

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**PAIGE GREENWELL and ZACHARY FLUKER,  
on behalf of themselves and all other persons  
similarly situated, known and unknown**

**PLAINTIFFS**

**v.**

**No. 4:15-cv-742-DPM**

**R WINGS R WILD LLC; CONWAY WILD WINGS  
LLC; NORTH LITTLE ROCK WINGS LLC;  
JEROMY HOWARD; FORT SMITH FIERY HOT LLC;  
JONESBORO WINGS LLC; WINGIT LLC; I-40  
WINGS LLC; EDMOND WINGS LLC; RWINGS  
ROCK LLC; TULSA WINGS LLC; SHAWNEE  
WINGS LLC; MIDDELWINGS LLC; WILD WINGS  
WEST LLC; OWASSO WINGS LLC; YUKON  
WINGS LLC; NORMAN WINGS LLC;  
and STILLWATER WINGS LLC**

**DEFENDANTS**

**ORDER**

For the fourth time, the Court addresses proposed expert opinions from Patricia Slate. *No* 77, 78, 84, 85, 86, 98, 113, 114, 115, 121, 125, 126, 128, & 130. Plaintiffs' motion to strike her supplemental report, *No* 131, is granted. First, the disclosure is untimely—the deadline for expert reports was ten months before Defendants provided the new report. *No* 64 at 1, 95 at 1, & 118 at 1. Second, the Court's August 2017 Order wasn't intended to open the gate for Slate to expand or supplement her opinions. *No* 121. And it cannot reasonably be read to do so. Instead,

the Court's Order addressed Defendants' request for clarification of the Court's admittedly terse first ruling, which mostly sustained Plaintiffs' challenge to Slate's proposed testimony. So there could be no doubt about particulars, and with specific references to the original report, the Court went into detail about what parts of Slate's proposed testimony would be admissible and what parts wouldn't be. Defendants' effort to expand this expert's now-limited testimony, under the flag of supplementation, is misguided. Slate may offer her original opinions as limited by the Court's August 2017 roadmap Order, № 121. No more.

So Ordered.

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

13 December 2017