KIMBERLY WILLIAMSON : NUMBER 557,406 - B

VERSUS : FIRST JUDICIAL DISTRICT COURT

MICHAEL E. CLEVENGER,

TD REFRIGERATION, AND THE

NETHERLANDS INSURANCE

COMPANY : CADDO PARISH, LOUISIANA

**JUDGMENT ON DEFENDANT’S MOTION TO COMPEL DISCOVERY**

The Court has considered the Motion to Compel Discovery, filed December 13, 2013 by Michael E. Clevenger, TD Refrigeration, and the Netherlands Insurance Company (the “Defendants”), the exhibits and memoranda attached therewith, the Memorandum in Opposition to Motion to Compel Discovery, filed January 31, 2014 by Kimberly Williamson (the “Plaintiff”), the Defendants’ Reply Memorandum in Support of Motion to Compel Discovery, filed February 5, 2014, and oral arguments of counsel held March 31, 2014. Based on a thorough review of the record, arguments of counsel and applicable law, the Court finds that discovery should be subject to limitations set forth below.

The defendants are allowed discovery of Plaintiff’s medical records from *any* health care provider who prescribed the Plaintiff *narcotic painkillers*, subject to the limitation of *four* (4) years prior to the date of the accident (February 17, 2011) as such information appears reasonably calculated to lead to the discovery of admissible evidence. In performing its “gatekeeper” function at trial on the merits, the Court will determine whether the probative value of the information is substantially outweighed by its potential of unfair prejudice or confusion in accordance with La. Code of Evidence art. 403. Accordingly,

**IT IS ORDERED, ADJUDGED AND DECREED that the defendants’ Motion to Compel Discovery is granted in part. Each side shall bear its own court costs.**

Signed this 16th day of May, 2014, in Shreveport, Caddo Parish, Louisiana.

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SCOTT J. CRICHTON

DISTRICT JUDGE

DISTRIBUTION:

Heather Lafitte, counsel for Plaintiffs

Marcus Edwards, counsel for Defendants