

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Longina Perez Monroy et al. v. County of Riverside et al.

Perez Monroy v. County of Riverside · No. 5:21-cv-1278-MEMF-KK · Decided November 21, 2025

SUMMARY

This order resolves eight motions in limine in a civil rights and wrongful-death action arising from the fatal shooting of Plaintiffs’ son by a Riverside County Sheriff’s Department corporal. The court partially denies or denies Defendants’ motions concerning expert testimony and prior acts, grants bifurcation of punitive damages, and grants or partially grants Plaintiffs’ motions concerning evidence of the decedent and the defendant officer. The court also invites the parties to stipulate to a limited presentation concerning the decedent’s prior bad acts and mental illness.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Maame Ewusi-Mensah Frimpong
JURISDICTION	United States District Court for the Central District of California
DECIDED	November 21, 2025
DOCKET	5:21-cv-1278-MEMF-KK
DISPOSITION	other
PROCEDURAL POSTURE	Order resolving four motions in limine filed by Plaintiffs and four motions in limine filed by Defendants in a civil-rights and tort action arising from a fatal police shooting.
STANDARD OF REVIEW	Motions in limine are resolved under the court's discretion and inherent authority to manage trials. Relevance is assessed under Federal Rules of Evidence 401 and 402; relevant evidence may be excluded under Rule 403 when its probative value is substantially outweighed by specified dangers. Expert-evidence rulings are reviewed through the requirements of Federal Rule of Evidence 702, with speculative or foundational objections generally bearing on weight rather than admissibility when the expert is qualified and the opinion has an adequate basis.
PRECEDENTIAL VALUE	unknown

TOPICS

motion in limine

evidence

relevance

expert testimony

civil rights

PRACTICE AREAS

evidence

civil rights

police misconduct

civil procedure

QUESTIONS PRESENTED

1. Whether testimony from proposed expert Roger Clark should be excluded because of alleged misconduct, lack of qualifications, insufficient foundation, factual errors, bias, or improper legal conclusions.
2. Whether testimony from proposed expert John Gardiner and certain autopsy photographs should be excluded for lack of expertise, insufficient evidentiary support, unreliable methodology, or undue prejudice.
3. Whether evidence of the decedent's prior arrests, prior custody under Welfare and Institutions Code section 5150, prior interactions with law enforcement, mental illness, and other alleged bad acts should be admitted.
4. Whether the trial should be bifurcated into a liability and compensatory-damages phase and a punitive-damages-calculation phase.
5. Whether the decedent's personal effects, toxicology report, and evidence suggesting drug or alcohol use should be excluded as irrelevant or unfairly prejudicial.
6. Whether evidence of Corporal Perez's awards, accolades, commendations, bloody clothing, hospital stay, and workers' compensation leave should be excluded under Rules 401, 402, and 403.
7. Whether testimony from proposed expert Swathi Kode should be excluded as cumulative of another defense expert's scene-reconstruction testimony.

HOLDINGS

1. The motion to exclude Roger Clark's testimony was denied in part. Clark was sufficiently qualified to testify regarding police practices, and objections concerning factual disagreement, bias, weight, or reliance on properly framed hypotheticals did not warrant wholesale exclusion. His opinion that transporting the corporal was improper was excluded because he had not disclosed the basis for that opinion.
2. The motion to exclude John Gardiner's testimony and the challenged autopsy photographs was denied. Gardiner had appropriate credentials, and the objections principally concerned factual disagreement, bias, and weight. The photographs were sufficiently probative and not unduly prejudicial given their limited number and the expected coroner testimony.

