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JAN 18 2001
Elvira S. Ortiz
DISTRICT COURT OF CAMERON COUNTY, TEXAS
DEPUTY

CAUSE NO. 2000-05-1962-C

ROBERT HENRY VILLARREAL, Individually and as Personal Representative of the Heirs and Estate of JOHN HENRY VILLARREAL	§	IN THE DISTRICT COURT OF
Plaintiffs,	§	
vs.	§	CAMERON COUNTY, TEXAS
GAF CORPORATION HOLDINGS, INC.), ET AL.	§	
Defendants.	§	197TH JUDICIAL DISTRICT

PLAINTIFF'S EXHIBIT
USG-558

MOTION IN LIMINE OF DEFENDANT UNITED STATES GYPSUM COMPANY TO EXCLUDE ALL EVIDENCE OF PRIOR DISCOVERY ANSWERS IN OTHER CASES

Defendant United States Gypsum Company ("U.S. Gypsum"), by and through its attorneys, hereby moves as follows for an order excluding all argument and evidence of prior discovery answers in other cases:

1. Defendant anticipates that, at the trial of this matter, plaintiffs will attempt to introduce prior discovery answers of defendant in other cases.

2. Prior discovery answers in other cases are irrelevant and inadmissible as provided by the rules of procedure.

3. Further the prior discovery answers are improper character evidence.

4. Any probative value that this evidence is deemed to possess is substantially outweighed by its potential to prejudice, confuse and inflame the jury.

5. Further support for this motion is contained within the attached memorandum of law, which is incorporated by reference herein.

WHEREFORE. Defendant U.S. Gypsum respectfully requests that this Court enter an order excluding all argument and evidence of prior discovery answers in other cases.

Respectfully submitted,

POWERS & FROST, L.L.P.

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ATTORNEYS FOR DEFENDANT:
UNITED STATES GYPSUM COMPANY

CERTIFICATE OF SERVICE

I certify that a true and correct copy of Defendant, United States Gypsum Company's Motion in Limine has been forwarded to Plaintiffs' counsel of record, via certified mail, return receipt requested and/or via facsimile transmission on this the 12th day of January, 2001.

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