

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. 07-9228

**ORDER AND REASONS**

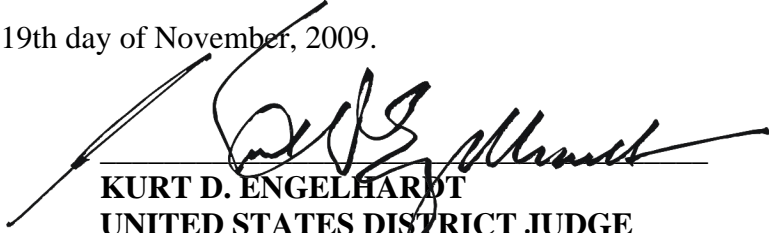
Before the Court is Plaintiff's Motion to Exclude the Testimony of Robert C. James, Ph.D (Rec. Doc. 6651). In this motion, Plaintiff, Elisha Dubuclet, individually and on behalf of Timia Dubuclet, seeks to limit the testimony of Robert C. James, Ph.D ("Dr. James"). Fleetwood Enterprises, Inc. ("Fleetwood") has designated Dr. James as an expert qualified to provide testimony concerning the toxicological effects of formaldehyde. Specifically, Plaintiff asserts that because Dr. James's knowledge does not extend to the effects of formaldehyde and eczema, he should be precluded from offering a general causation opinion regarding such.

After considering the memoranda of the parties, the exhibits attached thereto, and the applicable law, the Court denies this motion. First, Plaintiff's motion cites to deposition testimony excerpts which she claims support her position that Dr. James is unqualified on the toxicological effects of formaldehyde on the skin. Unfortunately, none of the cites are correct; none refer to the testimony for which they are cited, and thus it is more difficult to comprehend

Plaintiff's objection. However, even if the correct cites and excerpts were given to the Court, this motion would still be denied for all of the same reasons stated by Fleetwood in its opposition (See Rec. Doc. 7161).

Considering the foregoing, **IT IS ORDERED** that **Plaintiff's Motion to Exclude the Testimony of Robert C. James, Ph.D (Rec. Doc. 6651)** is **DENIED**.

New Orleans, Louisiana, this 19th day of November, 2009.



**KURT D. ENGELHART**  
**UNITED STATES DISTRICT JUDGE**