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Kentucky Motions in Limine 2024 – 2025 Edition Issued in September 2024

by
David N. Finley, Esq.
Erin Carlson, Esq.
Bethany R. Scheffler, Esq.

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Introduction to 2024-2025 Edition

Kentucky Motions in Limine (Kentucky Practice Series, Vol. 20) is your one-stop source for making or opposing in limine motions. The text is devoted to Kentucky in limine motions, critical evidence motions that, if granted, can end a case early. It covers issues such as excluding expert opinions, scientific tests, and improper discovery.

Highlights

- Opposition to motion to exclude text messages (Chapter 4)
- Motion for evidentiary sanctions for failure to serve answers/objections to interrogatories (Chapter 6)
- Motion to exclude evidence regarding witness's mental health (Chapter 7)
- Motion to bar premature rebuttal to affirmative defense (Chapter 9)
- Motion to exclude evidence regarding party's prior injuries (Chapter 10)

Thank you for subscribing to *Kentucky Motions in Limine*. Each year we make every effort to include new citations to evidence cases, particularly matters of first impression that have occurred during the past year. We hope that you find this book an invaluable tool for your practice.

David N. Finley, Esq.
Erin Carlson, Esq.
Bethany R. Scheffler, Esq.

ABOUT THE AUTHORS

David N. Finley, Esq.

David N. Finley, Esq. is a litigation attorney with extensive experience in motion research and legal writing. He began his career as a motion and appellate writer at a well-known Los Angeles, California litigation firm, and later served as a managing editor, marketing director and publisher at several nationally recognized legal publishing companies. He is the creator and co-author of multiple Thomson Reuters / Rutter Group publications including *Federal Motions in Limine, Federal Summary Judgment* and *Related Termination Motions, California Motions in Limine, California Law & Motion Authorities, California Law & Motion Model Forms*, and nearly two dozen state versions of the Motion in *Limine*series of texts. He is also the creator and former Editor-in-Chief of the voir dire newsletter, *The Jury Expert*. He graduated from University of California, San Francisco College of Law (formerly Hastings), where he was a member of the Moot Court Honors Board, a legal writing teaching fellow, and an award winner for excellence in brief writing. For more than a decade, he has taught advanced brief writing and pretrial procedure at top ranked law schools, including the University of California Irvine School of Law where he currently serves as a lecturer. He is the founder and current president of Esquire One Research Services, which provides high level legal research and brief writing for a wide range of litigation firms.

Erin Carlson, Esq.

Erin Carlson is a general practitioner admitted to practice in New York and Massachusetts. A former associate with Freedman, DeRosa & Rondeau in North Adams, Massachusetts, she is experienced in the areas of civil litigation, Workman's Compensation, and real estate.

Bethany R. Scheffler, Esq.

Bethany R. Scheffler, Esq., worked as administrative counsel and law clerk for Ohio's Ninth District Court of Appeals. As administrative counsel, she was responsible for all motions filed in the Court of Appeals. She has also served in Ohio's probate and juvenile courts. She is a 2002 cum laude graduate of The University of Akron, School of Law, where she worked as an extern for the Honorable Alice M. Batchelder of the U.S. Court of Appeals for the Sixth Circuit. Ms. Scheffler prepared the updates

for the 2009-2010, 2010-2011, 2011-2012, 2012–2013, 2013–2014, 2014–2015, and 2015–2016 editions.

HOW TO USE THIS BOOK

1. Overview

Kentucky Motions in Limine is designed to help you quickly find authorities for a number of key *in limine* motions. The text contains important trial motions for general use in many civil cases, as well as a number of helpful motions specifically for personal injury cases. While the publisher has attempted to include many essential motions, not every possible motion or motion issue can be covered in this text. We welcome your feedback or contributions regarding other possible motions, motion issues or any additional matter.

2. Quick-Research Format

Kentucky Motions in Limine is organized in a unique "quick-research" format that allows you to zero in on key authorities and suggested motion text while in your office or in court. Other than the first chapter, which provides an overview of *in limine* law, every chapter contains the following quick-research format:

1. Suggested Motion Text
2. Motion Summary
3. Supporting Authorities
4. Opposition Authorities
5. Sample Motions

Note that this text contains a useful compendium of citations and samples on a number of commonly filed motions in limine. The publisher has attempted to include key citations to support each motion and provide a bouncing off point for further research. If you do not find support for your motion in this book, check other traditional Kentucky evidence resources. *Important*: Once you have found a helpful case, read it in full to be sure that the point is applicable to your facts and cite check it to ensure that it is still good law.

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