


# California Motions In Limine

*By David N. Finley*

**Reviewd by Douglas R. Parker and Laura C. McLennan**

As any experienced trial attorney or motion writer knows, in limine motions and oppositions are beasts unto themselves. They seek to exclude an opponent's evidence or to oppose exclusion of evidence that can sometimes play an integral part in the outcome of litigation.

Unlike traditional motions with longer notice periods before the hearing, persuasive and well researched in limine briefs are often needed by litigators on the fly, either right before or during a trial. Thus, the writer of an in limine brief – whether an attorney, law clerk, or paralegal – occasionally faces the daunting prospect of quickly researching and drafting winning arguments on novel and obscure evidentiary issues. The time pressure may not allow for extensive case research or perusal of multiple practice guides, nor may some of the more esoteric issues be evident in the Evidence Code.

California Motions In Limine is aimed directly at the practitioner who needs a one-stop, comprehensive resource to research and draft in limine briefs in the most efficient and effective manner possible. Written by attorney-author David N. Finley and newly published by The Rutter Group under its Civil Litigation Series, California Motions In Limine covers a broad range of evidentiary issues and authorities, for quick insertion into, or expert guidance in drafting a persuasive, on-point brief. Because the text provides a broad overview of the admissibility of a number of specific types of evidence, it may also be used as an objection checklist or for general evidentiary planning, providing utility far beyond in limine motion preparation.

California Motions In Limine can be used with equal effectiveness by civil or criminal and plaintiff or defense lawyers. It sets forth pre-researched authorities for supporting and opposing briefs, organized by evidence type and substantive topics. The book also includes dozens of sample briefs both in the printed text and on a companion CD-ROM.

One of the best features of this book is the easy-to-navigate format. This useful element enables the practitioner to quickly zero in on the relevant citations for excluding or opposing the exclusion of countless evidentiary topics, from issues as universal as excluding speculative evidence, to more technical issues such as exclusion of polygraph results, hypnosis evidence, employment statistics, evidence of psychological syndromes and other topics. Pre-researched case summaries and statutory authorities on thousands of admissibility issues are all laid out under clearly defined chapter headings such as:

- Excluding Prejudicial Evidence;
- Excluding Irrelevant Evidence;
- Excluding Writings and Physical Evidence;
- Excluding Tests and Scientific Evidence;
- Excluding Character Evidence; and
- Excluding Witness Evidence.

These and other chapters deal with evidentiary issues with respect to trial presentation, personal injury motions, medical malpractice and wrongful death actions and insurance litigation.

California Motions In Limine should be an essential addition to any library or attorney's office. It can save a considerable amount of time by directing a practitioner to a comprehensive compendium dedicated exclusively to questions of evidence admissibility, which may arise at the most inopportune or unexpected times.

More information about this text is available from The Rutter Group, 15760 Ventura Boulevard, Suite 630, Encino, CA 91436, telephone (800) 747-3161, Ext. 2, or on the website at http:// www.rutter-group.com/CALIFORNIA MOTIONSIN-LIMINE.htm. You can also get more information at author David N. Finley's Web site at http://motioninlimine.com/index.html.

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