

NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

MECKLENBURG COUNTY

07 CVS 19339

HILB ROGAL & HOBBS COMPANY and  
MANAGING AGENCY GROUP, INC.,

Plaintiffs,

v.

DONALD SELLARS,

Defendant.

**ORDER**

**THIS MATTER** is before the Court upon the inquiries of counsel regarding how motions in limine will be addressed after they are filed on or before 2 February 2010.

This is a bench trial. In a jury trial, motions in limine serve the useful purpose of giving counsel advance notice of the scope of evidence that will be considered by the jury. In a bench trial, however, a pretrial ruling on the admissibility of evidence would be superfluous because the trial judge must (in any event) consider the evidence before ruling.

Accordingly, the parties are advised that the Court will not rule on motions in limine prior to trial, but will instead allow all evidence to be tendered to the Court, subject to any objections timely raised. Upon entering an Order and Judgment resolving the above-captioned case, the Court will identify what evidence it has relied upon and admitted.

**SO ORDERED**, this the 15th day of January 2010.

/s/ Albert Diaz  
Albert Diaz  
Special Superior Court Judge