FREDDIE MACK WIDMER, JR. : NUMBER: 557,486-B

VERSUS : FIRST JUDICIAL DISTRICT COURT

CHRISTOPHER TODD FEAZELL, ET AL : CADDO PARISH, LOUISIANA

 **JUDGMENT ON MOTION**

 **TO BIFURCATE TRIAL**

**(WITH REASONS)**

The Court has thoroughly considered the Motion to Bifurcate Trial, filed February 13, 2013 by Plaintiff Freddie Mack Widmer, Jr., the opposition filed March 22, 2013 by Bell Supply Company, the verbal opposition by counsel for Sheriff Steve Prator and Deputy Terry Richardson, oral arguments held April 1, 2013, and applicable law. For reasons which follow, the motion is denied.

While the motion requests bifurcation, plaintiff counsel is actually requesting severance. Having reviewed the allegations of the petition and La. C.C.P. arts. 461-465, the Court concludes that a community of interest exists between the defendants and the criteria of C.C.P. art. 463 is met. Moreover, considerations of judicial efficiency and economy dictate that the allegations set forth by the plaintiff should be adjudicated by one trier of fact in one trial, not in piecemeal litigation possibly before different judges.

Finally, plaintiff (even though self-represented on February 22, 2012 when he filed the petition) chose to cumulate the action and plaintiff (whether now represented or not) is not the proper party to raise the objection of improper cumulation. Accordingly:

**IT IS ORDERED, ADJUDGED AND DECREED that the Motion to Bifurcate Trial is denied at plaintiff’s costs.**

Signed this 1st day of April, 2013, in Shreveport, Caddo Parish, Louisiana.

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 SCOTT J. CRICHTON

 DISTRICT JUDGE

DISTRIBUTION:

Lisa Lobrano, Counsel for Freddie Mack Widmer, Jr.

Herschel E. Richard, Counsel for Bell Supply Company

Edwin Byrd, Counsel for Sheriff Steve Prator and Caddo Deputy Terry Richardson