

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

DEBRA AND RUSSELL MARBURY

NO. 2021 CW 0738

VERSUS

CRACKER BARREL OLD COUNTRY
STORE, INC. AND SAFETY
NATIONAL CASUALTY
CORPORATION

OCT 12 2021

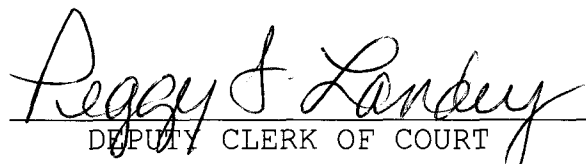
In Re: Cracker Barrel Old Country Store, Inc., Safety National Casualty Corporation, Allied World National Assurance Company and Megan Childers, applying for supervisory writs, 19th Judicial District Court, Parish of East Baton Rouge, No. 668769.

BEFORE: GUIDRY, HOLDRIDGE, AND CHUTZ, JJ.

WRIT GRANTED IN PART; WRIT DENIED IN PART. The trial court's June 3, 2021 Judgment, denying Cracker Barrel Old Country Store, Inc. and Safety National Casualty Corp.'s Daubert-Foret Motion to Exclude Testimony of Robin B. DiPietro, Ph.D., is reversed in part only to add that in accordance with the trial court's oral reasons, Robin B. DiPietro, Ph.D., is qualified as an expert in restaurant industry standards only. We grant the writ in this regard. In all other respects, the writ is denied.

**JMG
GH
WRC**

COURT OF APPEAL, FIRST CIRCUIT


DEPUTY CLERK OF COURT
FOR THE COURT