

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANARANKA ZEKO, INDIVIDUALLY  
AND ON BEHALF OF HER MINOR  
CHILDREN, KRISTA ZEKO, IVANA  
ZEKO, AND IVAN ZEKO

CIVIL ACTION

VERSUS

NO. 14-528-JJB-RLB

THE ESTATE OF VERNON SCALES,  
ET AL.**RULING**

This matter is before the Court on a Motion in Limine (Doc. 52) brought by the plaintiff, Ranka Zeko, individually and on behalf of her minor children, Krista Zeko, Ivana Zeko, and Ivan Zeko. The defendants, the Estate of Vernon Scales, Design Transportation Services, Inc., and Lexington Insurance Company, filed an opposition (Doc. 64). Oral argument is unnecessary.<sup>1</sup> The Court's jurisdiction exists pursuant to 28 U.S.C. § 1332.

The plaintiff brought the current motion seeking to prevent Dr. James G. Traylor ("Dr. Traylor") from testifying as an accident reconstructionist and/or to limit Dr. Traylor's testimony by not allowing him to give an opinion outside of medical evidence. *Pl. 's Supp. Mem.*, Doc. 52-1. According to the defendants, Dr. Traylor is not testifying as an accident reconstructionist, but only as an expert in forensic pathology: "Defendants have not and will not question Dr. Traylor regarding any opinions outside the scope of his medical expertise. Nor will Dr. Traylor stray from the boundaries of his forensic medical expertise." *Defs. ' Opp'n 5*, Doc. 64.

Based on the defendants' representations, the plaintiff's Motion in Limine (Doc. 52) is **DENIED** as moot. At trial, the defendants will be required to tender Dr. Traylor as an expert in

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<sup>1</sup> Oral argument, scheduled for April 13, 2016, will be limited to the two pending Motions in Limine (Docs. 53 & 54) brought by the defendants.

forensic pathology and to otherwise lay the appropriate foundation for his testimony. The plaintiff will have the opportunity to object at that time, and to object to any questioning of Dr. Traylor that goes beyond the scope of his medical expertise.

Signed in Baton Rouge, Louisiana, on April 12, 2016.



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**JUDGE JAMES J. BRADY  
UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA**