

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
EASTERN DIVISION**

Turtle Mountain Band of Chippewa Indians,
et al.,

Plaintiffs,

v.

Alvin Jaeger, in his official capacity as
Secretary of State of North Dakota,

Defendant.

Case No. 3:22-cv-00022-PDW-ARS

**PLAINTIFFS' MOTION IN LIMINE TO EXCLUDE MATTHEW CAMPBELL AND
ALAN HERBISON FROM DEFENDANT'S WITNESS LIST**

Plaintiffs respectfully file this Motion in Limine to exclude two individuals—Mathew Campbell and Alan Herbison—from Defendant's witness list. Defendant's counsel has advised that they intend to call Matthew Campbell, who is counsel of record for Plaintiffs in this case, as a witness at trial (or via trial deposition). Defendant also belatedly disclosed Alan Herbison, whom he contends can provide non-retained expert testimony. For the reasons explained in the accompanying Memorandum, both witnesses should be excluded.

May 12, 2023

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that the foregoing was served on all counsel of record via the Court's CM/ECF system.

/s/ Mark P. Gaber

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