3. Evidence of the decedent's prior arrests, section 5150 custody, prior interactions with law enforcement, and much of the evidence concerning his mental illness was excluded, subject to a possible stipulation for a limited presentation. The decedent's subjective intent, motive, or plan was generally irrelevant to the claims except to the extent known to the officer, and the evidence's limited probative value was substantially outweighed by prejudice and the risk of jury speculation.
4. The motion to bifurcate the trial was granted as unopposed. The trial will proceed in two phases: first, liability, compensatory-damages calculation, and the factual foundation for any punitive-damages award; second, calculation of punitive damages, if any.
5. The motion to exclude the decedent's personal effects, toxicology report, and evidence concerning another screwdriver was granted. The evidence was irrelevant because it was unknown to the officer, and any limited probative value was substantially outweighed by prejudice and the risk of speculation; percipient witnesses may nevertheless describe what they observed.
6. The motion to exclude Perez's awards, accolades, and commendations was granted in part because that evidence was irrelevant and unduly prejudicial. Evidence of injuries Perez sustained, photographs of those injuries, and limited evidence of his workers' compensation leave and lighter duty were permitted because their probative value was not substantially outweighed by prejudice.
7. The motion to exclude Swathi Kode's scene-reconstruction testimony was denied. Defendants could call multiple experts, and the anticipated testimony did not appear likely to consume an undue amount of time or trigger Rule 403's prohibition on cumulative or time-wasting evidence.

KEY QUOTATIONS

“A motion in limine is “a procedural mechanism to limit in advance testimony or evidence in a particular area.”” (at 2)

“A court has the power to grant such motions pursuant to its “inherent authority to manage trials,” even though such rulings are not explicitly authorized by the Federal Rules of Evidence.” (at 2)

“The decedent’s prior bad acts as well as his motive or plan—except to the extent that it was known to the officer—is irrelevant to the elements of the claim.” (at 7)

“To be clear, Monroy’s subjective “intent” is largely irrelevant to the claims at issue.” (at 8)

FACTUAL BACKGROUND

On August 7, 2020, Riverside County Sheriff's Department Corporal Ruben Perez fatally shot Plaintiffs' son. Plaintiffs contend that Perez used excessive and unreasonable deadly force and acted negligently. The action includes federal civil-rights claims and related state-law claims concerning the shooting, damages, and municipal liability.

PROCEDURAL HISTORY

Plaintiffs filed a First Amended Complaint asserting federal civil-rights claims and state-law claims, including unreasonable search and seizure, deprivation of life without due process, municipal liability, interference with the parent-child relationship, wrongful death, assault and battery, negligence, and violation of the Bane Civil

Rights Act. The parties filed competing motions in limine on September 17, 2025, briefed the motions on October 22, 2025, and the Court issued this order ruling on each motion.

DISPOSITION

other

CASES CITED

- United States v. Heller, 551 F.3d 1108, 1111 (9th Cir. 2009)
- Luce v. United States, 469 U.S. 38, 40 n.2 (1984)
- Luce v. United States, 469 U.S. 38, 41 n.4 (1984)
- Luce v. United States, 469 U.S. 38, 41-42 (1984)
- Crawford v. City of Bakersfield, 944 F.3d 1070, 1077 (9th Cir. 2019)
- Sprint/United Management Co. v. Mendelsohn, 552 U.S. 379, 384 (2008)
- Hardeman v. Monsanto Co., 997 F.3d 941, 967 (9th Cir. 2021), cert. denied, 142 S. Ct. 2834 (2022)
- United States v. Alonso, 48 F.3d 1536, 1540 (9th Cir. 1995)
- Elosu v. Middlefork Ranch Inc., 26 F.4th 1017, 1025 (9th Cir. 2022)
- Primiano v. Cook, 598 F.3d 558, 567 (9th Cir. 2010)

OPINION

1 O 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 CENTRAL DISTRICT OF
CALIFORNIA 9 Case No.: 5:21-cv-1278-MEMF-KK 10 LONGINA PEREZ MONROY et al., 11
Plaintiffs, ORDER ON MOTIONS IN LIMINE [DKT. NOS. 102, 103, 104, 105, 106, 107, 108,
113] 12 v. 13 COUNTY OF RIVERSIDE et al., 14 Defendants. 15 16 17 18 19 20 Before the
Court are four (4) Motions in Limine filed by Plaintiffs (Dkt.

