

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANASOURCE PRODUCTION &
EQUIPMENT CO., INC., ASPECT
TECHNOLOGY LIMITED,
SPECMED, LLC, SPEC MED
INTELLECTUAL PROPERTY, LLC
AND SPEC INTELLECTUAL
PROPERTY, LLC

CIVIL ACTION

NO. 16-17528

SECTION M (1)

VERSUS

KEVEN J. SCHEHR, ISOFLEX USA,
ISOFLEX RADIOACTIVE LLC,
RICHARD H. MCKANNAY, JR., AND
JOHN DOES 1-10**ORDER & REASONS**

Before the Court is a motion *in limine* filed by defendants Kevin Schehr (“Schehr”) and Isoflex USA (“IUSA”) (collectively “Defendants”) seeking to exclude the testimony of plaintiffs’ expert Troy Hedger (“Hedger”), arguing that Hedger’s “rebuttal” expert report was untimely produced, and that Hedger is disqualified by the protective order from testifying as an expert in this matter because he is IUSA’s competitor.¹ Plaintiffs Source Production & Equipment Co., Inc., Aspect Technology Limited, Specmed, LLC, Spec Med Intellectual Property, LLC, and Spec Intellectual Property, LLC (collectively “Plaintiffs”) respond in opposition.² Defendants filed a reply in further support of the motion.³

On April 18, 2019, in ruling on a motion to compel, the United States Magistrate Judge assigned to this matter found that Hedger is IUSA’s competitor, and thus he is prohibited by the protective order from viewing any documents designated as “Confidential” or for “Attorneys’

¹ R. Doc. 215.

² R. Doc. 244.

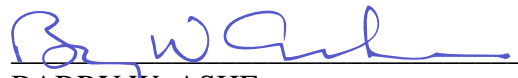
³ R. Doc. 261.

Eyes Only.”⁴ As a result, Hedger is not able to testify as an expert in this matter.⁵ Having considered the parties’ memoranda, the applicable law, and the United States Magistrate Judge’s April 18, 2019 Order & Reasons, the Court finds that Defendants’ motion *in limine* to exclude Hedger should be granted for the reasons articulated by the United States Magistrate Judge.

Accordingly,

IT IS ORDERED that Schehr and IUSA’s motion *in limine* to strike Hedger’s expert testimony (R. Doc. 215) is GRANTED.

New Orleans, Louisiana, this 22nd day of April, 2019.


BARRY W. ASHE
UNITED STATES DISTRICT JUDGE

⁴ R. Doc. 273.

⁵ *Id.*