

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

DR. RACHEL TUDOR,)
)
Plaintiff,)
)
v.) Case No. CIV-15-324-C
)
SOUTHEASTERN OKLAHOMA)
STATE UNIVERSITY and)
THE REGIONAL UNIVERSITY)
SYSTEM OF OKLAHOMA,)
)
Defendants.)

ORDER

This Order will memorialize the Court’s oral rulings from the docket call in this matter:

Defendants’ Motion in Limine:

- I. Seeking to preclude hearsay remarks attributed to Dr. Douglas McMillan is granted. However, Plaintiff may seek reconsideration at the appropriate time;
- II. Seeking to preclude evidence related to the settlement between Plaintiff United States and Defendants is granted;
- III. Seeking to preclude evidence related to health insurance options made available to employees of Defendants is granted;
- IV. Seeking to preclude evidence related to the work status of certain former employees of Defendants is held in abeyance pending providing appropriate context at trial;
- V. Seeking to preclude any “for the community” or similar arguments is granted to the extent that all parties are directed to focus their remarks on the issues and parties in this case. The Court will entertain specific objections at the appropriate time;

- VI. Seeking to preclude evidence related to Defendant's imposition of certain dress codes is denied;
- VII. Seeking to limit expert witness testimony to matters contained in their report is granted. No expert will be permitted to testify to matters not contained in their reports;
- VIII. Seeking to preclude certain testimony from Dr. Brown is moot as the Court has found Dr. Brown's proposed testimony lacks relevance to the issues remaining for trial;
- IX. Seeking to prevent experts from opining on the law is granted. No witness will be permitted to offer testimony on issues of law.

Plaintiff's Motions in Limine: Plaintiff seeks to prevent Defendants from offering into evidence her personnel file from her employment at Collin College and the testimony of Holly Newell and Dr. Don Weasenforth. Because Plaintiff intends to seek damages beyond the start of her employment with Collin College, this evidence is relevant on the issue of mitigation of damages and her Motions will be denied. In the event Plaintiff agrees to limit her damage request to the date she started employment at Collin College, the challenged evidence lacks relevance and will be excluded.

Defendants' Daubert Motion seeking to preclude Dr. George R. Brown's testimony is granted as Plaintiff agrees that Dr. Brown's testimony is no longer relevant. This issue may be revisited upon appropriate request by Plaintiff.

Plaintiff's Motion to Unseal is granted subject to the following provisions: Any document needed at trial is no longer subject to any protective order or sealing order and may be used if consistent with the other orders of the Court. To the extent Defendants wish to be heard further on the matter, their Response remains due November 3, 2017.

Defendants' Motion to Strike Plaintiff's Deposition Designations is granted, as the witnesses will be presented live. In the event these circumstances change, Plaintiff may refile the designation. Defendants shall then note objections and the deposition will be provided to the Court far enough in advance of the presentation of the testimony to permit the Court to rule on the objections. Any witness not listed on the Pretrial Report will not be permitted to testify.

As set forth more fully herein, Defendants' Motion in Limine (Dkt. No. 195) is GRANTED in part and DENIED in part; Plaintiff's Motion in Limine to Exclude Dr. Rachel Tudor's Personnel File from Collin College (Dkt. No. 189) is DENIED; Plaintiff's Motion in Limine to Exclude Defendants' Witness Holly Newell (Dkt. No. 190) is DENIED; Plaintiff's Motion in Limine to Exclude Defendants' Witness Dr. Don Weasenforth (Dkt. No. 191) is DENIED; Defendants' Motion to Exclude Dr. George R. Brown (Dkt. No. 211) is GRANTED; Plaintiff's Motion to Unseal Documents (Dkt. No. 220) is GRANTED; and Defendants' Motion to Strike Plaintiff's Deposition Designations (Dkt. No. 222) is GRANTED.

IT IS SO ORDERED this 2nd day of November, 2017.


ROBIN J. CAUTHRON
United States District Judge