

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

JESSICA ARCEMENT, LAUREN
CHAGNARD, AMANDA CONRAD, AND
WENDELL CONRAD

NO. 2019 CW 1374

VERSUS

DEC 03 2019

BLUE BAYOU WATERPARK, LLC
AND DIXIE LANDIN, LLC

In Re: Jessica Arcement, Lauren Chagnard, and Amanda Conrad,
applying for supervisory writs, 19th Judicial District
Court, Parish of East Baton Rouge, No. 648978.

BEFORE: WHIPPLE, C.J., GUIDRY, CRAIN¹, THERIOT, AND PENZATO, JJ.


WRIT GRANTED. The September 27, 2019 judgment ordering the unlimited production of relators' social media accounts, both public and private, as part of the discovery requested by respondents, subject only to a protective order prohibiting the disclosure or use of the information outside of the litigation, is reversed. Although information on social media accounts is generally discoverable, discovery requests for social media information should be "time and subject-matter limited." See **Scott v. United States Postal Serv.**, No. 15-712, 2016 WL 7440468 (M.D. La. Dec. 27, 2016) (unpublished). Accordingly, this court hereby limits the request for production to all information from relators' Facebook accounts, including, but not limited to, pictures, wall posts, and messages, since the September 6, 2015 accident that: (1) refer or relate to the physical injuries relators allegedly sustained as a result of the accident and any treatment received therefor; or (2) refer to or reflect physical capabilities that are inconsistent with the injuries relators allegedly suffered as a result of the accident. See *Id.*

VGW
JMG
MRT

Crain, J., concurs in part and dissents in part. I concur in reversing the trial court judgment but dissent and would order respondents to produce the documents for in camera inspection with a privilege log and order the trial court to consider and rule on the admissibility of each document.

Penzato, J., concurs in part and dissents in part. I concur in limiting the request for production but would also specifically direct that relators produce any Facebook content that refers or relates to the incident sued upon or the pending litigation.

COURT OF APPEAL, FIRST CIRCUIT


DEPUTY CLERK OF COURT
FOR THE COURT

¹Justice William J. Crain is serving as judge *ad hoc* by special appointment of the Louisiana Supreme Court.