Nos. 105, 106, 107, 21 108) and four (4) Motions in Limine filed by Defendants (Dkt. Nos. 102,
103, 104, 113). For the 22 reasons stated herein, the Court rules on the motions as described
below. 23 24 I. Background 25 A. Factual Background 26 On August 7, 2020, Plaintiffs’ son was
fatally shot by Riverside County Sheriff 27 Department’s Corporal Ruben Perez.

Plaintiffs contend that Perez used excessive and unreasonable 28 1 deadly force and was negligent
when he shot decedent. Plaintiffs subsequently filed suit against 2 Defendants for civil rights
violations. 3 B. Procedural History 4 Plaintiffs filed their First Amended Complaint in this Court
on November 21, 2021. Dkt. No. 5 28 (“FAC.”).

The FAC alleges civil rights violations against Defendants. The causes of action set 6 forth in the
FAC are: (1) unreasonable search and seizure; (2) deprivation of life without due 7 process; (3)
municipal liability for unconstitutional custom, practice or policy; (4) interference with 8 parent-

child relationship; (5) wrongful death; (6) assault and battery; (7) negligence; and (8) 9 violation of Bane Civil Rights Act.

Id. 10 Defendants filed their Motions in Limine on September 17, 2025 (Dkt. Nos. 102, 103, 104, 11 113). Plaintiffs also filed their Motions in Limine on September 17, 2025 (Dkt. Nos. 105, 106, 107, 12 108). 13 On October 22, 2025, Plaintiffs filed their oppositions to Defendants' Motions in Limine no. 14 1-3. Dkt. Nos. 119, 120, 121. Plaintiffs also filed a non-opposition to Defendants' Motion in Limine 15 no. 4.

Dkt. No. 122. Defendants filed oppositions to Plaintiffs' Motions in Limine on October 22, 16 2025. Dkt. Nos. 129, 130, 131, 132. 17 II. Applicable Law 18 A. Motions in Limine 19 A motion in limine is "a procedural mechanism to limit in advance testimony or evidence in 20 a particular area." *United States v. Heller*, 551 F.3d 1108, 1111 (9th Cir. 2009). A party files a 21 motion in limine to exclude anticipated prejudicial evidence before the evidence is introduced at 22 trial.

See *Luce v. United States*, 469 U.S. 38, 40 n.2 (1984). A court has the power to grant such 23 motions pursuant to its "inherent authority to manage trials," even though such rulings are not 24 explicitly authorized by the Federal Rules of Evidence. *Id.* at 41 n.4 (citation omitted). Regardless of 25 a court's initial decision on a motion in limine, it may revisit the issue at trial.

Id. at 41–42 ("[E]ven 26 if nothing unexpected happens at trial, the district judge is free, in the exercise of sound judicial 27 discretion, to alter a previous in limine ruling."). 28 1 B. Federal Rules of Evidence 401 and 402 2 Federal Rule of Evidence 402 explicitly prohibits the inclusion of "irrelevant" evidence. Fed. 3 R. Evid. 402.

The Rule dictates that "[r]elevant evidence is admissible unless any of the following 4 provides other: the United States Constitution; a federal statute; these rules; or other rules prescribed 5 by the Supreme Court. Irrelevant evidence is not admissible." Fed. R. Evid. 402. 6 Federal Rule of Evidence 401 prescribes what evidence qualifies as relevant. Fed.

R. Evid. 7 401. It provides that evidence is relevant if: "(a) it has any tendency to make a fact more or less 8 probable than it would be without the evidence; and (b) the fact is of consequence in determining the 9 action." *Id.* 401(a)–(b); see also *Crawford v. City of Bakersfield*, 944 F.3d 1070, 1077 (9th Cir. 10 2019) ("Deciding whether a fact is of consequence in determining the action generally requires 11 considering the substantive issues the case presents." (internal quotation marks omitted)).

