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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON

7 DAVID JANIASHVILI,

8 Plaintiff,

9 v.

10 MACK TRUCK LINES, INC., a  
11 California Corporation; JADVINDER  
12 SINGH, individually and a Successor  
13 in Interest to the Estate of JASPREET  
14 SINGH; ARTUDIANTI, INC., and  
DACHI GOGOLADZE,

Defendants.

NO. 2:20-CV-0442-TOR

ORDER DENYING DEFENDANTS'  
MOTION FOR SUMMARY  
JUDGMENT

15 BEFORE THE COURT is Defendants' Motion for Summary Judgment  
16 (ECF No. 29). This matter was submitted for consideration without oral argument.  
17 The Court has reviewed the record and files herein, the completed briefing, and is  
18 fully informed. For the reasons discussed below, Defendants' Motion for  
19 Summary Judgment (ECF No. 29) is DENIED.  
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ORDER DENYING DEFENDANTS' MOTION FOR SUMMARY  
JUDGMENT ~ 1

1 **BACKGROUND**

2 This matter relates to a motor vehicle collision on December 12, 2018,  
3 involving two commercial tractor-trailers. ECF No. 30 at 1–2, ¶¶ 1–4. The  
4 following facts are not in dispute, except where noted.

5 On December 12, 2018, a tractor-trailer owned by Defendant Mack Truck  
6 Lines, Inc. and driven by Jaspreet Singh (deceased), jackknifed on Interstate 90 in  
7 Lincoln County, Washington, causing a complete blockage of both westbound  
8 lanes. *Id.* at 1, ¶ 1; ECF No. 12 at 3, ¶ 9. Due to the position of the vehicle  
9 thereafter, neither the headlights nor the taillights of the trailer were visible to  
10 traffic traveling in a westerly direction. ECF No. 30 at 2, ¶ 2. The second tractor-  
11 trailer involved in the accident was owned by Defendant Artudianti, Inc. and  
12 driven by Defendant Dachi Gogoladze. *Id.* at ¶ 4. Mr. Gogoladze was traveling in  
13 a westerly direction when he came upon Mr. Singh’s trailer, but without the ability  
14 to see the headlights or taillights, Mr. Gogoladze was not able to stop in time to  
15 avoid colliding with Mr. Singh’s trailer. *Id.* at ¶ 5. Plaintiff was a passenger in  
16 Mr. Gogoladze’s trailer at the time of the accident. ECF No. 12 at 3, ¶ 9. No other  
17 facts relating to the accident are presently before the Court.

18 Plaintiff alleges negligence causes of action against all four defendants. *Id.*  
19 at 4–5. Defendants Artudianti, Inc. and Dachi Gogoladze move for summary  
20 judgment on the grounds that Plaintiff’s claims will fail at trial without expert

1 witnesses, which Plaintiff has failed to disclose. ECF No. 29. Plaintiff did not  
2 respond to the motion. As such, the Court considers all facts contained herein  
3 undisputed and admitted. *See* LCivR 56(e).

## 4 DISCUSSION

### 5 I. Legal Standard

6 The Court may grant summary judgment in favor of a moving party who  
7 demonstrates “that there is no genuine dispute as to any material fact and that the  
8 movant is entitled to judgment as a matter of law.” Fed. R. Civ. P. 56(a). In ruling  
9 on a motion for summary judgment, the court must only consider admissible  
10 evidence. *Orr v. Bank of America, NT & SA*, 285 F.3d 764 (9th Cir. 2002). The  
11 party moving for summary judgment bears the initial burden of showing the  
12 absence of any genuine issues of material fact. *Celotex Corp. v. Catrett*, 477 U.S.  
13 317, 323 (1986). The burden then shifts to the non-moving party to identify  
14 specific facts showing there is a genuine issue of material fact. *See Anderson v.*  
15 *Liberty Lobby, Inc.*, 477 U.S. 242, 256 (1986). “The mere existence of a scintilla  
16 of evidence in support of the plaintiff’s position will be insufficient; there must be  
17 evidence on which the jury could reasonably find for the plaintiff.” *Id.* at 252.

18 For purposes of summary judgment, a fact is “material” if it might affect the  
19 outcome of the suit under the governing law. *Id.* at 248. Further, a dispute is  
20 “genuine” only where the evidence is such that a reasonable jury could find in

1 favor of the non-moving party. *Id.* The Court views the facts, and all rational  
2 inferences therefrom, in the light most favorable to the non-moving party. *Scott v.*  
3 *Harris*, 550 U.S. 372, 378 (2007). Summary judgment will thus be granted  
4 “against a party who fails to make a showing sufficient to establish the existence of  
5 an element essential to that party’s case, and on which that party will bear the  
6 burden of proof at trial.” *Celotex*, 477 U.S. at 322.

7 Defendants Artudianti, Inc. and Gogoladze (“Defendants”) move for  
8 summary judgment on the grounds that Plaintiff cannot establish the elements of  
9 duty, breach, causation, and damages absent expert testimony. ECF No. 29.

10 Plaintiff has not disclosed any expert witnesses, and the time for disclosures under  
11 this Court’s Scheduling Order has expired. ECF No. 27 at 3–4.

12 “In general, expert testimony is required when an essential element in the  
13 case is best established by an opinion which is beyond the expertise of a  
14 layperson.” *Rinehold v. Renne*, 198 Wash. 2d 81, 92 (2021) (citation and internal  
15 quotations marks omitted). In negligence claims, Washington courts have required  
16 expert testimony in matters arising from medical and legal malpractice, as well as  
17 products liability. *See, e.g., Reyes v. Yakima Health District*, 191 Wash. 2d 79, 90  
18 (2018); *Walker v. Bangs*, 92 Wash. 2d 854, 858 (1979); *Wagner v. Flightcraft,*  
19 *Inc.*, 31 Wash. App. 558, 564 (1982). The cases cited by Defendants do not stand  
20 for the proposition that expert testimony is required in all negligence claims, as

1 Defendants seem to purport. Rather, the moving parties in those cases were  
2 successful because the nonmoving party failed to rebut the evidence presented at  
3 summary judgment.

4 While Defendants may ultimately be correct that Plaintiff's evidence is  
5 insufficient to prove his claims at trial, the Court finds the present record  
6 inadequately developed to make such a determination at this time. Defendants  
7 present only five sentences of material fact, none of which are supported by  
8 evidence. ECF No. 30. Moreover, each statement appears to be derived solely  
9 from Plaintiff's Complaint. *See* ECF No. 12. Finally, Defendants' facts do not  
10 contain any details about the accident or the parties' conduct at the time of, and  
11 preceding, the event. Therefore, it is impossible to determine whether Plaintiff's  
12 claims will necessarily fail absent expert testimony. Such a determination will be  
13 more appropriate once the factual and evidentiary record is more fully developed.

14 **ACCORDINGLY, IT IS HEREBY ORDERED:**

15 Defendant's Motion for Summary Judgment (ECF No. 29) is **DENIED**.

16 The District Court Executive is directed to enter this Order and furnish  
17 copies to counsel.

18 DATED July 29, 2022.



A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE  
United States District Judge