

FURTHER ORDERED that Plaintiffs may depose the additional five witnesses they identified at the October 24, 2008 status

hearing at Defendant's expense. Defendant may cross-examine these witnesses within the precise scope of Plaintiffs' direct examination only; and it is

FURTHER ORDERED that the trial of this matter shall commence on February 3, 2009. Any party that chooses to amend its pretrial statement must do so by January 5, 2009 and provide a redline version to both the Court and opposing counsel. Amended objections to pretrial statements shall be provided in the same manner and filed by no later than January 12, 2009. The Court will issue an amended pretrial order in due course; and it is

FURTHER ORDERED that Plaintiffs' Motion for a Preliminary Injunction is **WITHDRAWN**; and it is

FURTHER ORDERED that Defendant's Motion for an Order Clarifying Daubert Procedures is **DENIED AS MOOT**.

SO ORDERED.

Signed: Emmet G. Sullivan
United States District Judge
November 4, 2008