Lundquist et	al v. First National Insurance Company of Ame Case 3:18-cv-05301-RJB Do	rica et al	Filed 10/13/20	Page 1 of 3	C
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8	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON				
9	l A	AT TACOMA			
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11	CAMERON LUNDQUIST, an individ and LEEANA LARA, an individual, o		CASE NO. 18-530	I RJB	
12	behalf of themselves and all others similarly situated,	E	ORDER DENYING XCLUDE EXPER		
13	Plaintiffs,	A	IND OF INIONS		
14	V.				
15	FIRST NATIONAL INSURANCE COMPANY OF AMERICA, a New				
16	Hampshire Corporation, and LM GENERAL INSURANCE COMPAN	Y, an			
17	Illinois Corporation, and CCC INFORMATION SERVICES				
18	INCORPORATED, a Delaware Corporation,				
19	Defendants.				
20					
21	THIS MATTER comes before the	Court on Defe	ndants First Nation	nal Insurance	
22	Company of America and LM General Insurance Company's (collectively "Liberty") Motion to				
23	Strike Expert Reports of Berglund and Schwickerath for purposes of Class Certification (Dkt.				
24	224; filed in redacted form at Dkt. 222), Defendant CCC Information Services Inc.'s ("CCC")				

ORDER DENYING MOTIONS TO EXCLUDE EXPERT TESTIMONY AND OPINIONS - 1

Motion to Exclude the Testimony and Report of Dr. Lance Kaufman (Dkt. 229; filed in redacted
form at Dkt. 227), CCC's Motion to Exclude the Testimony and Report of David A.
Schwickerath (Dkt. 233; filed in redacted form at Dkt. 231), and CCC's Motion to Exclude the
Testimony and Report of William J. Berglund (Dkt. 237; filed in redacted form at Dkt. 235).
The Court has considered the pleadings filed regarding the motions and the remaining file. Oral
argument on these motions is not required for their resolution.

7 **Motions to Exclude**. The Defendants' motions to exclude the testimony and opinions of 8 Berglund, Schwickerath and Kaufman (Dkts. 222, 224, 227, 229, 231, 233, 235, and 237) should 9 be denied in so far as they seek to exclude the testimony and reports from consideration on the motion for class certification. Plaintiffs have sufficiently shown that these experts' opinions 10 satisfy the criteria required by Fed. R. Evid. 702 and set out in Daubert v. Merrell Dow 11 12 Pharmaceuticals, Inc., 509 U.S. 579 (1993), for purposes of the class certification motion. The 13 expert opinions offered here show only possible approaches and no finding is made here on the 14 merits of any expert opinion. The denial of these motions to exclude are without prejudice to a renewal of the motions, if appropriate, either as motions in limine or pursuant to Daubert motions.

<u>ORDER</u>

It is **ORDERED** that:

 Liberty's Motion to Strike Expert Reports of Berglund and Schwickerath for purposes of Class Certification (Dkt. 224; filed in redacted form at Dkt. 222), Defendant CCC's Motion to Exclude the Testimony and Report of Dr. Lance Kaufman (Dkt. 229; filed in redacted form at Dkt. 227), CCC's Motion to Exclude the Testimony and Report of David A. Schwickerath (Dkt. 233; filed in

ORDER DENYING MOTIONS TO EXCLUDE EXPERT TESTIMONY AND OPINIONS - 2

1	redacted form at Dkt. 231), and CCC's Motion to Exclude the Testimony and
2	Report of William J. Berglund (Dkt. 237; filed in redacted form at Dkt. 235) ARE
3	DENIED.
4	The Clerk is directed to send uncertified copies of this Order to all counsel of record and
5	to any party appearing pro se at said party's last known address.
6	Dated this 13 th day of October, 2020.
7	Naker Horgan
8 9	ROBERT J. BRYAN United States District Judge
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	ORDER DENYING MOTIONS TO EXCLUDE EXPERT TESTIMONY AND OPINIONS - 3