

LINK:

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES – GENERAL

Case No.	CV 13-02092 BRO (PLAx)	Date	September 22, 2014
Title	GRAYLING TAYLOR ET AL. V. SHIPPERS TRANSPORT EXPRESS, INC. ET AL.		

Present: The Honorable	BEVERLY REID O’CONNELL, United States District Judge		
Renee A. Fisher	Not Present		N/A
Deputy Clerk	Court Reporter		Tape No.
Attorneys Present for Plaintiffs:		Attorneys Present for Defendants:	
Not Present		Not Present	

Proceedings: (IN CHAMBERS)

ORDER TO SHOW CAUSE RE EXPERT WITNESS DISCLOSURES

Pending before the Court are the Parties' cross-motions for summary judgment. (Dkt. Nos. 93, 151.) In opposition to Defendants' motion for summary judgment, Plaintiffs have submitted an expert report of Mr. Karl Schulze. (Dkt. No. 162.) Pursuant to Federal Rule of Civil Procedure 26(a)(2), Plaintiffs' report is required to contain the following information:

- (i) a complete statement of all opinions the witness will express and the basis and reasons for them;
- (ii) the facts or data considered by the witness in forming them;
- (iii) any exhibits that will be used to summarize or support them;
- (iv) the witness's qualifications, including a list of all publications authored in the previous 10 years;
- (v) a list of all other cases in which, during the previous 4 years, the witness testified as an expert at trial or by deposition; and
- (vi) a statement of the compensation to be paid for the study and testimony in the case.

Fed. R. Civ. P. 26(a)(2)(B)(i)–(vi). In Mr. Schulze's report, however, Plaintiffs fail to provide Mr. Schulze's publications (if any) from the previous ten years, a list of all cases in which Mr. Schulze has testified during the past four years, and a statement of the compensation he is to be paid for his study and testimony in this case. Although Mr.

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Schulze refers to an “Exhibit A” which purports to embody a true and correct copy of his curriculum vitae, (Schulze Decl. ¶ 5), no such exhibit was attached.

Accordingly, Plaintiffs are hereby **ORDERED TO SHOW CAUSE** why Mr. Schulze’s declaration should not be stricken from the record for failure to comply with Rule 26’s requirements for expert witness disclosures. Plaintiffs’ response to this order to show cause must be filed **no later than Tuesday, September 23, 2014, at 12:00 p.m.** An appropriate response to this order will include the requisite information missing from Mr. Schulze’s report as well as substantial justification for failing to include these materials with Mr. Schulze’s initial report.

IT IS SO ORDERED.

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Initials of Preparer	rf