Courts 12 have recognized that Rule 401's "basic standard of relevance... is a liberal one." *Crawford*, 944 13 F.3d at 1077. 14 C. Federal Rule of Evidence 403 15 Federal Rule of Evidence 403 dictates that "[t]he court may exclude relevant evidence if its 16 probative value is substantially outweighed by a danger of one or more of the following: unfair 17 prejudice,

confusing the issues, misleading the jury, undue delay, wasting time, or needlessly presenting cumulative evidence.” Fed.

R. Evid. 403. District courts have broad discretion in assessing admissibility under Rule 403. *Sprint/United Mgmt. Co. v. Mendelsohn*, 552 US 379, 384 20 (2008) (finding “wide discretion” necessary because Rule 403 “requires an on-the-spot balancing of probative value and prejudice, potentially to exclude... evidence that already has been found to be factually relevant”) (internal quotes omitted); see also *Hardeman v. Monsanto Co.*, 997 F.3d 941, 23 967 (9th Cir.

2021), cert. denied, 142 S. Ct. 2834 (2022) (“A district court’s Rule 403 determination is subject to great deference, because the considerations arising under Rule 403 are susceptible only to case-by-case determinations, requiring examination of the surrounding facts, circumstances, and issues.”). 27 28 1 D. Federal Rules of Evidence 404 2 Federal Rule of Evidence 404 states that “[e]vidence of a person’s character or character trait is not admissible to prove that on a particular occasion the person acted in accordance with the character or trait.” Fed.

R. Evid. 404(a). Further, evidence of “any other crime, wrong, or 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.” Fed. R. Evid. 404(b)(1). Such evidence may be used for other purposes, including to prove “motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, or lack of accident.” Fed.

R. Evid. 404(b)(2). 9 E. Federal Rules of Evidence 702 10 The personal knowledge requirement for lay witnesses does not apply to expert testimony. 11 Fed. R. Evid. 602. Federal Rule of Evidence 702 allows a witness to testify as an expert “[i]f scientific, technical, or other specialized knowledge will assist the trier of fact to understand the evidence or to determine a fact in issue.” *United States v. Alonso*, 48 F.3d 1536, 1540 (9th Cir.

14 1995) (quoting Fed. R. Evid. 702). While Courts may reject wholly speculative or unfounded testimony, it abuses its discretion if it overlooks relevant data submitted as the foundation of an expert’s remarks.” *Elosu v. Middlefork Ranch Inc.*, 26 F.4th 1017, 1025 (9th Cir. 2022). Experts may express opinions without published support if they provide an explanation of why such publications are unavailable.

Primiano v. Cook, 598 F.3d 558, 567 (9th Cir. 2010). This concern regarding speculation speaks to weight, not reliability. *Elosu*, 26 F.4th at 1025. 20 F. Federal Rules of Evidence 704 21 Federal Rule of Evidence 704(a) states an “opinion is not objectionable because it embraces an ultimate issue.” Fed. R. Evid. 704(a).

As such, FRE 704(a) allows opinion testimony that includes ultimate issues. FRE 704(b) is an exception to FRE 704(a) as it provides that an expert witness “must not state an opinion about

whether the defendant did or did not have a mental state or 25 condition that constitutes an element of the crime charged or of a defense.” Fed. R. Evid. 704(b) 26 G. Federal Rule of Civil Procedure 42 27 Under Federal Rule of Civil Procedure 42(b), the court may order a separate trial of one or 28 more separate issues, claims, crossclaims, counterclaims, or third-party claims for convenience, to 1 avoid prejudice, or to expedite and economize.

When ordering a separate trial, the court must 2 preserve any federal right to a jury trial. Fed. R. Civ. P. 42(b). 3 III. Discussion 4 Defendant moves to exclude at trial: (1) testimony from Roger Clark; and (2) testimony from 5 John Gardiner. Dkt. Nos. 102, 104. Defendants further move to admit evidence of decedent’s prior 6 bad acts. Dkt. No. 103. Defendants Motion in Limine no. 4 moves to bifurcate trial into two phases.

7 Dkt. No. 113. 8 Plaintiff moves to exclude at trial: (1) decedent’s personal effects and a toxicology report; (2) 9 decedent’s prior interaction with law enforcement; (3) photographs of Perez’s bloody clothes and 10 hospital stay, awards, accolades, commendations, and workers’ compensation leave; and (4) 11 testimony from Swathi Kode. Dkt. Nos. 105, 106, 107, 108.

12 The Court’s rulings are set forth below. The parties are ORDERED to advise their witnesses 13 of these rulings. Should a witness be required to refer to excluded material in order to answer a 14 question truthfully, the witness should indicate that a sidebar is needed and should not refer to the 15 excluded material in the presence of the jury. 16 A. Defendants’ Motion in Limine No. 1 (Dkt.

No. 102) is DENIED IN PART. 17 Defendants move to exclude testimony from Roger Clark on the basis that Clark has 18 repeatedly engaged in misconduct as an expert witness in federal and state California courts. 19 Defendants also claim that Clark is unqualified to testify on certain matters due to a lack of expertise 20 or that such matters are for the jury to determine.

21 Upon consideration of the parties’ moving briefs, the Court DENIES the Motion IN PART. 22 For the most part, the Court finds that the witness offered is a designated expert with appropriate 23 credentials. Defendants’ arguments go towards factual disagreement, bias, and weight, but not his 24 actual qualifications or an absence of the basis for opinions.

25 First, Defendants point to no authority suggesting that this Court can exclude an expert under 26 the Rules of Evidence because the expert has engaged in misconduct. 27 Second, Clark has sufficient expertise in police practices, his statements regarding mental 28 illness merely rely on this Court’s findings of fact, and his statements regarding reconstruction 1 merely rely on the conclusions of another expert.

Should the other expert’s testimony on these 2 matters be admitted, Clark may draw his own conclusions based upon appropriately worded 3 hypotheticals. 4 Third, it appears Clark has not stated the basis of his opinion that transport of the Corporal 5 was improper. This opinion will therefore be excluded.

The fact that there is support for this 6 opinion elsewhere in the record is of no moment as the Defense was entitled to have Clark's 7 opinions and their basis properly disclosed. 8 Fourth, the Defense arguments as to the errors in Clark's opinions merely go towards factual 9 disagreement, bias, and weight, but not his actual qualifications or an absence of the basis for 10 opinions.

11 Finally, Defendants argue that Clark's opinions are inadmissible legal conclusions or 12 credibility determinations, but do not cite to those purported opinions, preventing this Court from 13 ruling on this objection. Plaintiffs shall be mindful that Clark does not testify to any opinions that 14 invade the province of the jury. 15 B. Defendants' Motion in Limine No. 2 (Dkt.

No. 104) is DENIED. 16 Defendants move to exclude testimony from John Gardiner on the basis that Gardiner lacks 17 expertise regarding officer-involved shooting reconstruction and his opinions lack evidentiary 18 support as well as reliable methodology. They also seek to exclude certain autopsy photos as more 19 prejudicial than probative. 20 Upon consideration of the parties' moving briefs, the Court DENIES the Motion.

The Court 21 finds that the witness offered is a designated expert with appropriate credentials. Defendants' 22 arguments go towards factual disagreement, bias, and weight, but not his actual qualifications or an 23 absence of the basis for opinions.

In addition, it appears that given the nature of Gardiner's 24 testimony, it is fair for the jury to see the autopsy photos, particularly since the Coroner will also 25 presumably testifying to the matters depicted. It also appears that the number of photos at issue is 26 relatively small and therefore not more prejudicial than probative.

