

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MARCUS BERNARD TRIPLETT,

Plaintiff,

-vs-

Case No. 07-14861  
Hon: AVERN COHN

STATE FARM MUTUAL AUTOMOTIVE  
INSURANCE COMPANY, a foreign  
corporation,

Defendant.

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**ORDER**

Defendant has filed a motion styled

Defendant's Motion For Rehearing And/Or Reconsideration  
Regarding Plaintiff's Objection And Motion To Strike Discovery  
Only Depositions Of Dr. Paul Dougherty, Dr. Gerald Shiener,  
M.D. And Renee LaPorte

Plaintiff, in Plaintiff's Answers To Expert Interrogatories dated June 16, 2008, has listed Renee K. LaPorte, R.N. and Gerald A. Shiener, M.D. as expert witnesses. Accordingly, each are subject to the limitations and obligations imposed on expert witnesses under the Federal Rules of Civil Procedure, including particularly Fed.R.Civ.P. 26(b)(4). If defendant deposes either LaPorte or Shiener, plaintiff in cross-examination is limited to the subject matter of the examination by defendant, and may not use the deposition in lieu of calling LaPorte or Shiener as a witness at trial or taking a deposition *de bene esse* if either is unavailable for trial.

This order disposes of the motion for rehearing referenced above.

SO ORDERED.

s/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

Dated: November 19, 2008

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, November 19, 2008, by electronic and/or ordinary mail.

s/Julie Owens  
Case Manager, (313) 234-5160