

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
OKLAHOMA

Ashley D. Adams v. E-Z Mart Stores, Inc.; E-Z Mart Stores, Inc. v.
LSC Ventures, Inc. d/b/a ProCore Fuel Solutions

Adams · No. 23-CV-278-RAW · Decided March 3, 2026

SUMMARY

The United States District Court for the Eastern District of Oklahoma denied E-Z Mart Stores, Inc.’s Rule 702 motion to limit Dr. Ian McIntyre’s testimony. The court held that his opinion concerning gasoline-related postmortem redistribution of methamphetamine was sufficiently reliable under Daubert and Rule 702, noting that challenges to the opinion’s explanation or competing studies were appropriate for cross-examination and opposing expert testimony.

CASE DETAILS

COURT	United States District Court for the Eastern District of Oklahoma
WRITING FOR THE COURT	Ronald A. White
JURISDICTION	United States District Court for the Eastern District of Oklahoma
DECIDED	March 3, 2026
DOCKET	23-CV-278-RAW
DISPOSITION	other
PROCEDURAL POSTURE	Defendant and third-party plaintiff E-Z Mart Stores, Inc. moved under Federal Rule of Evidence 702 and Daubert to limit the testimony of plaintiff's expert, Dr. Ian McIntyre.
STANDARD OF REVIEW	The district court applies its Rule 702 and Daubert gatekeeping function by determining whether the proposed expert is qualified and whether the opinion is relevant and reliable. The proponent must establish admissibility by a preponderance of the evidence.
PRECEDENTIAL VALUE	Unknown

TOPICS

- daubert standard
- expert testimony
- relevance
- evidence
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Dr. McIntyre's opinion regarding gasoline-related leaching of methamphetamine from tissue into the bloodstream was sufficiently reliable under Federal Rule of Evidence 702 and Daubert to be admitted.

HOLDINGS

1. The opinion was sufficiently reliable for admission because Dr. McIntyre explained the reasoning supporting it, his education and experience supported that reasoning, and he relied on published literature.

KEY QUOTATIONS

“The simple fact that the Defendant’s experts disagree with Dr. McIntyre’s findings does not render them inadmissible.”

“To the extent Dr. McIntyre opinions are insufficiently explained or contradicted by other studies or experts, the Plaintiff should raise these challenges through cross examination and the testimony of their own experts.”

FACTUAL BACKGROUND

Dr. Ian McIntyre opined that solvents and other chemicals from gasoline could pull methamphetamine from fat and muscle into the bloodstream after death, causing detected methamphetamine levels to exceed expected levels even after accounting for postmortem redistribution. E-Z Mart argued that the opinion was ipse dixit, unsupported by scientific literature, and based on too large an inferential leap. Dr. McIntyre explained his reasoning in deposition and identified published literature considered in forming the opinion.

PROCEDURAL HISTORY

In this diversity personal-injury action, E-Z Mart sought to exclude or limit Dr. McIntyre's opinion that solvents and other chemicals in gasoline could cause postmortem leaching of methamphetamine from tissue into the bloodstream, producing elevated detected concentrations. The court considered the expert's deposition explanation, education and experience, and cited literature, and denied the Rule 702 motion.

DISPOSITION

other

CASES CITED

- United States v. Wofford, 766 Fed. Appx. 576, 581 (10th Cir. 2019)
- Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579, 592-94, 597 (1993)
- Tudor v. Southeastern Okla. St. Univ., 13 F.4th 1019, 1029-30 (10th Cir. 2021)
- United States v. Cushing, 10 F.4th 1055, 1079 (10th Cir. 2021)

- Gen. Elec. Co. v. Joiner, 522 U.S. 136, 140 (1997)
- United States v. Arutunoff, 1 F.3d 1112, 1118 (10th Cir. 1993)
- Specht v. Jensen, 853 F.2d 805, 809-10 (10th Cir. 1988)
- Bitler v. A.O. Smith Corp., 400 F.3d 1227, 1234 (10th Cir. 2005)
- Ralston v. Smith & Nephew Richards, Inc., 275 F.3d 956, 969 (10th Cir. 2001)
- United States v. Pehrson, 65 F.4th 526, 540 (10th Cir. 2023)

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