

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 13-10810

D.C. Docket No. 0:11-cv-62467-KMW

HEATHER CASTELLANOS,

Plaintiff - Appellee,

versus

TARGET CORPORATION,

Defendant - Appellant.

Appeal from the United States District Court
for the Southern District of Florida

(June 17, 2014)

Before MARCUS and EDMONDSON, Circuit Judges, and TREADWELL,^{*}
District Judge.

^{*} Honorable Marc T. Treadwell, United States District Judge for the Middle District of Georgia, sitting by designation.

PER CURIAM:

Two issues are presented on appeal from a judgment based on a jury verdict for plaintiff, in this diversity case, springing from a slip-and-fall at one of defendant's stores. After hearing oral argument and after deliberation, we conclude that no reversible error is present.

About Defendant's Renewed Motion for JMOL, we conclude that the record evidence -- viewed in plaintiff's favor -- was sufficient for the verdict¹: evidence including the approximately two-foot size of the puddle of bleach, the distinctive odor of bleach, the presence of tracks not made by plaintiff or her husband through the puddle, and the proximity within about ten feet of the puddle of defendant's employees.

About the exclusion of a purported expert's opinion, we conclude that the trial judge did not abuse her discretion, especially given the expert's broad lack of knowledge of the background and underpinning of the information in the DRG on which the expert relied considerably.²

AFFIRMED.

¹ Furthermore, no new trial was demanded.

² We do not read *State Farm Mut. Auto. Ins. Co. v. Bowling*, 81 So.3d 538 (Fla. Dist. Ct. App. 2012) to demand admission of the proposed expert testimony in this case. *Bowling* seems to decide a materially different case. For example, *Bowling* seems to be about, to a significant degree, an argument that the medical services billed did not reflect medical services actually delivered according to the treatment records and not about mainly a conflict over the reasonableness of charges for medical services, assumed to have been delivered.