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13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**

15 BENNION & DEVILLE FINE
HOMES, INC., a California
16 corporation, BENNION & DEVILLE
FINE HOMES SOCAL, INC., a
17 California corporation, WINDERMERE
SERVICES SOUTHERN
18 CALIFORNIA, INC., a California
corporation,

19 Plaintiffs,

20 v.

21 WINDERMERE REAL ESTATE
22 SERVICES COMPANY, a Washington
corporation; and DOES 1-10

23 Defendant.
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26 AND RELATED COUNTERCLAIMS
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Case No. 5:15-CV-01921 R (KKx)

Hon. Manuel L. Real

**DEFENDANT AND
COUNTERCLAIMANT'S NOTICE
OF MOTION AND MOTION *IN*
LIMINE TO EXCLUDE EVIDENCE
RELATED TO DISMISSED
CLAIMS**

[Motion *In Limine* No. 3 of 4]

Date: May 15, 2017

Time: 10:00 a.m.

Courtroom: 880

Complaint Filed: September 17, 2015

1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on May 15, 2017, at 10:00 a.m., or as soon
3 thereafter as the matter may be heard before the Honorable Manuel L. Real of
4 United States District Court, Central District of California located at Roybal Federal
5 Building and U.S. Courthouse, 255 East Temple Street, Los Angeles, CA 90012,
6 Courtroom 880, 8th Floor, Defendant and Counterclaimant Windermere Real Estate
7 Services Company (“WSC”) will move the Court for an *in limine* order excluding
8 evidence of dismissed claims. This motion is made on the grounds that evidence
9 related to the claims dismissed pursuant to the Court’s Order Granting Defendant’s
10 Motion for Partial Summary Judgment (Document No. 66) is irrelevant and should
11 be excluded.

12 This motion is based on this notice, the memorandum of points and
13 authorities filed concurrently herewith, the matters of which this Court may be
14 requested to take judicial notice, and upon such other matters, whether written or
15 oral, as may be presented to the Court at or prior to the hearing on this motion.

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17 DATED: April 17, 2017 PEREZ VAUGHN & FEASBY INC.

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By: /s/ Jeffrey A. Feasby

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John D. Vaughn

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Jeffrey A. Feasby

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Attorneys for

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Windermere Real Estate Services Company

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