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NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Timber & Lumber Co.,* 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

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SPRINT/UNITED MANAGEMENT CO. *v.* MENDELSOHN

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT

No. 06–1221. Argued December 3, 2007—Decided February 26, 2008

In respondent Mendelsohn's age discrimination case, petitioner Sprint moved *in limine* to exclude the testimony of former employees alleging discrimination by supervisors who had no role in the employment decision Mendelsohn challenged, on the ground that such evidence was irrelevant to the case's central issue, see Fed. Rules Evid. 401, 402, and unduly prejudicial, see Rule 403. Granting the motion, the District Court excluded evidence of discrimination against those not "similarly situated" to Mendelsohn. The Tenth Circuit treated that order as applying a *per se* rule that evidence from employees of other supervisors is irrelevant in age discrimination cases, concluded that the District Court abused its discretion by relying on the Circuit's *Aramburu* case, determined that the evidence was relevant and not unduly prejudicial, and remanded for a new trial.

Held: The Tenth Circuit erred in concluding that the District Court applied a *per se* rule and thus improperly engaged in its own analysis of the relevant factors under Rules 401 and 403, rather than remanding the case for the District Court to clarify its ruling. Pp. 4–9.

(a) In deference to a district court's familiarity with a case's details and its greater experience in evidentiary matters, courts of appeals uphold Rule 403 rulings unless the district court has abused its discretion. Here, the Tenth Circuit did not accord due deference to the District Court. The District Court's two-sentence discussion of the evidence neither cited nor gave any other indication that the decision relied on *Aramburu* or suggested that the court applied a *per se* rule of inadmissibility. Neither party's submissions to the District Court suggested that *Aramburu* was controlling. That court's use of the same "similarly situated" phrase that *Aramburu* used cannot be pre-

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sumed to indicate adoption of *Aramburu*'s analysis, for the District Court was addressing a very different kind of evidence here. And the nature of Sprint's argument was not that the particular evidence was never admissible, but only that such evidence lacked sufficient probative value in this case to be relevant or outweigh prejudice and delay. Pp. 4–7.

(b) Because of the Tenth Circuit's error, it went on to assess the relevance of the evidence itself and conduct its own balancing of probative value and potential prejudicial effect when it should have allowed the District Court to make these determinations in the first instance, explicitly and on the record. Pp. 7–8.

466 F. 3d 1223, vacated and remanded.

THOMAS, J., delivered the opinion for a unanimous Court.