

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
INDIANA

Williams v. Tulino

Williams · No. 1:22-cv-02267-JPH-CSW · Decided January 20, 2026

SUMMARY

The United States District Court for the Southern District of Indiana ruled on the Defendant's motions in limine in a remanded employment-discrimination action involving an alleged racially hostile work environment at the Carmel Post Office. The court granted motions excluding evidence concerning dismissed claims, prior bad acts of Postal Service employees, inadmissible hearsay, and an undisclosed audio recording. The court overruled the plaintiff's general objection to the motions in limine.

CASE DETAILS

COURT	United States District Court for the Southern District of Indiana
WRITING FOR THE COURT	James Patrick Hanlon
JURISDICTION	United States District Court for the Southern District of Indiana
DECIDED	January 20, 2026
DOCKET	1:22-cv-02267-JPH-CSW
DISPOSITION	other
PROCEDURAL POSTURE	Order resolving the defendant's four motions in limine after remand of the plaintiff's racially hostile work environment claim.
STANDARD OF REVIEW	Motions in limine are reviewed under the court's broad discretion in ruling on evidentiary questions; such rulings are preliminary and may be changed as the trial unfolds.
PRECEDENTIAL VALUE	unpublished
PARTIES	Baseemah Williams v. Douglas Tulino, Acting Postmaster General

TOPICS

- [motion in limine](#) [hearsay](#) [character evidence](#) [relevance](#) [evidence](#)

PRACTICE AREAS

- [evidence](#) [civil procedure](#) [employment law](#) [civil rights](#) [federal employment law](#)

QUESTIONS PRESENTED

1. Whether evidence relating to Williams's claims that had been dismissed and affirmed on appeal was relevant and admissible in the remaining hostile work environment trial.
2. Whether evidence of other complaints, lawsuits, discipline, arrests, convictions, or other bad acts by Postal Service witnesses was admissible to show that they acted in accordance with a purported character or propensity.
3. Whether handwritten statements and other out-of-court statements by Postal Service employees were admissible when offered to prove the truth of the matters asserted.
4. Whether an audio recording and its contents, not produced during discovery, should be excluded under Federal Rule of Evidence 403.

HOLDINGS

1. Evidence concerning Williams's dismissed age discrimination, retaliation, wrongful termination, and assault claims was irrelevant to the sole claim remaining on remand and was inadmissible, subject to a possible later showing that a specific fact was probative of the hostile work environment claim.
2. Evidence of other bad acts by Postal Service employees was excluded when offered to show that the witnesses had a character or propensity to act in a racially hostile manner.
3. The Postal Service employees' handwritten statements and other out-of-court statements were excluded when offered to prove the truth of the matters asserted because they constituted hearsay and no applicable exception had been shown.
4. The alleged audio recording and references to it were excluded under Rule 403 because its diminished probative value was substantially outweighed by the dangers of confusing the issues, causing undue delay, wasting time, and creating a mini-trial.

KEY QUOTATIONS

“Motions in limine are designed to “streamline trials and settle evidentiary disputes in advance, so that trials are not interrupted mid-course for the consideration of lengthy and complex evidentiary issues.”” (section II)

“Still, orders in limine are preliminary and “subject to change when the case unfolds” because actual testimony may differ from a pretrial proffer.” (section II)

“Under Federal Rule of Evidence 404(b)(1), “[e]vidence of a crime, wrong, or other act is not admissible to prove a person’s character in order to show that on a particular occasion the person acted in accordance with the character.”” (section II.2)

“However, any probative value of the evidence is diminished by the fact that Ms. Williams, Julia Dunn, and Lisa Dalton can testify at trial as to the statements made during the conversation.” (section II.4)

FACTUAL BACKGROUND

Williams, a former U.S. Postal Service employee, pursued a remaining claim that the Postal Service created a racially hostile work environment at the Carmel Post Office. The defendant sought to exclude evidence

concerning dismissed claims, other alleged misconduct by Postal Service witnesses, out-of-court statements, and an audio recording not produced during discovery. The court found the proposed evidence either irrelevant, impermissible propensity evidence, hearsay, or substantially outweighed by risks of confusion, delay, and a mini-trial.

