

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

KIRK GUILBEAU

CIVIL ACTION

VERSUS

NO. 09-7631

CAPITAL SAFETY, INC.

SECTION "N" (4)

ORDER AND REASONS

Before the Court is Anadarko's Motion to Exclude Certain Opinions of Plaintiff's Proposed Expert Witness Dr. David Axelrad (Rec. Doc. 78)¹. Plaintiff, Kirk Guilbeau, opposes this motion. (See Rec. Doc. 112). This Court has considered the memoranda of the parties and the applicable law. This motion is premised on the granting of the motion to exclude Dr. Pollock's opinion. Because that motion has been denied (See Rec. Doc. 128),

IT IS ORDERED that the **Motion to Exclude Certain Opinions of Plaintiff's Proposed Expert Witness Dr. David Axelrad (Rec. Doc. 78)** is **DENIED AS MOOT**.

New Orleans, Louisiana, this 18th day of November 2010.



KURT D. ENGELHARDT
United States District Judge

¹ The Court notes that although Anadarko is no longer a defendant in this matter, Empire Scaffold, LLC ("Empire") joined in this motion. (See Rec. Doc. 88). Thus, this motion is construed as having been brought by Empire.