

IN THE IOWA DISTRICT COURT FOR WOODBURY COUNTY

BRIAN OEDEKOVEN,

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LAW NO. CVCV170280

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Plaintiff,

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RESPONSE TO MOTION IN
LIMINE

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v.

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FORD MOTOR COMPANY,

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Defendant.

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COMES NOW the Plaintiff and in response to the Motion in Limine, states to the Court as follows:

1. Paragraph 1 is admitted.
2. Paragraph 2 denied. By way of further answer, Plaintiff designated Robert Yockey and Jim Caylor.
3. Paragraph 3 is denied. By way of further answer, as the owner of a specially equipped vehicle he should be allowed to testify as to his expectations and his observations.
4. Paragraph 4 is admitted in part. Neither party should be allowed to call witnesses not previously disclosed. However, depositions were taken in this case. The only witness whose deposition was not taken is Jim Caylor. There were two occasions where his deposition was to be taken. The first deposition was to take place on December 1, 2016. Mr. Caylor did not appear for his deposition after it was determined that the court reporter was not available for the afternoon. The second deposition was to take place on December 22, 2016. Mr. Caylor was sick and could not attend. Plaintiff offered to allow Defendant a skype deposition of Mr. Caylor. Defendant did not schedule a deposition. Mr. Caylor is employed by Sioux City Ford, an authorized dealership of Ford Motor Company. Defendant could talk their expert about his testimony in this case. Plaintiff has been prevented from talking to Mr. Caylor and acquiring his expert opinions.

WHEREFORE, Plaintiff prays the Court overrule Defendant's Motion in Limine.

Dated this 25th day of January, 2017.

RHINEHART LAW, P.C.

By: /s/ R. Scott Rhinehart

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ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their respective addresses disclosed on the pleading on January 25, 2017.

By: ☐ U.S. Mail ☐ Facsimile
☐ Hand delivered ☐ Overnight courier
☒ E-file
☐ Other _____

Signature /s/ Melissa Johnk