

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA,)
)
v.) Criminal No. 3:02CR00264 (AWT)
)
WALTER A. FORBES)

RULING ON FORBES MOTION IN LIMINE NO. 15

(Motion of Defendant Walter A. Forbes to Preclude the Admission of Any Evidence, Cross-Examination or Argument Concerning the Cendant Class Action Settlement)

Defendant Forbes' motion *in limine* is being denied as moot, based upon the government's representation that, although it reserves the right to offer such evidence if the defense "opens the door," it does not intend to make any mention of the Cendant class action settlement in its case-in-chief.

The government suggests that the court could reserve ruling on this motion. However, if the court is required to make a ruling as to such evidence, its ruling will not be based on just the factual contentions set forth in the papers filed in connection with this motion *in limine* but, rather on the record as it has been developed to that point in the trial, and a record should be made at that time as to what specific contentions are being advanced by the parties.

Accordingly, the Motion of Defendant Walter A. Forbes to Preclude the Admission of Any Evidence, Cross-Examination or Argument Concerning the Cendant Class Action Settlement (Doc. No.

1681) is hereby DENIED as moot.

It is so ordered.

Dated this 14th day of October 2005, at Hartford,
Connecticut.

/s/

Alvin W. Thompson
United States District Judge