

The Supreme Court of the State of Louisiana

RASHAAD PICQUET AND SHANTEL HARRIS

No. 2023-CC-00495

VS.

DIANE MIX AND FARRELL DAVIS,
INDIVIDUALLY AND AS THE TUTORS OF
THE MINOR CHILD AMICO DAVIS, AND
MICHAEL WILLIAMS, SR. AND VANESSA Q.
WILLIAMS AS TUTORS OF THE MINOR
CHILD MICHEL DAVIS, JR.

IN RE: Gamo USA, Inc. - Applicant Other; Gamo Outdoor S.L.U. - Applicant Other;
Applying For Supervisory Writ, Parish of Orleans Civil, Orleans Civil District Court
Number(s) 2014-05548, Court of Appeal, Fourth Circuit, Number(s) 2023-C-0034;

June 21, 2023

Writ application granted. See per curiam.

JTG
JLW
JDH
SJC
WJC
JBM
PDG

Supreme Court of Louisiana
June 21, 2023



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 2023-CC-00495

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VS.

**DIANE MIX AND FARRELL DAVIS, INDIVIDUALLY AND AS THE
TUTORS OF THE MINOR CHILD AMICO DAVIS, AND MICHAEL
WILLIAMS, SR. AND VANESSA Q. WILLIAMS AS TUTORS OF THE
MINOR CHILD MICHEL DAVIS, JR.**

On Supervisory Writ to the Orleans Civil District Court, Parish of Orleans Civil

PER CURIAM

In response to a fourth supplemental and amended petition, defendant filed a motion for leave to add a new expert, Dr. Pamela McCauley. Defendant argued this testimony was necessary because plaintiffs’ fourth supplemental and amended petition added new claims and new causes of action that needed to be addressed. Initially, the trial court granted defendant’s motion for leave to add Dr. McCauley as an expert. However, plaintiffs subsequently filed what they referred to as a motion for new trial, in which they argued defendant already had adequate experts to address the allegations of plaintiffs’ fourth amended petition. The trial court granted plaintiffs’ motion and precluded Dr. McCauley from testifying in this matter. The Court of Appeal denied writ.

The trial court’s exclusion of the expert witness is based on claims that the opinions of defendant’s experts are cumulative. However, no discovery has been taken with respect to the qualifications and scope of opinions of this expert. Under these circumstances, we find it premature for the trial court to strike the expert’s opinion as redundant. We reverse the trial court’s ruling, which precluded Dr. McCauley from testifying in this matter, and we remand the matter to the trial court

for additional discovery to determine the expert's qualifications and the scope of her opinions. REVERSED AND REMANDED.