

COPY

CAUSE NO. 2000-05-1962-C

AURORA DE LA GARZA DIST. CLERK

JAN 18 2001

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

**ROBERT HENRY VILLARREAL,
Individually and as Personal Representative
of the Heirs and Estate of JOHN HENRY
VILLARREAL**

Plaintiffs,

vs.

**GAF CORPORATION
HOLDINGS, INC.), ET AL.**

Defendants.

§ IN THE DISTRICT COURT OF

PLAINTIFF'S EXHIBIT

USG-558

§ CAMERON COUNTY, TEXAS

§ 197TH JUDICIAL DISTRICT

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

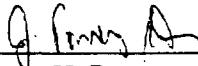
Defendant United States Gypsum Company ("U.S. Gypsum"), by and through its attorneys, hereby moves as follows for an order excluding all argument and evidence of prior discovery answers in other cases:

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.



James H. Powers
TBN: 16217400
Sharla J. Frost
TBN: 07491100
Gwendolyn S. Frost
TBN: 07488750
2600 Two Houston Center
909 Fannin
Houston, Texas 77010
Telephone: (713) 767-1555
Facsimile: (713) 767-1799

**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.

