UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

	:	
JESSICA DURKIN, both individually ,	:	Hon. Joseph H. Rodriguez
and as Administratrix of the Estate and	:	
Administratrix Ad Prosequendum of	:	
the Estate of WILLIAM R. GANGELL,	:	
JR., Deceased,	:	
	:	
Plaintiffs,	:	Civil Action No. 10-2013
v.	:	
	:	
WABASH NATIONAL,	:	
	:	**ORDER**
Defendant.	:	

These matters having come before the Court upon Motions of Defendant Wabash

National Corporation (hereinafter "Wabash"), for Summary Judgment [Dkt. No. 149]

pursuant to Fed. R. Civ. P. 56, to Preclude the Testimony of Plaintiff's Experts Brooks

Rugemer [Dkt. No. 152] and William Vigilante [Dkt. No. 154] pursuant to Fed. R. Evid.

702, and to Strike Plaintiff's Responses to the Statement of Undisputed Facts [174]

pursuant to L. Civ. R. 56.1(a), and the Court having considered the written submissions

as well as the arguments advanced in the two hearings in this matter on February 20,

2013 and March 12, 2013, and the Court determining that it will reserve decision on

Defendant's Summary Judgment motion until such time that it can review the transcript

record of the hearing on March 12, 2013, therefore,

For the reasons set forth on the record during the hearings in this matter and for

the reasons outlined in the Court's Opinion of even date,

IT IS on this 28th Day of March, 2013 hereby ORDERED that

The Court will reserve its decision on Summary Judgment [Dkt. No. 149] and re-

calendar the motion for April 29, 2013; and it is further

ORDERED that Defendant's Motion to Preclude the Testimony of Plaintiff's

Expert Brooks Rugemer [Dkt. No. 152] is DENIED consistent with the Court's Opinion;

and it is further

ORDERED that Defendant's Motion to Preclude the Testimony of Plaintiff's

Expert William Vigilante [Dkt. No. 154] is DENIED consistent with the Court's Opinion;

and it is further

ORDERED that Defendant's Motion to Strike Plaintiff's Responses to the

Statement of Undisputed Facts [174] is GRANTED IN PART.

 s/ Joseph H. Rodriguez
Hon. Joseph H. Rodriguez,
United States District Judge