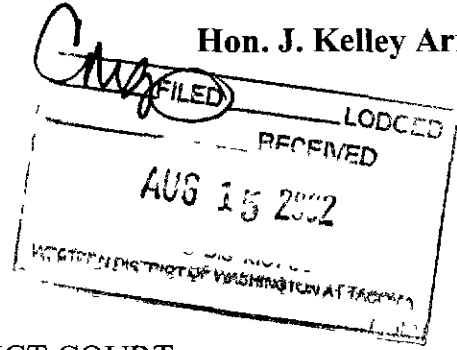


Hon. J. Kelley Arnold



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KEN L. JARAMILLO, individually and
as Personal Representative of the Estates
of ANGELA L JARAMILLO and
MCKENNA LEE JARAMILLO,
GERALD R. TARUTIS as guardian ad
litem for RILEY R. JARAMILLO, a
minor, and BRADFORD J. FULTON as
guardian ad litem for SAWYER D.
JARAMILLO, a minor,

Plaintiffs,

v

FORD MOTOR COMPANY, a Delaware
corporation, and DOREL JUVENILE
GROUP, INC., a foreign corporation,

Defendants

NO. C01-5311JKA

DEFENDANT DOREL
JUVENILE GROUP,
INC.'S FRCP 26
DISCLOSURE OF
EXPERTS

Defendant Dorel Juvenile Group, Inc., by counsel, makes the following expert disclosures pursuant to FRCP 26(a)(2) and the Court's Amended Scheduling Order dated March 27, 2002. Defendant reserves the right to supplement this disclosure, to make substitutions in the event any expert becomes unavailable at time of trial, and/or to name additional experts in the event new issues are raised by plaintiff and/or plaintiff's experts. Defendant further reserves the right *not* to call any expert witness herein identified at time of trial and to raise a claim of privilege for the protection of materials made in preparation of litigation.

DEFENDANT DOREL'S
DISCLOSURE OF EXPERTS

HOUGER & WALT, P.S.
1702 North 34th Street
Seattle, Washington 98103
(206) 675-1600



ORIGINAL

31

1 **A. Fed. Rule Civ. Pro. 26(a)(2)(B) Expert Witnesses:**

2 Donald E. Struble, Ph D
3 Struble-Welsh Engineering
4 770 Lawrence Drive, Ste 100
5 San Luis Obispo, CA 93401
6 (805) 545-5801 (Phone)
7 (805) 545-5831 (Fax)

8 Dr. Struble's report of his opinions and the basis therefor, his curriculum vitae, fee
9 schedule, and list of testimony offered in the preceding four years is attached hereto. Dr
10 Struble may use as exhibits at time of trial his photographs, of which color copies are
11 attached, as well as his additional photographs which are presently being developed (and that
12 will be produced upon receipt) Dr. Struble may also use his mapped observations of the Ford
13 Explorer seat belts, three of which are attached hereto. Dr. Struble is in the process of
14 mapping the two remaining seat belts and that material will be provided shortly. In addition,
15 Dr. Struble may use as exhibits at time of trial other photographs, or diagrams, drawings and
16 charts, produced during discovery including but not limited to that made by the Idaho State
17 Police, the Coroner's office, and/or other experts. Dr. Struble may also use at time of trial the
18 subject Ford 1998 seat belts, the subject shield for the Grand Explorer Booster Seat, an
19 exemplar Grand Explorer Booster Seat, exemplars of the Century Breverra Classics booster
20 seat, the subject Ford vehicle or any part thereof, and an exemplar Ford vehicle or any part
21 thereof as well as exhibits for demonstrative purposes.

22 James (Jim) H. McElhaney, Ph.D. P.E.
23 3411 Cambridge Road
24 Durham, NC 27707
25 Phone: (919) 660-5135
26 Home: (919) 489-4159
27 Fax: (919) 402-9242

28 Dr. McElhaney's report of his opinions and the basis therefor, his curriculum vitae,
29 fee schedule, and list of testimony offered in the preceding four years, is attached hereto as
30 well as a color copy of his photographs. In addition to the attached photographs, Dr.
31 McElhaney may use as exhibits at time of trial other photographs, or diagrams, drawings and

1 charts, produced during discovery including but not limited to that made by the Idaho State
2 Police, the Coroner's office, and/or other experts Dr. McElhaney may also use at time of
3 trial the subject Ford 1998 seat belts, the subject shield for the Grand Explorer Booster Seat,
4 an exemplar Grand Explorer Booster Seat, exemplars of the Century Breverra Classics
5 booster seat, the subject Ford vehicle or any part thereof, and an exemplar Ford vehicle or
6 any part thereof as well as exhibits for demonstrative purposes

7
8 William R "Mike" Scott, Ph D
9 Biodynamic Research Corporation
10 9901 I-10 West
11 Suite 1000
12 San Antonio, TX 78230
13 (210) 691-0281 (Phone)
14 (210) 691-8823 (Fax)