PROCEDURAL HISTORY

Williams sued the Postmaster General for assault, retaliatory discharge, wrongful termination, and race- and age-based hostile work environment harassment. The district court entered summary judgment for the defendant on all claims. The Seventh Circuit affirmed except as to the claim that the Postal Service created a racially hostile work environment at the Carmel Post Office, vacated that portion of the judgment, and remanded. On remand, the district court granted the defendant's motions in limine and overruled Williams's objection.

DISPOSITION

other

REMAND INSTRUCTIONS

Williams may seek to introduce otherwise excluded evidence by raising a specific issue outside the jury's presence, during a break or at sidebar. The parties may introduce testimony based on personal knowledge concerning observations, conversations, and occurrences during the meeting, but may not reference the excluded audio recording.

CASES CITED

- United States v. Tokash, 282 F.3d 962, 968 (7th Cir. 2002)
- Jenkins v. Chrysler Motors Corp., 316 F.3d 663, 664 (7th Cir. 2003)
- Luce v. United States, 469 U.S. 38, 41 (1984)
- Ohler v. United States, 529 U.S. 753, 758 n.3 (2000)
- Barnes v. General Motors LLC, 2023 WL 3436098, No. 4:20-cr-00087-TWP-KMB (S.D. Ind. May 12, 2023)
- United States v. Gomez, 763 F.3d 845, 860 (7th Cir. 2014) (en banc)
- Manuel v. City of Chicago, 335 F.3d 592, 597 (7th Cir. 2003)
- United States v. Wehrle, 985 F.3d 549, 555 (7th Cir. 2021)
- Schindler v. Seiler, 474 F.3d 1008, 1011 (7th Cir. 2007)
- Henderson v. Wilkie, 966 F.3d 530, 538 (7th Cir. 2020)

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF INDIANA INDIANAPOLIS
DIVISION BASEEMAH WILLIAMS,)) Plaintiff,)) v.) No. 1:22-cv-02267-JPH-CSW)
DOUGLAS TULINO Acting Postmaster) General,)) Defendant.) ORDER ON MOTIONS IN
LIMINE Plaintiff Baseemah Williams, a former employee of the U.S. Postal Service, sued the

Postmaster General for assault, retaliatory discharge, wrongful termination, and for hostile environment harassment based on her race and age.

The Court entered summary judgment for the Defendant on all claims and Ms. Williams appealed. Dkt. 122. The Seventh Circuit affirmed the Court's summary judgment order except for Ms. Williams' claim that she was subjected to a racially hostile work environment at the Carmel Post Office, which the Court vacated and remanded. Dkt. 138 (USCA Mandate).

The Defendant has filed four Motions in Limine, dkt. 159, and Plaintiff filed an objection, dkt. 164. Motions in limine are designed to "streamline trials and settle evidentiary disputes in advance, so that trials are not interrupted mid-course for the consideration of lengthy and complex evidentiary issues." *United States v. Tokash*, 282 F.3d 962, 968 (7th Cir.

2002). Courts "have broad discretion in ruling on evidentiary questions during trial or before on motions in limine." *Jenkins v. Chrysler Motors Corp.*, 316 F.3d 663, 664 (7th Cir. 2002). Still, orders in limine are preliminary and "subject to change when the case unfolds" because actual testimony may differ from a pretrial proffer. *Luce v. United States*, 469 U.S. 38, 41 (1984).

A trial judge does not bind himself by ruling on a motion in limine and "may always change his mind during the course of a trial." *Ohler v. United States*, 529 U.S. 753, 758 n.3 (2000). I. Ms. Williams's objection to the Motions in Limine Ms. Williams did not respond to the specific evidentiary issues raised in Defendant's motions, but instead filed an objection, arguing that "[p]utting stipulations on what I can and can't say is taking away my freedom of speech."

