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The Honorable Thomas S. Zilly

APR 20 2007
LAW OFFICE OF
D. MICHAEL TORRES
D. MICHAEL TORRES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TIM and PENNY PATERSON, husband and)
wife and the marital community thereof,)

Plaintiffs,)

v.)

LITTLE, BROWN AND COMPANY, a)
Massachusetts state corporation, TIME)
WARNER BOOK GROUP, a Delaware state)
corporation, HAROLD EVANS ASSOCIATES)
LLC, a New York state limited liability)
company, HAROLD EVANS, and DAVID)
LEFER,)

Defendants.)

No. 2:05-CV-01719-TSZ

DEFENDANTS' RULE 26(a)(2)
DISCLOSURE

Pursuant to Fed. R. Civ. P. 26(a)(2), Defendants Little, Brown and Company, Time Warner Group, Harold Evans Associates LLC, Harold Evans and David Lefer designate and may call Gary J. Nutt as an expert witness in this matter. Mr. Nutt's expert testimony will rebut and respond to any expert testimony that is to be presented by plaintiff's designated expert, Lee A. Hollaar. Mr. Nutt's expert testimony will focus on the history, development, and operation of computer operating systems, including CP/M and 86-DOS, and their derivatives, and his opinion is that the allegedly defamatory statements in

DEFENDANTS' RULE 26(a)(2) DISCLOSURE
(05-CV-01719) — 1

1 defendants' publication are substantially true.

2 A copy of Mr. Nutt's report will be furnished when it is available.

3 A copy of Mr. Nutt's *curriculum vitae* is attached hereto.

4 DATED this 18th day of April, 2007.

5 Davis Wright Tremaine LLP

6 Attorneys for Defendants

7
8 By 

Bruce E. H. Johnson, WSBA #7667

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CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of April, 2007, I caused to be served a true and correct copy of the within and foregoing document entitled exactly: DEFENDANTS' RULE 26(a)(2) DISCLOSURE with the Curriculum Vitae of Gary J. Nutt attached to same by the method indicated below and addressed as follows:

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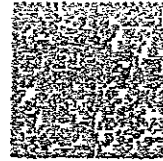
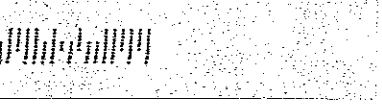
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DATED this 18th day of April, 2007.

By *Christy Blanchard*
Christy Blanchard

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