

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY,
PENNSYLVANIA

ROBERT L. BARTO, Executor of	:	No. 01-00665
the Estate of Lois M. Fry	:	
Barto, Deceased	:	
	:	
Plaintiff	:	
	:	
vs.	:	Civil Action - Law
	:	
RANA COLALANNI, CRNP;	:	
DR. DAVID AMBROSE, M.D.;	:	
LOYALSOCK FAMILY PRACTICE;	:	
and SUSQUEHANNA HEALTH	:	Motion in Limine re
SYSTEM,	:	Additional Witnesses
Defendants	:	and Exhibits

ORDER

AND NOW, this 10th day of March 2003, the Court DENIES in part and GRANTS in part the Defendant's Motion in Limine regarding Additional Witnesses and Exhibits listed in the Plaintiff's Amended Pre-trial Statement. In light of the continuance of this case to the June trial term, there is no prejudice to the Defendants and they will have ample time to prepare for and respond to the additional witnesses. With respect to the photographs, the Court would permit the Plaintiff to use Exhibits 40, 42, 43 and 44. The Court does not believe the remaining photographs are relevant to this proceeding as they appear to be decades old or pictures of the decedent with her granddaughter, who is not entitled to

recover in a wrongful death and survival action. With respect to the remaining Exhibits, the Court would defer ruling on their admissibility and/or use until trial. It appears that Exhibits 65, 66 and 68 would not be relevant as they relate to categorizing patients who present to the emergency department and guidelines for nurses to check vital signs of patients admitted to a hospital. Several of the other Exhibits might not be admissible as substantive evidence, but might be able to be used during the direct or cross-examination of the Defendants, any expert witness or as demonstrative tools. The Court cannot definitively rule, however, until it sees the context in which the Plaintiffs wish to utilize these materials.

By The Court,

Kenneth D. Brown, Judge

cc: Clifford Rieders, Esquire
David Bahl, Esquire
Robert Seiferth, Esquire
Gary Weber, Esquire (Lycoming Reporter)
Work File