

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

TRAVELERS PROPERTY AND	)	
CASUALTY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	2:09cv785-MHT
	)	(WO)
DAVID COLEMAN YARBROUGH	)	
and RENU MEDICAL, INC.,	)	
	)	
Defendants.	)	

ORDER

It is ORDERED that defendant ReNu Medical, Inc.'s motion for leave to disclose additional expert (doc. no. 87) is denied.

Defendant ReNu Medical, Inc.'s motion is meritless for several reasons, including the following: First, granting the motion would require an extension of not only the expert-witness deadlines but the discovery deadline as well. ReNu Medical has offered no explanation as to why, in taking the deposition of Richard Ogle, it waited long after the running of expert-

witness deadlines and just a week before the discovery deadline. Second, ReNu Medical has not explained exactly what the testimony of its new expert would be, and, thus, the court cannot tell why that testimony is necessary. Third, to allow the new expert would prejudice the other parties, for it would require a reopening of all expert discovery for all parties so that the opposing parties might obtain new expert testimony to respond to ReNu Medical's new expert testimony. The pretrial aspect of this case should be winding down, not winding up, as the pretrial and trial dates approach.

DONE, this the 8th day of October, 2010.

          /s/ Myron H. Thompson            
UNITED STATES DISTRICT JUDGE