

**THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TAMMY KITZMILLER, et al.,)	
)	
Plaintiffs,)	Case No. 04-CV-2688
)	(Hon. Judge Jones)
v.)	
)	(Filed Electronically)
DOVER AREA SCHOOL DISTRICT and)	
DOVER AREA SCHOOL DISTRICT)	DEFENDANTS' MOTION <i>IN</i>
BOARD OF DIRECTORS,)	<i>LIMINE</i> TO EXCLUDE THE
)	TESTIMONY OF
Defendants.)	BARBARA FORREST, PH.D.
)	


Defendants Dover Area School District and Dover Area School District Board of Directors, through counsel, hereby move this Court to exclude the testimony and expert reports, including the data upon which they are based, of Barbara Forrest, Ph.D., a witness who intends to testify as an expert on behalf of Plaintiffs, pursuant Rules 401, 403, 702 and 703 of the Federal Rules of Evidence.

In support of this motion, Defendants rely upon the pleadings, papers of record, and accompanying brief with attached exhibits.

Pursuant to LR 7.1, Defendants' counsel sought concurrence in this motion from Plaintiffs' counsel on August 12, 2005, and it was denied.

WHEREFORE, Defendants respectfully asks this Court to grant their motion and preclude Plaintiffs from using or introducing into evidence at trial the testimony and expert reports of Barbara Forrest, Ph.D., and the data upon which the testimony and reports are based.

Respectfully submitted this 6th day of September, 2005.

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CERTIFICATE OF SERVICE

I hereby certify that on September 6, 2005, a copy of the foregoing Defendants' Motion *in Limine* to Exclude the Testimony of Barbara Forrest, Ph.D., and Defendants' Brief in Support of Motion *in Limine* to Exclude the Testimony of Barbara Forrest, Ph.D., with exhibits and certification were served on the following counsel through the electronic case filing system:

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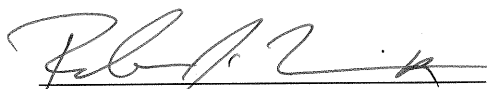
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