

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IDS PROPERTY CASUALTY
INSURANCE COMPANY,

Plaintiff/Counter-Defendant,

Case No. 13-11233

v.

Honorable John Corbett O'Meara

FRANO KASNECI,

Defendant/Counter-Plaintiff.

**ORDER GRANTING MOTION TO AMEND EXPERT WITNESS LIST
ANY DENYING MOTION TO FILE SUR-REPLY**

This matter came before the court on plaintiff/counter-defendant IDS Property Casualty Insurance Company's January 13, 2017 Motion for Leave to Amend Its Expert Witness List. Franco Kasneci filed a response January 26, 2017; and IDS filed a reply February 2, 2017. Kasneci subsequently filed a motion for leave to file a sur-reply February 14, 2017.

After IDS filed its Expert Witness List in February 2015, its neuropsychology expert, Dr. Manfred Greiffenstein, died. In this motion IDS seeks to replace him on the Expert Witness List with Dr. Robin Hanks. Kasneci opposes the motion, arguing, among other things, that Dr. Greiffenstein's reports are inadmissible hearsay. That is an issue for another day.

As noted in Kasneci's motion to file a sur-reply, "[t]here is no provision in the Federal Rules of Civil Procedure nor in the Local Rules of the Eastern District of Michigan that permits filing of a sur-reply to a motion as a matter of right." Mot. at 3. The court finds no reason to permit the filing of the proposed sur-reply, as it discusses issues not raised in IDS' motion.

ORDER

It is hereby **ORDERED** that IDS' Motion for Leave to Amend Its Expert Witness List is **GRANTED**.

It is further **ORDERED** that Franco Kasneci's Motion for Leave to File Sur-reply is **DENIED**.

s/John Corbett O'Meara
United States District Judge

Date: July 28, 2017

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, July 28, 2017, using the ECF system.

s/William Barkholz
Case Manager