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10 UNITED STATES DISTRICT COURT  
11 EASTERN DISTRICT OF CALIFORNIA

13 PLANS, Inc., ) Case No. CIV. S-98-0266 FCD PAN  
14 )  
Plaintiffs, )  
15 v. ) NOTICE OF MOTIONS IN LIMINE  
AFFECTED BY PLAINTIFF'S MOST  
RECENT WITNESS AND EXHIBIT LISTS  
16 )  
SACRAMENTO CITY UNIFIED SCHOOL )  
DISTRICT, TWIN RIDGES ELEMENTARY )  
17 SCHOOL DISTRICT, DOES 1-100, )  
18 )  
Defendants. )  
19 )

20 The Court, during the Pretrial Conference held January 14, 2005, requested that Defendants  
21 SACRAMENTO CITY UNIFIED SCHOOL DISTRICT (hereinafter "SCUSD" or "Defendant") and  
22 TWIN RIDGES ELEMENTARY SCHOOL DISTRICT (hereinafter "TRESA" or "Defendant")  
23 (hereinafter collectively "School Districts" or "Defendants"), advise the Court "as to which motions  
24 already under submission will affect the issues that have arisen today regarding witnesses" (Minute  
25 Order dated January 14, 2005). Defendants hereby file notice of the pending motions in limine under  
26 submission which may be affected by Plaintiff PLANS, Inc.'s (hereinafter "Plaintiff") most recent  
27 witness and exhibit lists. The following motions in limine, under submission with the Court, are  
28 affected by Plaintiff's most recent witness and exhibit lists:

1           A.     Motion In Limine 4:  
2                 Defendants’ motion to exclude evidence of anthroposophy not relevant to the  
3 determination of whether it is a religion or to the teachings or activities at either school.

4           B.     Motion In Limine 5:  
5                 Defendants’ motion to exclude evidence regarding Rudolf Steiner not relevant to the  
6 instructional methods at either school.

7           C.     Motion In Limine 6:  
8                 Defendants’ motion to exclude testimony by witnesses lacking personal knowledge.

9           D.     Motion In Limine 7:  
10                Defendants’ motion to exclude evidence of personal beliefs or practices of witnesses.

11           In addition, the Defendants note that several motions in limine previously granted by the court  
12 will also apply to some of the witnesses and exhibits included on plaintiff’s most recent lists. The  
13 following previously granted motions in limine are affected by plaintiff’s most recent witness and  
14 exhibit lists:

15           E.     Motion In Limine 2:  
16                 The court granted Defendants’ motion to exclude any testimony by “expert” witnesses  
17 not disclosed pursuant to the court’s scheduling order of October 5, 1998.

18           F.     Motion In Limine 9:  
19                 The court granted Defendants’ motion to exclude evidence of teachings and activities  
20 of private Waldorf schools, unless the Plaintiff can establish an offer of proof that the evidence or  
21 testimony about the private schools is relevant to the schools in question.

22           G.     Motion In Limine 10:  
23                 The court granted Defendants’ motion to exclude evidence of the teachings and  
24 activities of public Waldorf schools, unless the Plaintiff can establish an offer of proof to show that  
25 there is a connection between what is going on in other Waldorf methods public schools and the  
26 schools in question.

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Respectfully submitted,

GIRARD & VINSON, LLP

Date: January 28, 2005.

By /s/ Michelle L. Cannon  
MICHELLE L. CANNON  
Attorneys for Defendant TWIN RIDGES  
ELEMENTARY SCHOOL DISTRICT

KRONICK MOSKOVITZ TIEDEMANN & GIRARD

Date: January 28, 2005.

By /s/ Susan R. Denious as authorized on 1/26/05  
SUSAN R. DENIOUS  
Attorneys for Defendant SACRAMENTO CITY  
UNIFIED SCHOOL DISTRICT

1 PROOF OF SERVICE

2 I am employed in the county of Sacramento, state of California. I am over the age of 18 and  
3 not a party to the within action; my business address is 1006 Fourth Street, 8th Floor, Sacramento,  
4 California 95814-3326.

5 On January 28, 2005, I served the foregoing document described as NOTICE OF MOTIONS  
6 IN LIMINE AFFECTED BY PLAINTIFF'S MOST RECENT WITNESS AND EXHIBIT LISTS on  
7 the following interested parties in this action by placing a true copy thereof enclosed in sealed  
8 envelopes addressed as follows:

9  
10 FREDERICK J DENNEHY  
11 WILENTZ GOLDMAN AND SPITZER  
12 90 WOODBRIDGE CENTER DRIVE  
13 WOODBRIDGE NJ 07095

14 KATHERINE L THIVIERGE  
15 ATTORNEY AT LAW  
16 PO BOX 1547  
17 SOUTHGATE MI 48195

18 I caused such envelope with postage thereon fully prepaid to be placed in the United States  
19 mail at Sacramento, California.

20 I declare under penalty of perjury under the laws of the state of California that the above is true  
21 and correct.

22 I declare that I am employed in the office of a member of the bar of this court at whose  
23 direction the service was made.

24 Executed on January 28, 2005, at Sacramento, California.

25 /s/ Angela K. Knight  
26 Angela K. Knight  
27 (Original signature retained by attorney Michelle L. Cannon)

28  
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