As discussed at the Final Pretrial 27 Conference, the expert report itself is likely inadmissible hearsay. 28 1 C. Defendants' Motion in Limine No. 3 (Dkt. No. 103) is DENIED. 2 Defendants move to admit evidence of decedent's prior bad acts.

In particular, Defendants 3 wish to admit decedent's two prior arrests and an incident where decedent was taken into custody 4 under Welfare and Institutions Code section 5150. Defendants assert that these prior bad acts are 5 admissible proof of decedent's motive, intent, or plan and is relevant to Plaintiffs' claims for 6 damages. 7 Upon consideration of the parties' moving briefs, the Court DENIES the Motion.

The 8 decedent's prior bad acts as well as his motive or plan—except to the extent that it was known to the 9 officer—is irrelevant to the elements of the claim. Furthermore, his prior bad acts are irrelevant to 10 the damages claim and Defendants have not explained how they are relevant, given the absence of 11 evidence that these acts impacted the decedent's relationship with his family members.

Finally, any limited probative value that this evidence has is far outweighed by the prejudice as it would suggest to the jury that the officer's actions could be justified by the decedent's history, it would invite the jury to speculate as to the state of mind of the decedent even though that was unknown to the officer, and would distract from the elements of the claim and damages request.

To be clear, Monroy's subjective "intent" is largely irrelevant to the claims at issue. This would also exclude much of the evidence concerning Monroy's mental illness. The parties are invited to meet and confer and reach a stipulation regarding a limited presentation on these two issues—Monroy's prior bad acts and Monroy's mental illness. Otherwise, both will remain excluded.

D. Defendants' Motion in Limine No. 4 (Dkt. No. 113) is GRANTED. Defendant moves to bifurcate the trial into two phases: (1) liability, compensatory damages calculation, and factual foundation/predicate for punitive damages award; and (2) punitive damages calculation (if any). Plaintiffs do not oppose this request. Upon consideration of the parties' moving briefs, the Court GRANTS the Motion as UNOPPOSED.

1 E. Plaintiffs' Motion in Limine No. 1 (Dkt. No. 105) is GRANTED. Plaintiffs' move to exclude reference to decedent's personal effects found at the time of the incident and the toxicology report. Plaintiffs argue that decedent's personal effects may cause an inference that decedent was under the influence of drugs or alcohol. Plaintiffs contend that such inferences are unsupported by evidence and irrelevant to whether excessive force was used.

Also, Plaintiffs claim that the toxicology report would be prejudicial as it could paint decedent in an unsavory light. Similarly, that Monroy may have had another screwdriver on him is also irrelevant as it was unknown to the officer and as discussed above, Monroy's subjective "intent" is irrelevant. Upon consideration of the parties' moving briefs, the Court GRANTS the Motion.

The evidence at issue is irrelevant as it was unknown to the officer, just as were the decedent's prior bad acts. Any limited probative value that this evidence has is far outweighed by the prejudice as it would suggest to the jury that the officer's actions could be justified by the decedent's use of drugs or alcohol, it would invite the jury to speculate as to the state of mind of the decedent even though that was unknown to the officer, and would distract from the elements of the claim and damages request.

This does not prevent the percipient witnesses from describing what they observed, even if the way that they describe what they observed suggests that Monroy was under the influence – such as by using the term "tweaking out." F. Plaintiffs' Motion in Limine No. 2 (Dkt. No. 106) is GRANTED. Plaintiffs move to exclude reference to decedent's prior interactions with law enforcement on the basis that the interactions have no relevance to the instant matter and claims

that they add insight 21 to decedent's motive, intent, or plan is unsupported by law, speculative, and prejudicial.

22 Upon consideration of the parties' moving briefs, the Court GRANTS the Motion for the 23 same reason it denies Defendants' Motion in Limine No. 3. To be clear, Monroy's subjective 24 "intent" is largely irrelevant to the claims at issue. This would also exclude much of the evidence 25 concerning Monroy's mental illness.

