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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

7 RICHARD AND LORIANN
8 WILLIAMS,

9 Plaintiffs,

10 v.

11 STARRAG GROUP HOLDING AG, et
12 al.,

13 Defendants.

C14-764 TSZ

MINUTE ORDER

14 The following Minute Order is made by direction of the Court, the Honorable
15 Thomas S. Zilly, United States District Judge:

16 Defendant Dörries Scharmann Technology, GmbH's ("DST") motions in limine,
17 docket no. 72, are GRANTED in part, DENIED in part, and DEFERRED in part as
18 follows:

19 (1) Defendant DST's first motion in limine, that "Plaintiffs' trial
20 evidence should be excluded under LCR 16 and FRCP 37," is DENIED;

21 (2) Defendant DST's second motion in limine, as to "lay witness
22 opinions on matters that require specialized knowledge" is DEFERRED to trial;

23 (3) Defendant DST's third motion in limine, as to "hearsay statements
from out of court declarants" is GRANTED in part and DEFERRED in part to
trial. As to testimony by Mr. Williams concerning a co-worker's statements that
the DST Alpha Machine was defective, defendant's motion is GRANTED.
Except as granted, defendant's motion is DEFERRED to trial. The Court will
address hearsay objections to specific evidence or testimony, if any, at trial;

1 (4) Defendant DST's fourth motion in limine, that "The Boeing Incident
Report should be redacted," is DENIED;

2 (5) Defendant DST's fifth motion in limine, that "Dr. Louis Kretschmer
3 should be precluded from offering any testimony as an expert witness beyond the
scope of conducting independent medical exams," is DEFERRED to the pretrial
4 conference;

5 (6) Defendant DST's sixth motion in limine, as to "evidence relevant
only to plaintiffs' dismissed claims for manufacturing defect, failure to provide
6 adequate warnings or instructions, negligence, or any claim against the Starrag
defendants," is DEFERRED to the pretrial conference;

7 (7) Defendant DST's seventh motion in limine, as to "evidence or
argument that the DST Alpha 1000 M is the 'relevant product,' as opposed to the
8 metal walkway," is GRANTED;

9 (8) Defendant DST's eighth motion in limine, as to "attempts to elicit
legal conclusions or legal argument from DST's lay corporate witnesses," is
10 GRANTED;

11 (9) Defendant DST's ninth motion in limine, as to "suggestions that the
jury 'send a message' or otherwise punish or deter DST," is GRANTED;

12 (10) Defendant DST's tenth motion in limine, as to "statements about the
13 costs of litigation," is GRANTED;

14 (11) Defendant DST's eleventh motion in limine, as to "argument by
counsel requesting the jurors to place themselves in the position of plaintiffs," is
15 GRANTED.

16 The Clerk is directed to send a copy of this Minute Order to all counsel of record.

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18 Dated this 4th day of April, 2017.

19 William M. McCool
Clerk

20 s/Karen Dews
21 Deputy Clerk