

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

NBL FLOORING, INC., on behalf of itself :
and others similarly situated, :
Plaintiff, :
v. :
TRUMBALL INSURANCE CO., et al., :
Defendants. :

CIVIL ACTION NO. 10-4398

FILED

OCT 18 2013

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, this 18th day of October 2013, upon consideration of Defendants' Motion to Strike Plaintiff's Expert Report [Doc. No. 76] and Plaintiffs' response thereto, and for the reasons set forth in the accompanying memorandum opinion, it is hereby **ORDERED** that the Motion is **GRANTED** in part and **DENIED** in part.

The Court **STRIKES** portions of Mr. Priz's expert report. Specifically, the Court has found Mr. Priz unqualified to describe, interpret, or apply Pennsylvania law, and will strike his report to the extent that it discusses the criteria insurers must consider in determining premiums under Pennsylvania's Workers' Compensation law or opines as to whether Defendants' audits complied with Pennsylvania law.

Should Plaintiff wish to call Mr. Priz as a witness at the class certification hearing scheduled for October 24, 2013, the Court will allow Mr. Priz to testify regarding the issues on which the Court has found him qualified.

It is so **ORDERED**.

BY THE COURT:


CYNTHIA M. RUFÉ, J.