

THE FIRST JUDICIAL DISTRICT OF PENNSYLVANIA, PHILADELPHIA COUNTY

IN THE COURT OF COMMON PLEAS

BRANHAM

vs.

ROHM AND HAAS CO., et al.

: TRIAL DIVISION- CIVIL
: MAY TERM, 2006
: No. 3590 (Lead Case)
:
: CONTROL # 10050777
: Defendants' Motion in Limine to
: Preclude Evidence Regarding, and
: References to the Dow Chemical Co.
: at Trial

DOCKETED
JUN 7 2010
S. LONERGAN

ORDER

AND NOW, this 7TH day of June 2010, in consideration of the Motion of Defendants Rohm and Haas Company, et al., to Preclude Evidence Regarding, and References to the Dow Chemical Company at Trial and the Responses thereto, this Court finds that the Motion is so broad and vaguely styled that it must be denied. This is without prejudice, as explained in summary fashion below.

This Motion substantially lacks any context which would enable this Court to determine the relevance of any proposed evidence and the comparative probative value of same. Upon presentation of such evidence, Defendants may renew their objections.

Regarding Defendants' request to preclude any references to The Dow Chemical Company at Trial. For the same reasons going to vagueness and lack of a contextual background for the term, "reference" the Motion fails. However, to insure that there will be no confusion as to Dow's status as a non-defendant in this action, Defendants may request a preliminary jury instruction from this Court explaining the relationship between non-defendant Dow and the Rohm and Haas Defendant, and Dow's non-liability in the instant action.

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PURSUANT TO Pa.R.C.P. 236(b)

JUN 7 - 2010

FIRST JUDICIAL DISTRICT OF PA
USER I.D.: *[Signature]*

BY THE COURT:

[Signature]
ALLAN L. TERESHKO, J.

Draham Vs Rohm& Haas Co -ORDER

cc:
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