

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

JONATHAN SLAUGHTER

CIVIL ACTION

VERSUS

17-1652-SDD-EWD

IMPERIAL FIRE & CASUALTY
INSURANCE COMPANY

**RULING ON MOTION TO EXCLUDE PLAINTIFF'S
RETAINED EXPERT TOMMY TOMPKINS**

Before the Court is the *Motion to Exclude Plaintiffs' Designated Expert Tommy Tompkins*¹ (“*Motion*”) filed by defendant Imperial Fire & Casualty Insurance Company (“Imperial”).² The *Motion* is opposed by Plaintiffs in the consolidated cases (“Plaintiffs”).³ Imperial filed a *Reply*.⁴ The Court does not require oral argument. The Court has carefully considered the law, the facts in the record, and the arguments and submissions of the Parties, and, for the following reasons, the *Motion* is denied.

The captioned matter, and those consolidated herewith for discovery purposes,⁵ are but a few of the thousands of cases filed as the result of property damages alleged to have resulted from an epic rain event which caused widespread flooding in areas in Baton Rouge and surrounding areas between August 13 and 15, 2016 (“Flood”).

¹ Rec. Doc. 87.

² The subject *Motion* and this Court's instant *Ruling* applies to the matters consolidated for discovery purposes with the captioned matter.

³ Rec. Doc. 88.

⁴ Rec. Doc. 91.

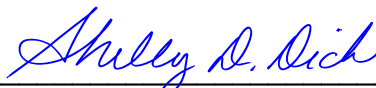
⁵ Rec. Doc. 18.

Imperial moves to exclude opinion testimony from the Plaintiff's loss expert Tommy Tompkins ("Tompkins"). Imperial's Motion is substantively identical to the Motion *in Limine* filed by Allstate Insurance Company in cases which present common questions of fact and law and which arise out of the Flood.⁶ Another division of this Court has recently denied an identical Motion *in Limine* to exclude Tompkins.⁷ For similar reasons, this Court reaches the same conclusion.

Therefore, this Court adopts the well-reasoned opinion of Judge deGravelles in *Albert Anderson vs Allstate Insurance Company*⁸ and the undersigned's recent opinion in *Corley v. Gulfstream Property and Casualty Insurance Company*.⁹ Accordingly, for the reasons set forth in these opinions, Imperial's *Motion to Exclude Plaintiff's Retained Expert and Request for Hearing*¹⁰ is DENIED.

IT IS SO ORDERED.

Baton Rouge, Louisiana, this 11th day of February, 2021.



SHELLY D. DICK
CHIEF DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA

⁶ See Civil Action 17cv00597-JWD-SDJ, Rec Doc. 194.

⁷ See Civil Action 17cv00597-JWD-SDJ, Rec Doc. 218.

⁸ Civil Action 17cv00597-JWD-SDJ, Rec. Doc. 218.

⁹ Civil Action 17cv00535-SDD-RLB, Rec. Doc. 74.

¹⁰ Rec. Doc. 87.