

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MAINE

Patricia McBreairty, as Personal Representative of the Estate of
Shawn McBreairty v. Brewer School Department, et al.

No. 1:24-cv-00053-JAW (D. Me. Mar. 20, 2026) · No. 1:24-cv-00053-JAW · Decided March 20, 2026

SUMMARY

The United States District Court for the District of Maine dismissed without prejudice the defendants’ motion in limine seeking to exclude evidence of punitive damages and seeking judgment as a matter of law on the punitive damages claims. The court concluded that the bifurcated trial structure and the absence of specifically identified evidence made a pretrial ruling on admissibility premature, and that a Rule 50 motion was untimely before trial evidence had been presented. The defendants may renew their arguments at the appropriate stage of trial.

CASE DETAILS

COURT	United States District Court for the District of Maine
WRITING FOR THE COURT	John A. Woodcock, Jr.
JURISDICTION	United States District Court for the District of Maine
DECIDED	March 20, 2026
DOCKET	1:24-cv-00053-JAW
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendants moved in limine to exclude evidence of punitive damages and sought judgment as a matter of law on the punitive-damages claims before trial. The court dismissed the motion without prejudice.
STANDARD OF REVIEW	The court applied the relevance and prejudice standards under Federal Rules of Evidence 401-403 and determined that a Rule 50(a) motion for judgment as a matter of law is premature before a party has been fully heard on an issue at trial.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status not stated.

TOPICS

- motion in limine
- damages
- evidence
- civil procedure
- motion for directed verdict

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court should preclude all evidence relating to punitive damages before trial.
2. Whether defendants could obtain judgment as a matter of law on the punitive-damages claims before the presentation of evidence at trial.
3. Whether evidence solely relevant to punitive damages, such as a defendant's wealth, should be admitted during the liability and compensatory-damages phase of a bifurcated trial.

HOLDINGS

1. The motion to exclude all evidence of punitive damages was dismissed without prejudice because defendants did not identify specific testimony or exhibits for exclusion and some evidence could be relevant to both liability and punitive damages.
2. The request for judgment as a matter of law was dismissed without prejudice because a Rule 50(a) motion is premature before the nonmoving party has been fully heard on the issue during a jury trial.
3. The court declined to entertain the request as an early motion to dismiss or summary-judgment motion because such dispositive motions were subject to the scheduling order's deadlines and the request was too late.

KEY QUOTATIONS

“A Rule 50(a) motion is timely made only after “a party has been fully heard on an issue during a jury trial.””

FACTUAL BACKGROUND

Shawn McBreairty alleged that Brewer School Department officials retaliated against him for an article concerning a transgender student's access to a girls' bathroom at Brewer High School. His remaining claims seek damages, including punitive damages, against the defendants. The court planned a bifurcated trial, with liability and compensatory damages tried first and punitive damages tried only if plaintiff prevailed.

PROCEDURAL HISTORY

The case concerns First Amendment retaliation claims under 42 U.S.C. § 1983 and parallel Maine constitutional claims. After the original plaintiff died, his personal representative was substituted. The court dismissed one defendant, granted summary judgment to another, and scheduled a bifurcated trial on the remaining claims. Defendants then filed the motion in limine at issue, which the court dismissed without prejudice because the evidentiary request lacked a sufficiently specific record and the Rule 50 request was premature and untimely.

DISPOSITION

dismissed

CASES CITED

- Shannon v. Sasseville, 684 F. Supp. 2d 169, 172 (D. Me.)
- Hearts with Haiti, Inc. v. Kendrick, 141 F. Supp. 3d 99, 120 (D. Me.)
- Goldenson v. Steffens, No. 2:10-cv-00440-JAW, 2014 U.S. Dist. LEXIS 91672, at *5 (D. Me. July 7, 2014)
- Summers v. Delta Air Lines, Inc., 508 F.3d 923, 928-30 (9th Cir.)
- Jaasma v. Shell Oil Co., 412 F.3d 501, 506 n.4 (3d Cir.)
- Echeverria v. Chevron USA Inc., 391 F.3d 607 (5th Cir.)

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