Dkt. 164 at 1. The Court has a duty to ensure that only evidence with probative value to the issue presented in the case is admitted and presented to the jury. As such, pursuant to its inherent authority, the Federal Rules of Evidence, and Federal Rules of Civil Procedure, the Court may rule that certain evidence and arguments are inadmissible.

Therefore, to the extent that Ms. Williams's response is an objection to Defendant's Motion in Limine, that objection is OVERRULED. II. Defendant's Motions in Limine 1. Evidence regarding Ms. Williams's dismissed claims Defendant seeks to exclude evidence "regarding claims that have been dismissed, and which dismissal was affirmed on appeal." Dkt. 160 at 3.

This includes Ms. Williams' claims that she was: (1) discriminated against because of her age; (2) terminated for retaliatory reasons; (3) wrongfully terminated; and (4) assaulted by another employee. See dkt. 138 at 4–5 (USCA Mandate).

The Seventh Circuit made clear that only one claim remained to be resolved on remand: "that the Postal Service created a racially hostile work environment at Carmel." *Id.* at 5. Evidence related to dismissed claims are not relevant and therefore is inadmissible. See Fed. R. Evid. 401; Fed. R.

Evid. 402; *Barnes v. General Motors LLC*, 2023 WL 3436098, No. 4:20-cr-00087-TWP-KMB (S.D.

Ind. May 12, 2023). Defendant's motion is therefore GRANTED. Ms. Williams is prohibited from (i) introducing evidence related to her dismissed claims; and (ii) referencing those dismissed claims through argument and/or questions. While it's conceivably possible that one or more specific facts related to a dismissed claim could be probative to some aspect of Ms. Williams's racial hostile work environment claim, Ms. Williams has not made such showing.

If during trial Ms. Williams has a good faith reason to believe that some evidence related to the dismissed claims is probative to the jury's resolution of the hostile work environment claim, she must raise the issue outside of the jury's presence during a break or by asking for a sidebar. 2. Evidence regarding the prior conduct of or other allegations against the Postal Service workers Next, Defendant seeks to exclude evidence of Postal Service Witnesses' "conduct before or after the events at issue in the Complaint."

Id. at 4. This includes "complaints made against the witnesses by other employees, other lawsuits filed by other former or current Postal Service employees, any employment discipline previously imposed on the witnesses, and any prior arrests or convictions of the witnesses." Dkt. 160 at 4. At the final pretrial conference, Ms. Williams stated that she may wish to introduce evidence related to prior cases filed against the Defendant's witnesses to show that the Defendant's witnesses acted in a racially hostile manner in the past and that they have the characteristics of acting in that manner.

Under Federal Rule of Evidence 404(b)(1), "[e]vidence of a crime, wrong, or other act is not admissible to prove a person's character in order to show that on a particular occasion the person acted in accordance with the character." But the evidence may be admitted "for another purpose, such as proving motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, or lack of accident." Fed.

R. Evid. 404(b)(2). Here, Ms. Williams wants to introduce evidence of Postal Service employees' other bad acts for the very purpose that is prohibited: "the person's character or propensity to behave a certain way." *United States v. Gomez*, 763 F.3d 845, 860 (7th Cir. 2014) (en banc) (explaining that the relevance of 404(b) evidence to another purpose must be established through a chain of reasoning that does not rely on the forbidden inference that the person has a certain character and acted in accordance with that character on the occasion charged in the case.).

Defendant's motion in limine is therefore GRANTED. Ms. Williams is prohibited from: (i) introducing evidence of Postal Service employees' other "bad acts"; and (ii) referencing those acts through argument and/or questions. If during trial Ms. Williams has a good faith reason to believe that such evidence is admissible for a purpose permitted under Fed. R. Evid.

404(b)(2), she may raise that issue with the Court outside the presence of the jury. See *Manuel v. City of Chicago*, 335 F.3d 592, 597 (7th Cir. 2003) ("Other-acts evidence may be relevant and admissible in a discrimination case to prove, for example, intent or pretext."). 3. Evidence of out of court statements Third, Defendant seeks to exclude the introduction of "statements, correspondence, and declarations purporting to be from other Postal Service employees... [and] hand-written statements [Ms.

