

United States District Court
Southern District of Texas

ENTERED

May 24, 2018

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**TRANSAMERICA ANNUITY SERVICE
CORPORATION,**

Plaintiff,

VS.

**SYMETRA LIFE INSURANCE
COMPANY, et al,**

Defendants.

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CIVIL ACTION NO. 4:16-CV-1426

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

The Court has reviewed the Memorandum and Recommendation (Instrument No. 95) signed by Magistrate Judge Frances Stacy on April 26, 2018 regarding **Instrument 65**.


Defendants Symetra Life Insurance Company and Symetra Assigned Benefits Services Company's Motion to Exclude Expert Testimony in which Defendants seek an Order "excluding from evidence any expert testimony of Stewart Feldman on the basis that his opinions are not reliable, not supported by any facts or data, and not based on any reliable principles. A.M.Y Property & Casualty Insurance Company and Finserv Casualty Corp timely filed objections.

The Court has reviewed the Memorandum and Recommendation and objections and made a de novo review of the Magistrate Judge's recommended dispositions to which objections were raised, Rule 72(b), Fed. R. Civ. P.; 28 U.S.C. § 636(b)(1)(C); *McLeod, Alexander, Powel & Apffel P.C. v. Quarles*, 925 F.2d 853, 855 (5th Cir. 1991), and after consideration of the applicable law, is of the opinion that said Memorandum and Recommendation should be adopted by this Court. It is therefore:

ORDERED, ADJUDGED and DECREED that United States Magistrate Judge Stacy's Memorandum and Recommendation is hereby adopted by this Court.

The Clerk shall enter this Order and provide all parties with a true copy.

SIGNED on this the 24th day of May, 2018, at Houston, Texas.



VANESSA D. GILMORE
UNITED STATES DISTRICT JUDGE