

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE : CIVIL ACTION
DVI, INC. SECURITIES LITIGATION : No. 03-5336

ORDER

AND NOW, this 18th day of November, 2013, upon consideration of the parties' submissions,¹ it is hereby ORDERED that Lead Plaintiffs' "Motion to Strike and Exclude Deloitte & Touche LLP's Purported Causation and Damages Expert Neil H. Demchick" (Doc. No. 876) is DENIED. Demchick will be permitted to testify at trial as an expert on loss causation and damages consistently with the opinions set forth in his May 3, 2013 report. (Demchick Rep., Def. Ex. 3, Doc. No. 889).

It is furthered ORDERED that a RULING IS RESERVED on Defendant Deloitte & Touche LLP's "Motion to Exclude From Trial Any Testimony From Lead Plaintiffs' Purported Expert Chad Coffman" (Doc. No. 868). By Friday, January 3, 2014, the parties may submit additional briefing on on the questions set forth in the Memorandum, dated November 18, 2013, that accompanies this Order. Concise submissions of 25 pages or less are strongly encouraged.

BY THE COURT:

/s/ Legrome D. Davis

Legrome D. Davis, J.

¹ The parties' submissions: Lead Plaintiffs' Mot. (Doc. No. 876), Mem. of Law (Doc. No. 880), with Exs. 1-20 (Doc. No. 881), and Reply Br. (Doc. No. 895); Deloitte's Resp. with Exs. 1-6 (Doc. No. 889). Defendant Deloitte & Touche LLP's Mot. (Doc. No. 868), Mem. of Law with Exs. A-E (Doc. No. 870), and Reply Br. (Doc. No. 885); Lead Plaintiffs' Resp. with Exs. 1-4 (Doc. No. 873).