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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 A. H. LUNDBERG ASSOCIATES,
11 INC., et al.,

Plaintiffs,

v.

13 TSI, INC.,

14 Defendant.

CASE NO. C14-1160JLR

ORDER ON REMAND

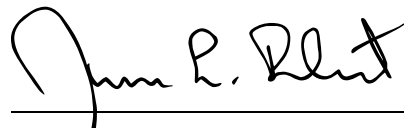
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16 Before the court is the opinion and mandate of the Ninth Circuit Court of Appeals
17 affirming in part and reversing in part the court's order of sanctions against Dr. Richard J.
18 Martin. (9th Cir. Op. (Dkt. # 303); 9th Cir. Mandate (Dkt. # 304); *see also* 9/21/16 Tr.
19 (Dkt. # 267) at 113:16-114:13 (order issuing sanctions); 3/9/17 Order (Dkt. # 271) at
20 37-40 (granting in part and denying in part Dr. Martin's motion to vacate sanctions).)

21 On September 21, 2016, the court struck Dr. Martin's expert testimony and
22 imposed personal and monetary sanctions against him based on his failure to include

1 certain disclosures in his expert report. (*See* 9/21/16 Tr. at 113:16-114:13, 117:5-11.)
2 Dr. Martin moved to vacate the court’s order of sanctions (Dkt. # 223), and the court
3 granted his request in part and denied it in part (*see* 3/9/17 Order at 37-40). On appeal,
4 the Ninth Circuit affirmed the court’s order striking Dr. Martin’s expert testimony, but
5 reversed the court’s order sanctioning Dr. Martin. (*See* 9th Cir. Op. at 2-4.) Specifically,
6 the Ninth Circuit vacated “the monetary sanctions and finding of misconduct against
7 [Dr.] Martin.” (*Id.* at 4.)

8 Accordingly, the court VACATES its order of monetary sanctions and finding of
9 misconduct against Dr. Martin (9/21/16 Tr. at 113:16-114:13) and the portions of its
10 order denying Dr. Martin’s motion to vacate those sanctions (3/9/17 Order at 37-40).
11 Because all claims in this action have been adjudicated, the court DIRECTS the Clerk to
12 close this matter.

13 Dated this 11th day of October, 2019.

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16 JAMES L. ROBART
17 United States District Judge
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