

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX,

Plaintiff,

-against-

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX,

Defendant.

AFFIRMATION IN
SUPPORT OF MOTION
IN LIMINE

XXXXXXXXXXXX, an attorney duly admitted to practice law in the State of New York affirms the following under the penalties of perjury:

1. I am counsel to the firm of _____, attorneys for Plaintiff, XXXXXXXX.
2. I am familiar with the pleadings and proceedings in this matter and submit this affirmation in support of the within motion for an Order granting Plaintiff's motion *in limine* together with such other and further relief this Court deems just and proper.
3. This action is brought pursuant to Article 15 of the Real Property Actions And Proceedings Law.
4. Plaintiffs in this action, prior to the voir dire examination of the jury panel, and out of the presence and hearing of the jury panel, make this motion *in limine*, and for this motion respectfully show that the matters discussed in the following paragraphs are incompetent, irrelevant, and prejudicial to any of the material issues in this cause. The injection of such matters into the trial of this cause by any party, attorney, or witness would cause irreparable harm to plaintiffs' cause, which no instruction by the court to the jury could cure. Should any of the matters be brought to the attention of the jury, directly or indirectly, plaintiffs would be compelled to file a motion for mistrial.

5. In an effort to avoid probable prejudice and a possible mistrial in this cause, plaintiffs move this court *in limine* to instruct all attorneys and any parties not represented by counsel in this cause, and order them in turn to instruct all witnesses they place on the stand, not to interrogate about, mention, argue, or make any statements or references to any of the following matters of fact within the hearing of the jury or of the jury panel, without first obtaining the court's express permission and authority, out of the hearing of the jury, to do so; not to read any pleading or any papers concerning such matters without such prior permission of the court:

Testimony of Defendants.

6. The above witnesses have no personal knowledge of facts relevant to this case.
[State facts demonstrating no personal knowledge of relevant facts.]

Wherefore, it is respectfully submitted that this Court should grant:

1. This motion in its entirety;
2. The protection and relief sought by appropriate order binding on all counsel, parties, witnesses, and persons appearing in this action; and
3. Such other and further relief as the court deems just and proper.

Dated:

Yours, etc.

Attorney for Plaintiff