

No. 137, ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

STATE OF MONTANA, Plaintiff

V.

STATE OF WYOMING

AND

STATE OF NORTH DAKOTA, Defendants

BEFORE THE HONORABLE BARTON H. THOMPSON, JR.
SPECIAL MASTER

MOTION IN LIMINE TO EXCLUDE THE REPORT AND TESTIMONY OF
DOUGLAS R. LITTLEFIELD, PH.D.

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The State of Wyoming hereby moves in limine for an order excluding the testimony and report of Douglas R. Littlefield, Ph.D., on the grounds that if his testimony was ever relevant, it no longer is, and the presentation of this evidence would be a waste of time. In support of this motion, Wyoming notes that the issue that was the subject of Dr. Littlefield's report and about which he would testify at trial was resolved by the Special Master in his recent ruling on Montana's Motion for Summary Judgment on the Compact's Lack of Specific Intrastate Administration Requirements. Dr. Littlefield's testimony is not relevant to a determination of any of the remaining issues in the case, and should be excluded under Fed. R. Evid. 402 and 403.

WHEREFORE the State of Wyoming requests that the Court enter an order excluding the testimony and report of Douglas R. Littlefield, Ph.D., from the trial of this matter.

Dated this 24th day of September, 2013.

Respectfully submitted,

THE STATE OF WYOMING



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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing was served by electronic mail and by placing the same in the United States mail, postage paid, this 24th day of September, 2013.

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