

**08/03/2022** at 03:49:00 PM

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

10 CHRISTOPHER WILLIAMS,

11 Plaintiff,

12 vs.

13 DAVID ARAMBULA; CITY OF LEMON  
14 GROVE; and DOES 1 through 1,000,

15 Defendants.

CASE NO. 37-2018-00023369-CU-PO-CTL

**PLAINTIFF CHRISTOPHER WILLIAMS'S  
OPPOSITION TO DEFENDANTS'  
MOTION *IN LIMINE*, 17 OF 23**

Action Filed: March 01, 2017  
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. 17 to preclude Plaintiff from introducing witnesses, documents, and other information not  
20 disclosed in his responses to written discovery.

21 Defendants claim that they anticipate Plaintiff will attempt to introduce witnesses, documents, and other  
22 information he did not disclose, but should have disclosed, during written discovery and that doing so subjects  
23 Defendants unfair surprise and undue prejudice. Defendants, however, fail to identify the written discovery  
24 they are referring to and what witnesses and documents they anticipate will be surprisingly belatedly disclosed  
25 at trial. The motion is vague and unclear and should be denied.

26 A motion *in limine* is used to preclude prejudicial or objectionable evidence before it is presented to  
27 the jury. *See Blanks v. Shaw*, 171 Cal. App. 4th 336, 375 (2009). "In limine motions are designed to  
28 facilitate the management of a case, generally by deciding difficult evidentiary issues in advance of trial. The

1 usual purpose of motions in limine is to preclude the presentation of evidence deemed inadmissible and  
2 prejudicial by the moving party. A typical order in limine excludes the challenged evidence and directs counsel,  
3 parties, and witnesses not to refer to the excluded matters during trial.” *Id.* (internal citation omitted). Matters  
4 that are lacking in factual support or argument are not properly the subject of motions *in limine*. See *Kelly*  
5 *v. New West Federal Savings*, 49 Cal. App. 4th 659, 670 (1996). When ruling on a motion *in limine*, the  
6 Court should not have to rule in a vacuum or guess at what evidence should be included within the scope of  
7 its ruling. *Id.* Motions *in limine* may be inappropriate where it is difficult to specify exactly what evidence is  
8 the subject of the motion. “[U]ntil the evidence is actually offered, and the court is aware of its relevance in  
9 context, its probative value, and its potential for prejudice, matters related to the state of the evidence at the  
10 time the objection is made, the court cannot intelligently rule on its admissibility.” *People v. Jennings*, 46 Cal.  
11 3d 963, 975 (1988).

12 Here, Defendants fail to identify the written discovery, witnesses, and documents referred to in the  
13 motion. Without pointing to the specific evidence at issue, or the evidence that they allegedly anticipate will  
14 be an issue at trial, Defendants are essentially asking for a sweeping ruling in an effort to limit Plaintiff’s ability  
15 to effectively litigate his case at trial.

16 Furthermore, Plaintiff is entitled to use all relevant evidence, including evidence that came into existence  
17 after the discovery cut-off date passed, for impeachment purposes during trial. Except as otherwise provided  
18 by statute, the trier of fact may consider in determining the credibility of a witness “any matter that has any  
19 tendency in reason to prove or disprove the truthfulness of his testimony at the hearing”. EVID. CODE § 780.

20 Based on the foregoing, Motion *In Limine* no. 17 to preclude Plaintiff from introducing witnesses,  
21 documents, and other information not disclosed in his responses to written discovery should be denied.

23 Date: August 3, 2022

Respectfully submitted,

BRIGGS LAW CORPORATION

26 By: Nora Pasin

27 Nora Pasin  
28 Cory J. Briggs  
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 17

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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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