

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
WHEATON, DU PAGE COUNTY, ILLINOIS**

**VILLAGE OF WOODRIDGE**, a municipal corporation,  
  
Plaintiff,  
  
v.  
  
**BOARD OF EDUCATION OF COMMUNITY HIGH SCHOOL DISTRICT 99**, a body politic and corporate, **COUNTY BOARD OF SCHOOL TRUSTEES OF DU PAGE COUNTY, ILLINOIS**, a body politic and corporate, for the use and benefit of School District Number 99, Du Page County, Illinois and **UNKNOWN OWNERS**,  
  
Defendants.

No. 05 ED 64

**ORDER**

This cause coming on to be heard on the parties' respective pending motions *in limine*, the parties being present by counsel, the court having heard argument and being fully advised in the premises,

**IT IS HEREBY ORDERED:**

1. The High School District's Motion *in Limine* to Bar Lease to Park District as Evidence of Value is granted; the lease to and use of the property by the Woodridge Park District is barred; and the existing use of the subject property shall only be described as a "recreational use."
2. The High School District's Motion *in Limine* to Bar Appraisals from Non-Designated Appraisers is granted.
3. The High School District's Motion *in Limine* to Bar Planner's Opinion of Reasonable Probability of Rezoning is denied, and Allen Kracower and George Kisiel may give planners' opinions of reasonable probability of rezoning.
4. The High School District's Motion *in Limine* to Bar Evidence of an Alleged Village Goal or Policy Against Multi-Family Housing is granted in part and denied in part; testimony of a village goal or policy against multi-family housing is barred, but witnesses may testify to past individual Village Board actions taken to approve real estate developments proposed in the Village.

5. The respective motivations of the Village to acquire the subject property and of High School District 99 to retain the subject property are barred.

6. The Village's Motion *in Limine* No. 1 is granted in part and denied in part. Dale Kleszynski's comparables No. 6, 7 and 8 are barred.

7. The Village's Motion *in Limine* No. 2 is granted, and Gary DeClark is barred from testifying.

8. The Village's Motion *in Limine* No. 4 is granted, and the offer from Dartmoor Homes to purchase the subject property is barred.

9. The Village's Motion *in Limine* No. 6 to allow a jury view is granted without objection.


10. The Village's Motion *in Limine* No. 7 is granted, and District 99 representatives other than designated expert witnesses are barred from testifying.

11. The Village's Motion *in Limine* No. 9 is granted, and Michael Haney and Martin Jablonski are barred from testifying.

12. Plaintiff's Motion to Default Unknown Owners is defaulted.

ENTER:

Date: March 17, 2008

  
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Judge John Elsner

**Attorneys for Village of Woodridge**

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