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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF SAN DIEGO – HALL OF JUSTICE

10	CHRISTOPHER WILLIAMS,	)	CASE NO. 37-2018-00023369-CU-PO-CTL
11	Plaintiff,	)	<b>PLAINTIFF CHRISTOPHER WILLIAMS'S</b>
12	vs.	)	<b>OPPOSITION TO DEFENDANTS'</b>
13	DAVID ARAMBULA; CITY OF LEMON	)	<b>MOTION <i>IN LIMINE</i>, 10 OF 23</b>
14	GROVE; and DOES 1 through 1,000,	)	Action Filed: March 01, 2017
15	Defendants.	)	Department: C-68 (Whitney)
		)	Trial Date: August 5, 2022
		)	Trial Time: 8:30 a.m

16  
17 Plaintiff Christopher Williams ("Plaintiff") respectfully submits this brief in opposition to Defendant  
18 David Arambula ("Arambula") and City of Lemon Grove ("City") (collectively, "Defendants")'s Motion *In*  
19 *Limine* No. 10 to preclude Plaintiff from presenting cumulative percipient witness testimony.

20 Through their motion, Defendants claim they anticipate Plaintiff will attempt to list and call multiple  
21 percipient witnesses to testify about how the subject physical altercation changed Plaintiff's life and plans and  
22 as such, allowing multiple witnesses to testify about the same subject matter would be cumulative, duplicative,  
23 result in an undue consumption of the Court's time, and unduly prejudice the defense. Defendants, however,  
24 fail to describe what testimony, or which witnesses, are anticipated to be provide cumulative percipient  
25 witnesses testimony. Rather, Defendants broadly and vaguely claim that Plaintiff "should not be permitted to  
26 parade in multiple percipient witnesses, including family members, acquaintances, community members,  
27 consultants, and prospective investors to testify as to their opinions about the incident affected plaintiff's health,  
28 socialization, independence, and business prospective"- oddly pointing to four independent issues. Defendants

1 leave unclear if they are under the impression that each percipient witness will testify as to the same topics or  
2 one or less than all of the topics he mentioned. They make no showing which witnesses are being referred to  
3 and which witnesses have the same information, experiences, and encounters to provide. The vague and  
4 sweeping attempt to silence Plaintiff's counsel in trying his client's case to the jury should be denied.

5 A motion *in limine* is used to preclude prejudicial or objectionable evidence before it is presented to  
6 the jury. See *Blanks v. Shaw*, 171 Cal. App. 4th 336, 375 (2009). "In limine motions are designed to  
7 facilitate the management of a case, generally by deciding difficult evidentiary issues in advance of trial. The  
8 usual purpose of motions in limine is to preclude the presentation of evidence deemed inadmissible and  
9 prejudicial by the moving party. A typical order in limine excludes the challenged evidence and directs counsel,  
10 parties, and witnesses not to refer to the excluded matters during trial." *Id.* (internal citation omitted). Matters  
11 that are lacking in factual support or argument are not properly the subject of motions *in limine*. See *Kelly*  
12 *v. New West Federal Savings*, 49 Cal. App. 4th 659, 670 (1996). When ruling on a motion *in limine*, the  
13 Court should not have to rule in a vacuum or guess at what evidence should be included within the scope of  
14 its ruling. *Id.* Motions *in limine* may be inappropriate where it is difficult to specify exactly what evidence is  
15 the subject of the motion. "[U]ntil the evidence is actually offered, and the court is aware of its relevance in  
16 context, its probative value, and its potential for prejudice, matters related to the state of the evidence at the  
17 time the objection is made, the court cannot intelligently rule on its admissibility." *People v. Jennings*, 46 Cal.  
18 3d 963, 975 (1988).

19 Because Defendants fail to show what evidence or testimony he deems or anticipates to be cumulative,  
20 motion *in limine* no. 10 should be denied.

21  
22 Date: August 3, 2022

Respectfully submitted,

BRIGGS LAW CORPORATION

23  
24  
25 By: Nora Pasin

26 Nora Pasin  
27 Cory J. Briggs  
28 Attorneys for Plaintiff Christopher Williams

PROOF OF SERVICE

1. My name is Keri Taylor. I am over the age of eighteen. I am employed in the State of California, County of San Bernardino.

2. My  business \_\_\_\_\_ residence address is Briggs Law Corporation, 99 East "C" Street, Suite 111 Upland, CA 91786

3. On August 3, 2022, I served \_\_\_\_\_ an original copy  a true and correct copy of the following documents: Plaintiff Christopher Williams's Opposition to Defendants' Motion in Limine 10

4. I served the documents on the person(s) identified on the attached mailing/service list as follows:  
 **by personal service.** I personally delivered the documents to the person(s) at the address(es) indicated on the list.

**by U.S. mail.** I sealed the documents in an envelope or package addressed to the person(s) at the address(es) indicated on the list, with first-class postage fully prepaid, and then I

deposited the envelope/package with the U.S. Postal Service

placed the envelope/package in a box for outgoing mail in accordance with my office's ordinary practices for collecting and processing outgoing mail, with which I am readily familiar. On the same day that mail is placed in the box for outgoing mail, it is deposited in the ordinary course of business with the U.S. Postal Service.

I am a resident of or employed in the county where the mailing occurred. The mailing occurred in the city of Upland, California.


**by overnight delivery.** I sealed the documents in an envelope/package provided by an overnight-delivery service and addressed to the person(s) at the address(es) indicated on the list, and then I placed the envelope/package for collection and overnight delivery in the service's box regularly utilized for receiving items for overnight delivery or at the service's office where such items are accepted for overnight delivery.

**by facsimile transmission.** Based on an agreement of the parties or a court order, I sent the documents to the person(s) at the fax number(s) shown on the list. Afterward, the fax machine from which the documents were sent reported that they were sent successfully.

**by e-mail delivery.** Based on the parties' agreement or a court order or rule, I sent the documents to the person(s) at the e-mail address(es) shown on the list. I did not receive, within a reasonable period of time afterward, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws \_\_\_\_\_ of the United States  of the State of California that the foregoing is true and correct.

Date: August 3, 2022

Signature: 

## SERVICE LIST

*Christopher Williams vs. Lemon Grove*  
Superior Court of the State of California Case No. 37-2018-00023369-CU-PO-CTL

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