

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION

DAMIEN WESBY

PLAINTIFF

v.

No. 3:16-cv-235-DPM

GLOBE MANUFACTURING
COMPANY, LLC; CASCO INDUSTRIES, INC.;
and JOHN DOES B-Y, Unknown Defendants

DEFENDANTS

ORDER

1. For the reasons stated on the record at the 20 March 2019 hearing, the Court made the following rulings on pending motions.

- Globe's *Daubert* motion *in limine*, joined by Casco, to exclude Dr. Buc's testimony, No 51, is partly granted and mostly denied. Dr. Buc may not testify about warnings or human factors.
- Globe's FED. R. CIV. P. 37 motion *in limine* to exclude Dr. Buc's testimony, No 52, is denied with directions. Defendants may take a supplemental deposition, at Wesby's expense and at Defendants' convenience. Election due by 25 March 2019.
- Globe's motion *in limine* to exclude testimony about advertisements and website materials, No 53, is denied.
- Globe's omnibus motion *in limine*, No 54, joined by Casco, is denied with instructions.

2. The parties may file lists of proposed *voir dire* topics by 25 March 2019. And they must file a joint report on witnesses, with projected examination times, by 27 March 2019. The Court encourages trims in the proof so that we can try this straightforward case during the week of April 8th.

3. One other clean-up item, which the Court forgot to cover. The time for amending pleadings has passed. *No 41 at 1*. All claims against the John Doe defendants are therefore dismissed without prejudice.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

20 March 2019