

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Todd Ragsdale v. Stacy Timmer & Jacob Timmer

No. 24-1170-DDC · No. No. 24-1170-DDC · Decided April 20, 2026

SUMMARY

The United States District Court for the District of Kansas denied Stacy and Jacob Timmer’s motion to exclude plaintiff Todd Ragsdale’s agricultural expert, David Kehler. The court held that Kehler was qualified and that his opinions concerning pasture rental rates, pasture condition, stocking rates, crop production, and custom-farming rates were sufficiently reliable and relevant under Federal Rule of Evidence 702. The court also found that the late submission of Kehler’s supporting affidavit was harmless under Federal Rule of Civil Procedure 37(c)(1).

CASE DETAILS

COURT	United States District Court for the District of Kansas
WRITING FOR THE COURT	Daniel D. Crabtree
JURISDICTION	United States District Court for the District of Kansas
DECIDED	April 20, 2026
DOCKET	No. 24-1170-DDC
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved under Federal Rule of Evidence 702 and related discovery-sanction provisions to exclude plaintiff's agricultural expert, David Kehler, before a scheduled bench trial.
STANDARD OF REVIEW	The district court applies its gatekeeping obligation under Federal Rule of Evidence 702 and exercises broad discretion in determining the admissibility of expert testimony. In a bench trial, the usual concerns about unreliable testimony reaching a jury apply with less force, although the Rule 702 standards still must be met.
PRECEDENTIAL VALUE	Unpublished, nonprecedential district-court memorandum and order
PARTIES	Stacy Timmer, Jacob Timmer v. Todd Ragsdale

TOPICS

- expert testimony
- daubert standard
- evidence
- discovery dispute
- civil procedure

PRACTICE AREAS

Evidence

Civil procedure

Expert testimony

Agricultural and property damages

QUESTIONS PRESENTED

1. Whether Kehler was qualified under Federal Rule of Evidence 702 to testify about pasture conditions, pasture rental rates, stocking rates, crop production, and custom-farming rates.
2. Whether Kehler's opinions were based on sufficiently reliable principles, methods, facts, and data under Rule 702.
3. Whether Kehler's opinions were relevant and would assist the court in determining disputed facts and potential damages.
4. Whether plaintiff's late-produced affidavit and related explanations of Kehler's opinions should be excluded under Federal Rules of Civil Procedure 26 and 37.

HOLDINGS

1. An expert need not possess specialized experience addressing every precise subissue about which the expert testifies. Decades of relevant agricultural experience, education, and professional work may qualify an expert to offer opinions about pastureland and custom farming.
2. Non-scientific expert testimony may satisfy Rule 702 through a methodology grounded substantially in relevant professional experience and accepted practices in the field; the absence of every traditional Daubert factor does not require exclusion.
3. Expert testimony is relevant when it may help the trier of fact determine a fact in issue; the existence of contrary evidence does not make otherwise helpful expert testimony irrelevant.
4. Although plaintiff's use of Kehler's affidavit to support his report was untimely under Rule 26, exclusion was unwarranted because the violation was harmless.

KEY QUOTATIONS

"This conclusion is a limited one. It doesn't mean that the trier of fact will credit his opinions. It merely means that the trier of fact should hear them." (II.A.1)

"In sum, the court denies defendants' request to exclude Kehler's pasture opinions." (III)

"The court denies defendants' Motion to Exclude (Doc. 97)." (III)

FACTUAL BACKGROUND

David Kehler had decades of experience in Kansas agriculture, including work as a farm analyst, agricultural director, program coordinator, and 4-H agent. He offered opinions about the appropriate rental rates and sustainable use of defendants' pastureland, whether plaintiff's use materially impaired the pasture, average crop production in Phillips County, and reasonable custom-farming rates for the parties' land. Kehler relied on Kansas State University and Kansas Department of Agriculture materials, including pasture lease summaries, custom-rate publications, farm-management budgets, regional crop data, and visual observations of the land.

PROCEDURAL HISTORY

The action was pending in the District of Kansas after removal from state court. Plaintiff designated David Kehler as an expert concerning pastureland, pasture rental rates, crop production, and custom-farming rates. Defendants moved to exclude his opinions, including challenging his qualifications, methodology, relevance, and use of a supplemental affidavit. The court denied the motion.

DISPOSITION

other

CASES CITED

- Kumho Tire Co. v. Carmichael, 526 U.S. 137, 147 (1999)
- Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579, 589, 596 (1993)
- Kieffer v. Weston Land, Inc., 90 F.3d 1496, 1499 (10th Cir. 1996)
- Attorney General of Oklahoma v. Tyson Foods, Inc., 565 F.3d 769, 779 (10th Cir. 2009)
- United States v. Earls, 129 F.4th 850, 862 (10th Cir. 2025)
- Bill Barrett Corp. v. YMC Royalty Co., 918 F.3d 760, 770 (10th Cir. 2019) (per curiam)
- United States v. Nacchio, 555 F.3d 1234, 1241 (10th Cir. 2009) (en banc)
- United States v. Rodriguez-Felix, 450 F.3d 1117, 1122 (10th Cir. 2006)
- Conroy v. Vilsack, 707 F.3d 1163, 1168 (10th Cir. 2013)
- Hansen v. SkyWest Airlines, No. 13-CV-244-ABJ, 2015 WL 13402804, at *2 (D. Wyo. Sept. 23, 2015)
- Squires ex rel. Squires v. Goodwin, 829 F. Supp. 2d 1041, 1048 (D. Colo. 2011)
- Atchison v. Jackson, No. 21-cv-286-JDR-SH, 2026 WL 36454, at *4 (N.D. Okla. Jan. 6, 2026)
- American Automobile Insurance Co. v. First Mercury Insurance Co., No. 13:CV-439 MCA/LF, 2017 WL 4410780, at *3 (D.N.M. Sept. 30, 2017)
- Fish v. Kobach, 304 F. Supp. 3d 1027, 1041 (D. Kan. 2018)
- Aid for Women v. Foulston, No. 03-1353-JTM, 2005 WL 6964192, at *3 (D. Kan. July 14, 2005)
- Woodworker's Supply, Inc. v. Principal Mutual Life Insurance Co., 170 F.3d 985, 993 (10th Cir. 1999)
- Ragsdale v. Timmer, No. 24-1170-DDC, 2026 WL 560347 (D. Kan. Feb. 27, 2026)