

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**JUSTIN CUNNINGHAM,**

**Plaintiff,**

**v.**

**DISTRICT OF COLUMBIA  
SPORTS AND ENTERTAINMENT  
COMMISSION et al.,**

**Defendants.**

**Civil Action No. 03-839  
(RWR/JMF)**

**ORDER**

In accordance with the accompanying Memorandum Opinion, it is, hereby,

**ORDERED** that Plaintiff's Motion to Limine to Preclude Defendants From Referring To, Mentioning, or Admitting Any Evidence that Alleges that Plaintiff has Ever Received a Citation for Underage Possession of Alcohol [#85] is **GRANTED**. It is further, hereby,

**ORDERED** that Plaintiff's Motion in Limine to Preclude Evidence of the Language on the Back of the HFStival Ticket [#98] is **DENIED**. It is further, hereby,

**ORDERED** that plaintiff's Request for Oral Hearing [#99] is **DENIED**. It is further, hereby,

**ORDERED** that Plaintiff's Motion In Limine to Preclude Defendants From Referring to, Mentioning, or Admitting Any Evidence of Fake Identification [#86] is **DENIED**. It is further, hereby,

**ORDERED** that plaintiff's Request for Oral Hearing [#87] is **DENIED**. It is further, hereby,

**ORDERED** that Defendant's Motion for Leave to Redepose Plaintiff [#117] is **DENIED**. It is further, hereby,

**ORDERED** that Defendant, Marshall Bruce Mathers, III and Shady Touring, LLC's Motion to Limine and Incorporated Memorandum of Law to Exclude Evidence and Preclude Plaintiff From Referring to, Mentioning or Admitting Any Evidence of Alleged But Unsubstantiated Crowd Disturbances at the 'Gig on the Green' [#94] is **DENIED**. It is further, hereby,

**ORDERED** that defendants' Motion in Limine to Exclude References to, or Evidence of, Barricade Configurations Used After the 2002 HFStival [#113] is **DENIED**. It is further, hereby,

**ORDERED** that Motion in Limine to Exclude Expert Testimony of Jake Pauls by Defendants SFX Entertainment, Inc. d/b/a Clear Channel Communications, Inc. and Infinity Broadcasting Corporation [#88] is **GRANTED** in part and **DENIED WITHOUT PREJUDICE** in part. It is further, hereby,

**ORDERED** that Defendants SFX Entertainment, Inc. d/b/a Clear Channel Communications, Inc. and Infinity Broadcasting Corporation's Memorandum in Support of Their Motion in Limine to Exclude Testimony of Kathleen Sampeck [#90] is **DENIED WITHOUT PREJUDICE**. It is further, hereby,

**ORDERED** that Motion of Defendant Contemporary Services Corporation for Extension of Time Within Which to File Motion in Limine [#91] is **DENIED** as moot. It is further, hereby,

**ORDERED** that Defendant, Marshall Bruce Mathers, III and Shady Touring, LLC's Motion to Limine and Incorporated Memorandum of Law to Exclude Testimony of Kathy Sempeck [#95] is **DENIED WITHOUT PREJUDICE**. It is further, hereby,

**ORDERED** that Motion in Limine of Defendant Contemporary Services Corporation to Exclude Testimony of Jake Pauls and Kathleen Sampeck [#93] is **GRANTED** in part and **DENIED WITHOUT PREJUDICE** in part. It is further, hereby,

**ORDERED** that Motion in Limine by Defendants SFX Entertainment, Inc. d/b/a Clear Channel Communications, Inc. and Infinity Broadcasting Corporation to Preclude Plaintiff From Mentioning or Admitting Evidence of Alleged but Unsubstantiated Crowd Disturbances at the “Gig on the Green” [#97] is **DENIED**. It is further, hereby,

**ORDERED** that Defendant, Marshall Bruce Mathers, III and Shady Touring, LLC’s Motion in Limine and Incorporated Memorandum of Law to Exclude Testimony of Jake Pauls [#100] is **GRANTED** in part and **DENIED WITHOUT PREJUDICE** in part. It is further, hereby,

**ORDERED** that Defendants, Infinity Broadcasting Corp. and SFX Entertainment d/b/a Clear Channel Communications, Inc.’s Motion in Limine to Exclude and Redact Any References in Plaintiff’s Medical Records or Any Other Records Which State that Plaintiff was Trampled, Fell, Pushed and/or Shoved, Etc., Pursuant to Federal Rule of Evidence 801 [#89] is **GRANTED**. It is further, hereby,

**ORDERED** that Motion in Limine of Defendant Contemporary Services Corporation to Exclude Any Reference in Any Document that References the Plaintiff having been Trampled, Shoved or Pushed [#92] is **GRANTED**. It is further, hereby,

**ORDERED** that Defendant, Marshall Bruce Mathers, III and Shady Touring, LLC’s Motion in Limine and Incorporated Memorandum of Law to Exclude Any Reference in Any Document that References the Plaintiff having been Trampled, Shoved or Pushed [#96] is

**GRANTED.** It is further, hereby,

**ORDERED** that Plaintiff's Motion to Compel Production of Defendant's Surveillance Video [#126/127] is **GRANTED.** It is further, hereby,

**ORDERED** that Defendant, Marshall Bruce Mathers, III and Shady Touring, LLC's Motion in Limine and Incorporated Memorandum Globally Adopting All Outstanding Motions in Limine Filed by their Respective Codefendants [#118] is **GRANTED.** Finally, it is, hereby,

**ORDERED** that Jake Pauls and Kathleen Sampeck be present at the Pretrial Conference scheduled to take place at 10:00 a.m. on Monday, December 5, 2005 before Judge Roberts.

**SO ORDERED.**

Dated:

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JOHN M. FACCIOLA  
UNITED STATES MAGISTRATE JUDGE