

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

WASTE MANAGEMENT OF LOUISIANA, LLC

CIVIL ACTION

VERSUS

NO. 11-2405

RIVER BIRCH, INC.,  
HIGHWAY 90, LLC,  
FREDERICK R. HEEBE, and  
ALBERT WARD, JR.

SECTION "N" (4)

**ORDER AND REASONS**

Having considered the parties' submissions, the record in this matter, and applicable law, **IT IS ORDERED** that Defendants' "Motion to Strike Untimely Expert Report of Ronald L. Gagnet" (Rec. Doc. 262) is **DENIED** to the extent that Defendants seek to have the entirety of the information set forth in the supplemental report excluded. Defendants may cross-examine Mr. Gagnet at trial regarding the information set forth in the supplemental report and the revision of his original calculations. Additionally, given the Court's recent summary judgment rulings, the parties are further advised that trial testimony to be elicited from expert witnesses shall be limited to only that which is relevant to Plaintiff's remaining damages claim against Defendants for the legal fees and expenses incurred by it as a result of prior litigation with Jefferson Parish.

New Orleans, Louisiana, this 16th day of November 2017.



**KURT D. ENGELHARDT**  
United States District Judge