

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

ROY TOWNS,)
)
 Plaintiff,)
)
 vs.) No. 03-2707DV
)
 BAPTIST MEMORIAL HOSPITAL FOR)
 WOMEN AND BAPTIST MEMORIAL)
 HEALTHCARE CORPORATION,)
)
 Defendant.)

ORDER GRANTING MOTION IN LIMINE TO EXCLUDE ERRATA SHEETS
FROM PLAINTIFF'S DEPOSITION

Before the court is the July 23, 2004, motion in limine of the defendants, Baptist Memorial Hospital for Women and Baptist Memorial Healthcare Corporation, to exclude errata sheets from the plaintiff's sworn deposition testimony taken on May 25, 2004. The errata sheets consist of twenty-seven pages containing approximately eighty-five changes to plaintiff's sworn testimony. The defendants object to seventy-two of the changes because they are material changes to substantive portions of the plaintiff's testimony. The motion was referred to the United States Magistrate Judge for determination.

Pursuant to Local Rule 7.2(a)(2), responses to motions in civil cases are to be filed within fifteen days after service of

the motion. The plaintiff has not filed a response to this motion, and the time for responding has now expired. Rule 7.2(a)(2) further provides that "[f]ailure to respond timely to any motion . . . may be deemed good grounds for granting the motion."

In the absence of any response by the plaintiff and for good cause shown, the defendants' motion in limine is granted. The defendants' seventy-two objections as set forth in Exhibit B to the defendants' motion are sustained and the seventy-two changes contained in the errata sheets to the plaintiff's deposition are hereby stricken.

IT IS SO ORDERED this 12th day of August, 2004.

DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE