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

7 SEATTLE TIMES COMPANY,

8 Plaintiff,

9 v.

10 LEATHERCARE, INC., et al.,

11 Defendants,

12 v.

13 TOUCHSTONE SLU LLC, et al.,

14 Third-Party Defendants.

C15-1901 TSZ

MINUTE ORDER

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

17 (1) Plaintiff's motion, docket no. 55, to strike the Rebuttal and Supplemental
18 Report dated June 9, 2017, authored by defendants' expert Pamela J. Morrill, LG, LHG,
19 and for sanctions is DENIED. The Court is satisfied that, except for the portions relying
20 on information recently learned from Jack Ross, a former employee of non-party Troy
21 Linen & Uniform Service, Inc. (aka Troy Laundry), Morrill's June 2017 report is in
22 rebuttal to the opinions of plaintiff's and third-party defendants' experts. As Morrill
23 makes clear in the preamble of Section 3, titled "General Responses and Opinions," such
section offers "general opinions and responses to the Seattle Times' and Touchstone's
expert opinions," and it is in rebuttal to "more than one or all of the Seattle Times' expert
opinions and reports as they generally ignored, overstated, and/or understated important
facts and issues in a similar manner." *See* Ex. 10 to Kray Decl. (docket no. 56-11 at 18).
In contrast, Sections 4 through 9 of Morrill's June 2017 report each deal specifically with
a particular expert's opinion. *See id.*

(2) Plaintiff's alternative motion, docket no. 55, for leave to file supplemental
expert reports is GRANTED in part as follows. Supplemental reports relating to
interviews or depositions of designated or potential fact witnesses that were conducted

1 after April 12, 2017, shall be disclosed by August 9, 2017. Any rebuttal to such
2 supplemental reports shall be disclosed by August 25, 2017. The dispositive motions
3 filing deadline remains August 17, 2017, and the motions in limine filing deadline
4 remains October 5, 2017. Plaintiff's alternative motion regarding supplemental expert
5 reports is otherwise DENIED.

6 (3) The Clerk is directed to send a copy of this Minute Order to all counsel of
7 record.

8 Dated this 19th day of July, 2017.

9 William M. McCool
10 Clerk

11 s/Karen Dews
12 Deputy Clerk