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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
EUGENE DIVISION

UNITED STATES OF AMERICA,	)	Case No. CR 10-60066-HO
	)	
Plaintiff,	)	DEFENDANTS' RESPONSE TO
	)	UNITED STATES' MOTION (CR
vs.	)	85) FOR CLARIFICATION OF
	)	COURT'S ORDER (CR 78) AS TO
STEVEN DWIGHT HAMMOND and	)	THE SCOPE OF WITNESS GARY
DWIGHT LINCOLN HAMMOND,	)	WHITE'S TESTIMONY
	)	
Defendants.	)	

As defendants indicated in open court at the close of the *Daubert* hearing, they believe that the Court is fully aware of the relevant legal and factual issues concerning expert testimony and that there is no need for further briefing.

Thus, defendants do not respond to the government's request for clarification other than to point out the following from Defendants' *Daubert* Motion in Limine (CR 59 at p. 8):

Additionally, an expert's opinion must be excluded if that expert is merely "parroting" some other person's opinion rather than formulating his own. See e.g., *Dura Auto. Sys. of Indiana, Inc. v. CTS Corp.*, 285 F.3d 609, 612-614 (7th Cir. 2002) (expert not allowed to be "mouthpiece" of another person); *Villagomes v. Lab. Corp. of Am.*, 2010 WL 4628085 (D. Nev. Nov. 8, 2010) (expert witness cannot simply parrot opinions of non-testifying experts). *Flagstone Development, LLC v. Joyner*, 2011 WL 5040663, 2-3 (D. Mont. 2011).

RESPECTFULLY SUBMITTED this 19th day of March, 2012.

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