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2015

### Plaintiff's Response to Defendant's Motion in Limite, Johnson v. Sullivan, Docket No. 1:14-cv-01216 (C.D. Ill. 2015)

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IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF ILLINOIS  
PEORIA DIVISION

MICHAEL JOHNSON, #R63104	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 14-1216-JES-TEH
	)	
TRAVIS SULLIVAN,	)	
	)	
Defendant.	)	

**PLAINTIFF'S ADDITIONAL PROPOSED JURY INSTRUCTIONS**

**NO. 1- WITNESS BIAS**

In deciding whether to believe a witness, you should consider any evidence of the witness’s bias, or any interest or motive that the witness may have in favor or against a particular party. You should also take into account any evidence that a witness may benefit in some way from the outcome of the case.

It is your duty to consider whether the witness has permitted any bias in his or her testimony. In short, if you find that a witness has allowed bias to affect his or her testimony, you should view that testimony with caution, weigh it with care, and subject it to close and searching scrutiny.

Of course, the mere fact that a witness has some bias, or some interest in the outcome of the case, does not mean he or she has not told the truth. It is for you, the jury, to decide from your observations, and applying you common sense and experience, whether the possible interest of any witness, or of any party, has colored or distorted his or her testimony. You are not required to disbelieve an interested witness. You may accept as much of his or her testimony as you deem reliable and reject as much as you deem unworthy of acceptance.

<p>Plaintiff’s No. 1</p> <p>Adapted from <i>Sloup v. Loeffler</i>, E.D.N.Y. 05-CV-1766 (JFB) (Nov. 3, 2009). See <i>Frank Sloup and Crabs Unlimited, L.L.C. v. Loeffler</i>; 745 F. Supp. 2d 115 (E.D.N.Y. 2010).</p>	<p style="text-align: right;">Given _____</p> <p style="text-align: right;">Given as Modified _____</p> <p style="text-align: right;">Refused _____</p> <p style="text-align: right;">Withdrawn _____</p>
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**NO. 2- DEMONSTRATIVE EXHIBITS**

Certain demonstrative exhibits or sketches have been shown to you. Those demonstrative exhibits and sketches are used for convenience and to help explain the facts of the case. They are not themselves evidence or proof of any facts.

Plaintiff's No. 2  7th Circuit Pattern Jury Instruction 3.17	Given _____ Given as Modified _____ Refused _____ Withdrawn _____
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**NO. 3 OPINION TESTIMONY**

You have heard a witness, namely, Dr. Michael Dempsey, who gave opinions and testimony about bipolar disorder and impulse control disorder. You do not have to accept this witness' opinions. You should judge this witness' opinions and testimony the same way you judge the testimony of any other witness. In deciding how much weight to give to these opinions and testimony, you should consider the witness' qualifications, how he reached his opinions, and the factors I have described for determining the believability of testimony.

Plaintiff's No. 3  7th Circuit Pattern Jury Instruction 3.13	Given _____ Given as Modified _____ Refused _____ Withdrawn _____
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