The parties are invited to meet and confer and reach a 26 stipulation regarding a limited presentation on these two issues—Monroy's prior bad acts and 27 Monroy's mental illness. Otherwise, both will remain excluded. 28 1 G. Plaintiffs' Motion in Limine No. 3 (Dkt. No. 107) is GRANTED IN PART. 2 Plaintiffs' move moves to exclude photographs of Perez's bloody clothes and hospital stay, 3 awards, accolades, commendations, and workers' compensation leave.

Plaintiffs argue that pursuant 4 to FRE 401, 402, and 403, the evidence lacks relevance to the use of force and/or unduly prejudicial 5 to Plaintiffs. 6 Upon consideration of the parties' moving briefs, the Court GRANTS the Motion IN PART. 7 Perez's awards, accolades, and commendations are irrelevant to the elements of the claim against 8 him and irrelevant to any failure to train.

Any limited probative value is far outweighed by the 9 prejudice of this evidence, particularly as it may cause the jury to render a verdict based upon its 10 assessment of Perez as an officer rather than his conduct in this incident. Evidence of the injuries he 11 sustained at the hands of the decedent are relevant to the justification for the force used.

The 12 probative value of the photographs is not outweighed by prejudice as the photographs are not 13 particularly graphic or numerous. The probative value of the workers compensation leave is not 14 outweighed by prejudice as it appears that the evidence is quite limited and not inflammatory. 15 Defendants advised that they plan to present limited evidence that he took some months off from 16 work and was placed on lighter duty; this will be permitted.

17 H. Plaintiffs' Motion in Limine No. 4 (Dkt. No. 108) is DENIED. 18 Plaintiffs' move to exclude or limit testimony from Swathi Kode on the basis that Kode's 19 testimony on the performed scene reconstructions would be duplicate and cumulative of the 20 testimony of Rod Englert, another of Defendants' experts.

As such, Plaintiffs claim Kode's 21 testimony would constitute a waste of judicial resources and the jury's time. 22 Upon consideration of the parties' moving briefs, the Court DENIES the Motion. Defendants 23 are entitled to call multiple experts, and it does not appear that the testimony of the two experts will 24 take up an undue amount of time such as to trigger Rule 403's prohibition on evidence that 25 represents an undue consumption of time.

Furthermore, the Court intends to set strict time limits for 26 both parties, which will further ensure that the parties use their time effectively and efficiently. 27 / / / 28 / / / 1 | IV. Conclusion 2 | For the foregoing reasons, the Court hereby ORDERS as follows: 3 1. Defendants' Motion in limine No. 1, Dkt. No. 102, is DENIED IN PART; 4 2. Defendants' Motion in limine No. 2, Dkt. No. 104, is DENIED; 5 3. Defendants' Motion in limine No. 3, Dkt. No. 103, is DENIED; 6 4. Defendants' Motion in limine No. 4, Dkt. No. 113, is GRANTED; 7 5. Plaintiffs' Motion in limine No. 1, Dkt. No. 105, is GRANTED; 8 6. Plaintiffs' Motion in limine No. 2, Dkt. No. 106, is GRANTED; 9 7. Plaintiffs' Motion in limine, No. 3, Dkt. No. 107, is GRANTED IN PART; 10 8. Plaintiffs' Motion in limine No. 4, Dkt. No. 108, is DENIED; and 1] 9. The parties are invited to meet and confer to reach a stipulation on a limited presentation of 12 evidence on Monroy's prior bad acts and his mental illness; otherwise, evidence on both 13 remains excluded. 14 IT IS SO ORDERED. 15 16 Dated: November 21, 2025 17 MAAME EWUSI-MENSAH FRIMPONG 18 United States District Judge 19 20 21 22 23 24 25 26 27 28