

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

CHARLOTTE BETHLY AND NICOLE
DAVIS, OBO HER MINOR
CHILDREN, NAKIYA DAVIS AND
KHLOE DAVIS

NO. 2021 CW 1204

VERSUS

ACE AMERICAN INSURANCE
COMPANY, JB HUNT TRANSPORT,
INC. AND DARRIS JENNINGS

OCTOBER 21, 2021

In Re: Ace American Insurance Company, JB Hunt Transport,
Inc. and Darris Jennings, applying for supervisory
writs, 18th Judicial District Court, Parish of
Iberville, No. 80228.

BEFORE: McCLENDON, WELCH, AND THERIOT, JJ.

WRIT DENIED. Although La. Code Civ. P. art. 1464 allows the court to order a party to submit to an additional medical opinion regarding an examination by a vocational rehabilitation expert or a licensed clinical psychologist who is not a physician, for good cause and provided the party has given notice of intention to use such an expert, I find that neuropsychologists and vocational rehabilitation/lifecare planner experts are not specifically covered by La. Code Civ. P. art. 1464.

JEW

Theriot, J., concurs in denying the writ.

McClendon, J., concurs. At present, relators have failed to establish good cause as required by La. Code Civ. P. art. 1464 for the requested additional examinations. The ability of the moving party to obtain the desired information by other means is relevant in deciding whether good cause exists. See **Williams v. Smith**, 576 So.2d 448, 452 (La. 1991). None of plaintiff's experts have yet been deposed. Therefore, I am unable to find that the moving party has demonstrated, as required by La. Code Civ. P. art. 1464, the existence of good cause.

COURT OF APPEAL, FIRST CIRCUIT



DEPUTY CLERK OF COURT
FOR THE COURT