

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

**STATE FARM FIRE & CASUALTY
COMPANY, as subrogee of the Estate of
Alkis J. Marland,**
Plaintiff,

v.

**HARTMAN CONTRACTORS,
JOHN GRIMLEY, trading as "JG
ASSOCIATES," and
ANTHONY ELECTRIC,**
Defendants.

CIVIL ACTION

NO. 14-6535

ORDER

AND NOW, this 17th day of May, 2017, upon consideration of the Motion in Limine (*Daubert* Motion) of Defendant John Grimley, t/a and/or d/b/a JG & Associates[,] to Preclude the Testimony of Plaintiff's Proffered Expert Witness Michael Wald (Document No. 60, filed Jan. 13, 2017); Defendant John Grimley['s], t/a and/or d/b/a JG & Associates[,] Motion for Summary Judgment (Document No. 60, filed Jan. 13, 2017); Plaintiff's Response in Opposition to Defendant Grimley's Motion to Preclude the Testimony of Plaintiff's Expert, Michael Wald (Document No. 64, filed Feb. 10, 2017); and Plaintiff's Response in Opposition to the Motion for Summary Judgment of Defendant Grimley t/a or d/b/a JG & Associates (Document No. 65, filed Feb. 10, 2017), for the reasons set forth in the accompanying Memorandum dated May 17, 2017, **IT IS ORDERED** as follows:

1. The Motion in Limine (*Daubert* Motion) of Defendant John Grimley, t/a and/or d/b/a JG & Associates[,] to Preclude the Testimony of Plaintiff's Expert Witness Michael Wald is **GRANTED IN PART** and **DENIED IN PART**, as follows:

a. The parts of Grimley's Motion in Limine that seek to exclude Wald's opinions with respect to the origin of the fire and the reason why Grimley used 2-inch drywall screws are **GRANTED**; and

b. The Motion in Limine is **DENIED** in all other respects.

2. Defendant John Grimley['s], t/a and/or d/b/a JG Associates[,] Motion for Summary Judgment is **DENIED**.

IT IS FURTHER ORDERED that, on or before June 15, 2017, counsel shall jointly report to the Court (letter to Chambers, Room 12613) with respect to whether the case is settled.¹ In the event the case is not settled on or before June 15, 2017, counsel shall include in their joint report a statement as to whether they believe further settlement conferencing before United States Magistrate Judge Thomas J. Rueter might be of assistance in resolving the case and, if so, by what date they will be prepared to begin such proceedings. In the event that the case is not reported settled and counsel do not agree on settlement conferencing, counsel shall include in their joint report a proposed schedule for all further proceedings.

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.

¹ Plaintiff shall provide defendant with a demand on or before May 24, 2017.