

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

AVIDAIR HELICOPTER SUPPLY, INC.,)
)
Plaintiff,)
)
vs.)
)
ROLLS-ROYCE CORPORATION,)
)
Defendant.)

Case No. 06-0816-CV-W-ODS

ORDER AND OPINION GRANTING IN PART AND DEEMING AS MOOT IN PART
ROLLS-ROYCE’S MOTION TO EXCLUDE
OPINION AND TESTIMONY OF JERRY R. RENO

Pending is Rolls-Royce’s Motion to Strike portions of Jerry R. Reno’s expert testimony. AvidAir submitted four separate reports from Reno. Rolls-Royce challenges (1) Opinions VII and X from the first report and (2) the third and fourth reports in their entirety.

Opinions VII and X from the first report are related to difference between various revisions of DOIL 24. The Court has already issued a ruling with respect to DOIL 24, so the challenges to these opinions are moot.

The third report purports to describe documents Timkin Alcor Aerospace relies upon to repair and overhaul compressor cases for the Model 250 engine. The Court is not convinced this is an expert opinion, nor is it convinced the report was made in a timely manner, but there is no need to delve into these possibilities because this issue is also moot. DOIL 24 is the only document Reno identifies that are relevant in this lawsuit, and the Court has already issued its ruling with respect to DOIL 24.

Rolls-Royce’s motion with respect to the fourth report is granted on the merits. Reno prepared the fourth report in October 2008 in connection with litigation taking place in the Northern District of Texas. The report was supplied to Rolls-Royce well after the deadline for making expert disclosures. Moreover, the report purports to document changes between various DOILs over time. It documents the changes –

which any person reading the documents could do – but fails to attach or address the engineering significance of the differences. In other words, Reno has failed to bring his expertise to bear (or at least has not expressed it in the report as he should have), so his opinions will not help the jury.¹

IT IS SO ORDERED.

DATE: September 22, 2009

/s/ Ortrie D. Smith _____
ORTRIE D. SMITH, JUDGE
UNITED STATES DISTRICT COURT

¹For what it is worth, the Court is not convinced anything in Reno's fourth report is relevant to any of the issues in this case.