

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

PARVEZ & RAZIA YAZDANI,	:	CIVIL ACTION
Plaintiffs,	:	
	:	
v.	:	
	:	
BMW OF NORTH AMERICA, LLC, and	:	
BMW MOTORRAD USA, a Division of	:	No. 15-01427
BMW OF NORTH AMERICA, LLC	:	
Defendants.	:	

**ORDER**

AND NOW, on May 12, 2016, it is ORDERED:

(1) Upon consideration of Defendant BMW of North America, LLC, and BMW Motorrad USA’s Motion to Preclude Plaintiffs’ Expert, William J. Vigilante, Jr. (doc. 16), Plaintiffs Parvez & Razia Yazdanis’ Response (doc. 17), and BMW’s Reply (doc. 20), BMW’s motion to preclude is DENIED in part and GRANTED in part for the reasons stated in the accompanying memorandum. Mr. Vigilante shall be precluded from testifying that: (a) it was unreasonable for BMW to rely on its dealers to convey safety warnings; and (2) it was unreasonable for BMW to rely on the Rider’s Manual because second-hand users are unlikely to obtain the manual and users are unlikely to read all or any part of the manual.

(2) Upon consideration of BMW’s Motion for Summary Judgment (doc.15), the Yazdanis’ Responses (doc. 18), and BMW’s Reply (doc. 21), BMW’s motion for summary judgment is DENIED for the reasons stated in the accompanying memorandum.

BY THE COURT:

/s/ Timothy R. Rice  
 TIMOTHY R. RICE  
 U.S. MAGISTRATE JUDGE