IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

IN RE:	Chapter 11
	Case No. 18-12378 (CSS)
WELDED CONSTRUCTION, L.P., et al.,	Jointly Administered
Debtors.	
WELDED CONSTRUCTION, L.P. and, WELDED CONSTRUCTION MICHIGAN, LLC	
Plaintiffs,	
v.	Adv. Pro. No.: 19-50180 (CSS)
	Related Adv. Docket No.: 86, 93
PRIME NDT SERVICES, INC.,	
Defendants.	

ORDER

Upon consideration of the *Defendant's Motion in Limine to Preclude Joshua Bell from Offering Impermissible Opinions as to Legal Conclusions*, filed on January 7, 2020 (Adv. D.I. 86)[1] (the "Motion") and the opposition thereto, filed on January 14, 2020 (Adv. D.I. 93); and the Court having scheduled a trial in this adversary action on February 18-21, 2020 (the "Trial"); and the Court having determined that the Defendant has met its burden, in part, pursuant to Rules 702, 703, and 704 of the Federal Rules of Evidence, made applicable by the Federal Rule of Bankruptcy Procedure, Rule 9017; and

[1] At issue in Exhibit 1 to Defendant's Motion (D.I. 86) is the December 16, 2019 expert report authored by Joshua Bell of Aurora Inspection and Consulting (the "Expert Report"). Mr. Bell was retained by the Debtors as a liability expert in connection with this Mariner East II Pipeline Project adversary proceeding.

after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED that

1. The Motion of Defendant to preclude the December 16, 2019 Expert Report of Joshua Bell is GRANTED, in part, AND DENIED, in part.

2. The Expert Report (D.I. 86) is ADMITTED, provided, however, that the legal conclusion that the Defendant's actions in connection with the Mariner East II Pipeline Project constitute "gross negligence" and "willful misconduct" (p. 6) is EXCLUDED from evidence.

Christopher S. Sontchi
Chief United States Bankruptcy Judge

Date: February 6, 2020