15 Dr. Scott's report of his opinions and the basis therefor, his curriculum vitae, fee
16 schedule, and list of testimony offered in the preceding four years, is attached hereto as well
17 as a color copy of his photographs. In addition to the attached photographs, Dr. Scott may
18 use as exhibits at time of trial other photographs, or diagrams, drawings and charts, produced
19 during discovery including but not limited to that made by the Idaho State Police, the
20 Coroner's office, and/or other experts. Dr Scott may also use at time of trial the subject Ford
21 1998 seat belts, the subject shield for the Grand Explorer Booster Seat, an exemplar Grand
22 Explorer Booster Seat, exemplars of the Century Breverra Classics booster seat, the subject
23 Ford vehicle or any part thereof, and an exemplar Ford vehicle or any part thereof as well as
24 exhibits for demonstrative purposes.

25
26 Christine T. Wood, Ph.D
27 Exponent
28 149 Commonwealth Drive
P O. Box 3015
Menlo, CA 94025
Phone. (650) 688-7134
Fax. (650) 326-8072

Dr Wood's report of her opinions and the basis therefor, her curriculum vitae, fee
schedule, and list of testimony offered in the preceding four years, is attached hereto Dr
Wood may use as exhibits at time of trial all photographs, diagrams, drawings, and charts,

1 produced during discovery including but not limited to drawings and diagrams produced by
2 Dorel in its initial disclosures depicting the labeling and instructions of the Grand Explorer
3 Booster seat Dr Wood may also use at time of trial the subject shield for the Grand Explorer
4 Booster Seat, an exemplar Grand Explorer Booster Seat, exemplars of the Century Breverra
5 Classics booster seat, the subject Ford vehicle or any part thereof including its instruction
6 manuals, and an exemplar Ford vehicle or any part thereof as well as exhibits for
7 demonstrative purposes.

8
9 Ronald C. Dobson, M.D., F.A.C.E.P
700 Minor Street
10 Seattle, WA 98104
Phone: (206) 386-6069
11 Fax (206) 215-6520

12 Dr Dobson's report of his opinions and the basis therefor, his curriculum vitae, fee
13 schedule, and list of testimony offered in the preceding four years, is attached. Dr Dobson
14 may use as exhibits at time of trial other photographs, or diagrams, drawings and charts,
15 produced during discovery including but not limited to that made by the Idaho State Police,
16 the Coroner's office (i.e., the autopsy photographs of McKenna Jaramillo) and/or that
17 submitted by other experts. Dr. Dobson may also use at time of trial the subject Ford 1998
18 seat belts, an exemplar Grand Explorer Booster Seat, as well as exhibits for demonstrative
19 purposes including but not limited to anatomical drawings, photographs, or diagrams.

20
21 David Knowles, Ph.D
947 Federal Avenue E.
Seattle, WA 98102
22 (206) 860-9477(phone)
23 (206) 323-3952 (fax)

24 Dr Knowles report of his opinions and the basis therefor, his curriculum vitae, fee
25 schedule, and list of testimony offered in the preceding four years, is attached hereto. Dr
26 Knowles may use as exhibits at time of trial any material disclosed during discover or
27 diagrams, drawings, and charts, as needed for demonstrative purposes.

28 Dorel further reserves the right to call at time of trial the following expert witness

DEFENDANT DOREL'S
DISCLOSURE OF EXPERTS - 4

HOUGER & WALT, P.S.
1702 North 34th Street
Seattle, Washington 98103
(206) 675-1600

1 Geoff J. Germane, Ph D.
2 Germane Engineering
3 5314 North 250 West Suite 310
4 Provo, Utah 84604
5 (801) 802-888 (phone)
6 (801) 802-8889 (fax)

7 Dr. Germane's report and materials are attached to Defendant Ford's disclosure of
8 expert witnesses Dorel incorporates that disclosure in full by this reference

9 **B. Fed. Rule Civ. Pro. 26(a)(2)(A) Expert Witnesses:**

10 The following witnesses are fact witnesses with expert knowledge who may be used
11 at trial to present evidence under Rules 702, 703, or 705 of the Federal Rules of Evidence.

12 Richard Glover
13 Dorel Juvenile Group, Inc
14 2525 State Street
15 Columbus, IN 47201
16 (812) 372-0141 (Phone)
17 (812)372-0977 (Fax)

18 Mr. Glover is the Vice-President of Product Development for Dorel Juvenile Group,
19 Inc His testimony will address Dorel's experience in the field of child restraint design and
20 manufacturing and the state -of-the-art as of 1996 to the present Mr Glover will discuss the
21 testing capabilities that Dorel possessed during the time that the Grand Explorer was
22 developed and the testing that was performed. His testimony will cover the pre-production
23 testing that was a part of the developmental process as well as the testing that was performed
24 thereafter and Dorel's efforts to ensure that the Grand Explorer was at all times in complete
25 compliance with FMVSS 213 at the time of its initial release for production to the present.
26 He will testify to the proper use of the Grand Explorer, the safety of its design, its good
27 performance record, and the excellent restraint that it provides when used as instructed by
28 Dorel.