Williams] created purporting to include statements from other employees or recounting her recollections of events." Dkt. 160 at 5–6. At the conference, Ms. Williams stated that she may introduce handwritten statements relating to the facts of the case and attesting to her character. Hearsay is "a statement that: (1) the declarant does not make while testifying at the current trial or hearing; and (2) a party offers in evidence to prove the truth of the matter asserted in the statement."

Fed. R. Evid. 801(c). "Hearsay evidence is generally inadmissible unless an exception applies." *United States v. Wehrle*, 985 F.3d 549, 555 (7th Cir. 2021). Here, the Postal Service employees' handwritten statements are inadmissible hearsay because they were produced outside of court, and Ms. Williams's purpose for offering them into evidence is to prove the truth of the matter contained within the statements—her character and the facts of the case.

Fed. R. Evid. 801(c). Further, the statements do not appear to fall into the exceptions of "present sense impressions," Fed. R. Evid. 803(1) or "then- existing mental, emotional, or physical condition," Fed. R. Evid. 803(3). See *Schindler v. Seiler*, 474 F.3d 1008, 1011 (7th Cir. 2007) (explaining that to be a present-sense impression "the statement must have been made while the speaker was perceiving the event or condition, or immediately thereafter"); Fed.

R. Evid. 803(3) (stating that statements "of memory or belief to prove the fact remembered or believed" are not statements of the declarant's "then-existing state of mind"). Defendant's motion in limine is therefore GRANTED. Ms. Williams is prohibited from introducing evidence of out of court statements to prove the truth of the matter asserted in the statements.

If at trial Ms. Williams has a good faith reason to believe that a statement is admissible because of an exception to the hearsay rules, she may raise that issue with the Court outside of the presence of the jury. 4. Evidence not produced during discovery Last, Defendant seeks to exclude evidence that was not produced in discovery by Plaintiff. Dkt. 160 at 7–8.

Specifically, Defendant seeks to exclude evidence relating to an alleged audio recording of a conversation from a meeting between Ms. Williams and the Postal Service witnesses, Julia Dunn and Lisa Dalton. *Id.* at 8. Although requested by Defendants during discovery, Ms. Williams did not produce the recording because she was unable to locate the cellphone the conversation was recorded on.

Id. Under Federal Rule Evidence 403, "the court may exclude relevant evidence if its probative value is substantially outweighed by the danger of one or more of the following: unfair prejudice, confusing the issues, misleading the jury, undue delay, wasting time, or needlessly presenting cumulative evidence."

Here, evidence of the recording and its content would have some probative value as evidence of what was said in the conversation between Ms. Williams and the Postal Service witnesses. However, any probative value of the evidence is diminished by the fact that Ms. Williams, Julia Dunn, and Lisa Dalton can testify at trial as to the statements made during the conversation.

Further, evidence of the recording's contents could invite the danger of a mini trial as to whether the recording exists, why it was not produced, and its contents which would lead to confusion of the issues, undue delay, and waste of time. See Fed. R. Evid. 403; *Henderson v. Wilkie*, 966 F.3d 530, 538 (7th Cir. 2020) (District Courts are "on solid ground" in excluding confusing evidence based on concerns that it would create "a trial within a trial.").

Defendant's motion is therefore GRANTED. Ms. Williams may not reference the audio recording during argument or questioning at trial. Similarly, the Defendant is to ensure that the Postal Service witnesses do not reference the recording.

However, the parties are permitted to introduce testimony pertaining to their personal knowledge about observations, conversations, and occurrences during the meeting. III. Conclusion Defendant's Motion in Limine is GRANTED. Dkt.

[159]. To the extent that Ms. William's response to Defendant's motion was an objection, that objection is OVERRULED. Dkt. [164]. SO ORDERED. Date: 1/20/2026 Sjamnu Patnaik Hanbore James Patrick Hanlon United States District Judge Southern District of Indiana Distribution: BASEEMAH WILLIAMS 526 North Ave East Apt. #101 Westfield, NJ 07090 All electronically registered counsel.