

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

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Gary John,

-against-

Plaintiff,

ORDER

Case No. 08-0141 (TLM)

James Masterson,

Defendant,

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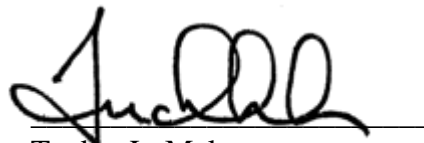
Before the Court are plaintiff's Motion for Reconsideration [Rec. Doc. 66] of the Court's May 14, 2010 Order [Rec. Doc. 63] allowing the audio tape and transcript of defendant's 911 call to be introduced at trial, and defendant's Objection thereto [Rec. Doc. 67].

During his 911 call, defendant made the statement "For stalking and violation of a protective order, he threatened a woman in Rhode Island" in reference to plaintiff. As plaintiff has never been charged with stalking or threatening a woman, the Court finds that any probative value that defendant's statement might have is substantially outweighed by the danger of unfair prejudice if the jury is allowed to hear or read it. *See* Fed. R. Evid. 403. Therefore, it is

ORDERED that plaintiff's Motion for Reconsideration [Rec. Doc. 66] is **GRANTED**.

IT IS FURTHER ORDERED that the audio tape and transcript of defendant's 911 call may be introduced at trial only if all references to stalking or threatening a woman are thoroughly redacted.

SO ORDERED.



Tucker L. Melançon
United States District Judge

May 27, 2010
Bridgeport, CT