29 Terry Emerson
30 2525 State Street
31 Columbus, IN 47201
32 (812) 372-0141 (Phone)
33 (812)372-0977 (Fax)

1 Mr Emerson is the Products Standards Manager for Dorel Juvenile Group, Inc. His
2 testimony can address product standards, the testing performed on the Grand Explorer, and
3 Dorel's efforts to ensure that the Grand Explorer was at all times in complete compliance
4 with FMVSS 213 at the time of its initial release for production to the present He will testify
5 to the proper use of the Grand Explorer, and the excellent restraint that it provides when used
6 as instructed by Dorel

7
8 James Kam
Kam Design, Inc
9 820 South Childrens Home Road
Troy, OH 45373

10 Mr Kam is the President of Kam Design, Inc. and the designer of the Grand Explorer
11 Booster Seat He may testify concerning the developmental history of the Grand Explorer,
12 including the design considerations that were a part of the design process. He may testify
13 concerning the features of the Grand Explorer that make it user friendly and result in a high
14 percentage of correct installations He may testify that the Grand Explorer was and is a well-
15 conceived, reasonable, and safe design

16
17 John Wiechel, Ph D
SEA, Inc
18 7349 Worthington-Galena Road
Columbus, OH 43085-1599
19 Phone. (614) 888-4160
Fax (614) 885-8014

20 Dr Wiechel was an outside consultant for Dorel who provided input regarding
21 warnings, labels, and instructions in regard to Dorel's child restraints in general in the 1980s
22 as well as in the 1990s Dr. Wiechel may testify regarding Dorel's compliance to the FMVSS
23 213 with respect to its child restraints and the adequacy of its warnings

24
25 Corporal Robert Bingham
Idaho State Police
26 626 Eastland Drive So
Twin Falls, ID 83301
27 (208) 736-3072

28 Corporal Bingham was the investigating officer who may testify in accordance with

1 his deposition

2 Sergeant Christopher Schenk
3 Idaho State Police
4 626 Eastland Drive So.
5 Twin Falls, ID 83301
6 (208) 736-3072

7 Sergeant Schenk participated in the investigation of the subject accident and may
8 testify in accordance with his report contained in the police investigation file

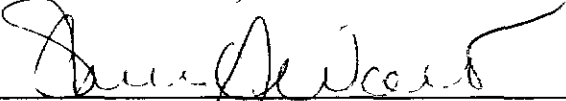
9 Glen Groben, MD
10 Ada County Coroner's Office
11 5550 Morris Hill
12 Boise, Idaho 83706

13 Dr. Groben performed the autopsy on McKenna Jaramillo and may testify in
14 accordance with his autopsy report. He may also authenticate the autopsy photographs and
15 introduce them into evidence.

16 Defendant Dorel may also call any EMT or other emergency personnel as identified
17 in discovery for testimony in accordance with their depositions including but not limited to
18 their observation that McKenna Jaramillo was not conscious immediately after the subject
19 accident Dorel may also call health care providers identified in the medical records but not
20 yet deposed for the same evidence including but not limited to emergency room
21 physician Mark Henzler, M.D., St Alphonus Regional Medical Center, 1055 N. Curtis Road,
22 Boise, ID 83706, (206) 367-2121

23 DATED this 14th day of August, 2002

24 HOUGER & WALT, P S

25 By: 

26 L WILLIAM HOUGER, WSBA No 2595
27 SHARON AMBROSIA-WALT, WSBA No 15212
28 Attorneys for Defendant Dorel

CERTIFICATE OF SERVICE

1
2
3
4 The undersigned does hereby certify that on the 14th day of August, 2002, I
5 [] deposited with the U.S Postal Service with correct postage affixed, [X] placed with legal
6 messengers for same day delivery, [] faxed a true and correct copy of the document to
7 which this certification is attached as well as the attached report of each expert identified
8 who must provide a report, their photographs and other materials referenced for delivery to
9 all counsel of record, addressed as follows
10
11
12
13

14 Paul W Whelan
15 STRITMATTER KESSLER
16 WHELAN WITHEY COLUCCIO
17 200 Second Avenue West
18 Seattle, WA 98119

19 Raymond S. Weber
20 MILLS MEYERS SWARTLING
21 1000 Second Avenue, 30th Floor
22 Seattle, WA 98104-1064

23 Dated this 14th day of August, 2002 in Seattle, Washington
24
25

26 
27 _____
28 SHARON AMBROSIA-WALT

ATTACHMENTS

NOT SCANNED