

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RESCO PRODUCTS, INC.,

Plaintiff,

v.

BOSAI MINERALS GROUP CO., LTD.,

and

CMP TIANJIN CO., LTD.,

Defendants.

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Electronically Filed

Civil Action No.: 2:06-cv-235-JFC

Honorable Joy Flowers Conti

**DEFENDANTS’ MOTION TO EXCLUDE TESTIMONY AND REPORTS OF
PLAINTIFF’S EXPERT, DR. RUSSELL LAMB**

Pursuant to Federal Rule of Evidence 702, Defendants Bosai Minerals Group Co., Ltd. (“Bosai”) and CMP Tianjin Co., Ltd (“CMP”) (collectively, “Defendants”) respectfully request the Court to enter an order excluding entirely the reports and testimony of Plaintiff’s proposed expert witness with respect to damages, Dr. Russell Lamb. Defendants object to Lamb’s reports and proposed testimony because they assume liability rather than offer proof, and because his multiple regression analysis impermissibly fails to control for the Chinese government’s export quota and related mandates, as well as other major factors that affected the price and supply of refractory grade bauxite exported from China to the United States. For the reasons set forth in the Brief submitted in support of this Motion, and the exhibits filed in support thereof, good cause exists for the requested relief.

WHEREFORE Defendants respectfully request this Honorable Court to enter an Order granting the Motion, and:

- (1) Excluding Dr. Russell Lamb's opinion, reports, and testimony from further proceedings in this matter; and
- (2) Granting to Defendants such other and further relief as the Court may deem just in the circumstances.

Respectfully submitted,

GARVEY, SCHUBERT BARER

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**Counsel for Defendants Bosai Minerals
Group Co., Ltd. and CMP Tianjin Co.,
Ltd.**

CERTIFICATE OF SERVICE

I certify that I have served the foregoing Defendants' Motion To Exclude Testimony And Reports Of Plaintiff's Expert, Dr. Russell Lamb, and the proposed order upon all known counsel of record in the manner indicated below on March 16, 2015, as follows:

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