

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

FILED
U.S. DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA
2009 APR 27 A 10:10

DENVER CROTWELL AND
SHARON CROTWELL

DELOACH CLERK

VERSUS

CIVIL ACTION

WAL-MART LOUISIANA, LLC, ET AL

NO. 06-909-C

RULING


The court has carefully considered the petition, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Docia L. Dalby dated March 26, 2006. Plaintiff and Trimas Corporation have filed objections which the court has considered.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein.

Accordingly, the defendant's motion for summary judgment (rec.doc. 20) is denied on plaintiffs' defective construction or composition claim under La. R.S. 9:2800.55 and on plaintiffs' inadequate warning claim under La. R. S. 9:2800.57 and is granted on plaintiffs' defective design claim under La. R.S. 9:2800.56. Further, the defendant's motion to strike documents reflecting opinions of Dr. Shelton (rec.doc. 31)

is denied.

Baton Rouge, Louisiana, April 24, 2009.



RALPH E. TYSON, CHIEF JUDGE
MIDDLE DISTRICT OF LOUISIANA