

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

**SHERRI PURVIS, INDIVIDUALLY AND AS
NEXT FRIEND AND NATURAL
GUARDIAN FOR JAMES C. PURVIS,**

Plaintiff,

v.

**BLITZ USA, INC., WAL-MART STORES,
INC., WAL-MART STORES EAST, L.P.,
and WAL-MART STORES EAST, INC.,**

Defendants.

Civil No. 7:11-CV-111 (HL)

ORDER

Before the Court is Defendant Wal-Mart Stores East, L.P.'s ("Wal-Mart") Motion for Leave to Name Additional Witnesses (Doc. 41). In its Motion, Wal-Mart requests the Court's permission to name three additional expert witnesses. Wal-Mart states that this case is one in a string of other cases revolving around gas cans manufactured by co-Defendant Blitz USA, Inc. and sold at Wal-Mart. In the process of litigating the numerous cases similar to the present case, Wal-Mart discovered these expert witnesses and now believes that they are important to the present case.

In response, Plaintiff Sherri Purvis argues that this case has been pending for over a year, pointing out that the deadline for disclosing expert witnesses was originally set for May 14, 2012. Purvis also points out that this deadline was

already extended once at Wal-Mart's request to allow for expert disclosure as late as June 29, 2012. Purvis argues that no additional experts should be added because naming these experts would call for the Court to reopen discovery so that counsel for the Plaintiff could find rebuttal experts and additional facts relating to the testimony of the new experts.

After considering the arguments of both parties, the Motion is denied. To name additional experts at this point in the case would only serve to bog down this litigation that has been pending for well over a year. The deadlines for expert disclosure expired several months ago, and the Court is not convinced by Wal-Mart's arguments that there are extenuating conditions that justify reopening discovery deadlines that have closed.

SO ORDERED, this 1st day of November, 2012.

s/ Hugh Lawson
HUGH LAWSON, SENIOR JUDGE

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