

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DR. ALAN SACERDOTE, et al.,	:	Case No.: 1: 16-cv-06284 (KBF)
	:	
Plaintiffs,	:	
	:	ECF Case
v.	:	
	:	
NEW YORK UNIVERSITY,	:	
	:	
Defendant.	:	

DEFENDANT’S NOTICE OF MOTIONS *IN LIMINE*

PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum of Law dated March 28, 2018, and the Declaration of Mark Muedeking, dated March 28, 2018, and exhibits attached thereto, the undersigned attorneys for Defendant New York University (“NYU”) will move this Court before the Honorable Katherine B. Forrest, at the Daniel Patrick Moynihan United States Courthouse for the Southern District of New York, 500 Pearl Street, Courtroom 23B, New York, New York 10007, for an Order (i) precluding from trial, pursuant to Federal Rules of Evidence 401, 402, 403, and 702, any testimony, evidence, or arguments concerning claims that were previously dismissed by this Court in its August 25, 2017 Opinion and Order (ECF No. 79), and that are otherwise outside the scope of the remaining allegations in the Amended Complaint (ECF No. 39), (ii) holding that, pursuant to Federal Rule of Evidence 407, evidence of Defendant’s prudent measures and conduct that occurred subsequent to Plaintiff’s filing of the instant lawsuit is not admissible in an attempt to prove that Defendant’s prior conduct was imprudent, and (iii) prohibiting Plaintiffs, pursuant to Federal Rule of Civil Procedure 32 and Federal Rule of Evidence 802, from using at trial the depositions of Suzanna Hollnsteiner and Linda Woodruff because the witnesses are available to testify in person.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Scheduling Order (ECF No. 43), Plaintiffs shall serve opposing papers, if any, no later than April 4, 2018.

Dated: March 28, 2018
Washington, DC

Respectfully submitted,

/s/ Mark Muedeking

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TO: Plaintiffs' counsel of record (via ECF)