

IN THE COURT OF APPEALS OF IOWA

No. 2-1035 / 12-0910
Filed January 9, 2013

PHYLLIS RICHARDSON,
Plaintiff-Appellant,

vs.

**TRIPLE K MANUFACTURING, INC.,
CHARLES MAXINE and BRIAN
MAXINE,**
Defendants-Appellees.

Appeal from the Iowa District Court for Page County, Richard H. Davidson, Judge.

Phyllis Richardson appeals following a jury verdict returned in favor of the defendants. **AFFIRMED.**

Jon H. Johnson of Johnson Law, P.L.C., Sidney, for appellant.

Michaelle L. Baumert of Husch Blackwell, L.L.P., Omaha, Nebraska, for appellees.

Considered by Doyle, P.J., and Mullins and Bower, JJ.

BOWER, J.

Phyllis Richardson appeals following a jury verdict returned in favor of the defendants Triple K Manufacturing, Inc., Charles Maxine, and Brian Maxine, on Richardson's claims of battery, hostile work environment, sexual harassment, and constructive discharge as a result of sexual harassment. From 2006 to 2010, Richardson was employed at Triple K and was supervised by Charles and Brian Maxine, the president and vice-president and owners of Triple K.

Richardson argues the district court abused its discretion in granting the defendants' motion in limine to exclude testimony from Triple K employee, Mary Richardson¹, in regard to a consensual, extramarital affair she had with Charles Maxine from 1999 to 2000. Upon our review, we agree with the district court that "[t]he limited probative value of this testimony is substantially outweighed by the danger of unfair prejudice to the defendants." See Iowa R. Evid. 5.403.

We further find the district court properly assessed the defendants' postage as allowable court costs. See Iowa Code §§ 625.7, .14 (2011). Finding no abuse of the district court's discretion, we affirm.

AFFIRMED.

¹ Mary Richardson has no relation to plaintiff Phyllis Richardson.