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

10 LESLIE JACK, et al.,

11 Plaintiffs,

12 v.

13 BORG-WARNER MORSE TEC,  
14 LLC, et al.,

15 Defendants.

CASE NO. C17-0537JLR

MINUTE ORDER

16 The following minute order is made by the direction of the court, the Honorable  
17 James L. Robart:

18 The court has received the verdict of the jury. (Jury Verdict (Dkt. # 791).) The  
19 jury reached a verdict on Plaintiffs Leslie Jack and David Jack's (collectively,  
20 "Plaintiffs") product liability design defect claims and product liability failure-to-warn  
21 claims, but did not reach a verdict on Plaintiffs' negligence claims. (*Id.* at 2.) The court  
22 therefore declares a MISTRIAL on Plaintiffs' negligence claims. *See California v. Altus*

1 *Fin. S.A.*, 540 F.3d 992, 1005 (9th Cir. 2008) (“If the answered verdict forms do not  
2 dispose of all the issues submitted to the jury, the court must either resubmit the  
3 unanswered verdicts to the same jury or declare a mistrial with respect to the unresolved  
4 issues.”).

5 Filed and entered this 25th day of October, 2018.

6 WILLIAM M. MCCOOL  
7 Clerk of Court

8 s/ Ashleigh Drecktrah  
9 Deputy Clerk  
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