

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA

In Re: FEMA TRAILER
FORMALDEHYDE PRODUCTS
LIABILITY LITIGATION

MDL NO. 07-1873

SECTION "N" (5)

THIS DOCUMENT RELATES TO
Member Case No. 09-8320

ORDER AND REASONS

Before the Court is Gulf Stream Coach, Inc.'s Motion to Strike Live Testimony of Plaintiff's Experts (Rec. Doc. 16065), which is opposed by Plaintiff Robin Lewis. (See Rec. Doc. 16067). After considering the memoranda filed by the parties and the applicable law,

IT IS ORDERED that the **Motion to Strike Live Testimony of Plaintiff's Experts (Rec. Doc. 16065)** is **GRANTED** for substantially the same reasons as stated by Gulf Stream in the instant motion. Further, the summary jury trial procedure was created to serve as a vehicle for the succinct presentation of information and the conservation of attorney and judicial time and resources. These witnesses (Dr. Hewett and Mr. Mallet) both sat for "trial" depositions. There has been no showing of any reason why these witnesses, who already sat for "trial" depositions, should be called live at this trial, or of any prejudice if their testimony is presented by concisely-edited transcript. Thus, to preserve the overall goal of the summary jury trial procedure (i.e., the conservation of attorney and

judicial time and resources and the succinct presentation of information), this motion is granted.

IT IS FURTHER ORDERED that Plaintiff's counsel is to promptly review the transcripts of Dr. Hewett and Mr. Mallet, submit excerpts therefrom, and make significant strides to resolve any and all objections **by 4:00 p.m. today**, with notice to the chambers of both the undersigned and Magistrate Shushan.

New Orleans, Louisiana, this 10th day of September, 2010.



KURT D. ENGELHARDT
United States District Court