

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MARK WILLIAMS, as Personal  
Representative of the Estate of Shane P.  
Williams, and MARK WILLIAMS, a married  
man as his separate property,

Plaintiff,

v.

KITSAP COUNTY, a municipal corporation;  
BEN HERRIN and JANE DOE HERRIN,  
husband and wife, and the marital community  
comprised thereof; and PAUL WOODRUM  
and JANE DOE WOODRUM, husband and  
wife, and the marital community comprised  
thereof,

Defendants.

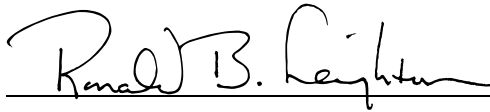
Case No. C08-05430RBL

ORDER GRANTING PLAINTIFF'S  
MOTION FOR LEAVE TO  
SUPPLEMENT OPPOSITION TO  
KITSAP COUNTY'S MOTION FOR  
SUMMARY JUDGMENT

THIS MATTER is before the Court on Plaintiff Mark Williams' Motion for Leave to Supplement Opposition to Kitsap County's Motion for Summary Judgment. [Dkt. # 54]. The Plaintiff wishes to attach a second declaration from an expert witness, D.P. Van Blaricom, rebutting Joseph Fountain's expert testimony in support of the Defendant's rely to the Plaintiff's response to Defendant's Motion for Summary Judgment. [Dkt. # 46]. The plaintiff argues that Mr. Fountain's report submitted as part of the parties' expert disclosures did not address whether the defendant police officers provided constitutionally adequate warnings,

1 and that Plaintiff was therefore not given fair notice that such opinions would be filed. [Dkt. # 54 at 2]. The  
2 Court has considered the motion, and finds that the interests of justice favor granting Plaintiff's motion. It  
3 is ORDERED that the Plaintiff's Motion for Leave to Supplement Opposition to Kitsap County's Motion for  
4 Summary Judgment [Dkt. # 54] is GRANTED.  
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6 Dated this 13<sup>th</sup> day of May, 2009.  
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11 RONALD B. LEIGHTON  
12 UNITED STATES DISTRICT JUDGE  
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