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Attorneys for Defendants Mitchell and Jessen

16 **UNITED STATES DISTRICT COURT**
17 **FOR THE EASTERN DISTRICT OF WASHINGTON**
18 **AT SPOKANE**

19 SULEIMAN ABDULLAH SALIM,
20 MOHAMED AHMED BEN SOUD,
21 OBAID ULLAH (as personal
representative of GUL RAHMAN),

22 Plaintiffs,

23 vs.

24 JAMES ELMER MITCHELL and
JOHN "BRUCE" JESSEN,

25 Defendants.

NO. 2:15-CV-286-JLQ

(PROPOSED) ORDER ON
DEFENDANTS' MOTION TO
EXCLUDE EXPERT OPINIONS

August 21, 2017
Oral Argument Requested

ORDER ON DEFENDANTS' MOTION TO
EXCLUDE EXPERT OPINIONS
NO. 2:15-CV-286-JLQ

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1 The Court, pursuant to Defendants James E. Mitchell and John Jessen’s
2 (collectively, “Defendants”) Motion to Exclude Expert Opinions **HEREBY**
3 **ORDERS** that:

4 The Motion is **GRANTED**.

5 **IT IS FURTHER ORDERED** that Dr. Sondra Crosby, Dr. Brock
6 Chisholm and Dr. Matthew Friedman are excluded as witnesses pursuant to
7 Federal Rule of Evidence 702;

8 **IT IS FURTHERED ORDERED** that Dr. Charles Morgan is excluded as
9 a witness pursuant to Federal Rule of Evidence 702 with respect to the following
10 opinions: (1) in 2002, a person with doctoral level training in the relevant
11 behavioral science would not believe that findings based on research conducted at
12 the Survival, Evasion, Rescue and Escape (“SERE”) school proved that those
13 techniques were a valid means of acquiring information in a real world setting but
14 instead, prolonged exposure to SERE stressors would result in psychological
15 harm; and (2) there is no relationship between the theory of “learned
16 helplessness” and the SERE model.
17

18 **IT IS SO ORDERED.** The Clerk is hereby directed to enter this Order
19 and furnish copies to counsel.

20 DATED this _____ day of _____, 2017.

21
22
23 _____
Honorable Justin L. Quackenbush