

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

BENJAMIN M. EASTMAN and	)	
MARCITA K. EASTMAN,	)	
as Trustees of the	)	
Eastman Family 1999 Revocable	)	
Trust,	)	
	)	
Plaintiff,	)	CIVIL ACTION
	)	
v.	)	No. 10-1216
	)	
COFFEYVILLE RESOURCES REFINING	)	
& MARKETING, LLC,	)	
	)	
Defendant.	)	
_____	)	

**MEMORANDUM AND ORDER**

Based on discussions with counsel in a conference call on January 22, 2014, the court enters the following order with respect to motions in limine.

Counsel have pointed out that the Hon. Eric Melgren ruled on various motions in limine in two prior cases that were substantially similar to this case. Although collateral estoppel does not preclude the parties from re-litigating those motions, counsel have agreed that re-briefing of the motions would be a waste of resources and that the court may adopt Judge Melgren's rulings on those issues, with the understanding that this adoption is without prejudice to the right of either party to appeal the rulings.

Based on counsel's representations, the court will adopt Judge Melgren's rulings on the motions in limine, without prejudice to the parties' rights to appeal. This ruling includes at least the following motions identified by the parties: Doc. 187 in Case No. 08-1255-EFM,

and Docs. 52 & 82 in Case No. 09-1303-EFM.

IT IS SO ORDERED.

Dated this 5th day of February 2014, at Wichita, Kansas.

s/Monti Belot

Monti L. Belot

UNITED STATES DISTRICT JUDGE