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Court Order regarding Testimony of Dr. Balraj

Judge Ronald Suster
Cuyahoga County Court of Common Pleas

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STATE OF OHIO)
) SS.
CUYAHOGA COUNTY)

IN THE COURT COMMON PLEAS
CASE NO. 312322

ALAN DAVIS, et al.,)

Plaintiff,)

v.)

STATE OF OHIO,)

Defendant.)

ORDER

Plaintiff has moved this Court *in limine* for an order preventing Defendant from offering any opinion testimony from Dr. Elizabeth Balraj, the Coroner of Cuyahoga County. Plaintiff's motion is based on the alleged inadequacy of the report and supplemental report submitted by Defendant regarding Dr. Balraj's findings and the opinions about which Defendant anticipates her to testify.

Upon review of Plaintiff's motion, consideration of the arguments of the parties, and examination of the expert report of January 14, 2000 as supplemented on January 27, 2000 (attached to Plaintiff's motion as Exhibits A and B, respectively), the Court believes that the reports submitted do not adequately "reflect [Dr. Balraj's] opinions as to each issue on which the expert will testify." Rule 21.1 (B), Rules of the Court of Common Pleas of Cuyahoga County (hereinafter "Local Rules.").

The Court believes that it is reasonable, in light of the press of the litigation schedule in this case, to allow Defendant an opportunity to supplement the reports of Dr. Balraj which were previously submitted.

Accordingly, it is hereby ORDERED that Defendant will supplement the reports of Dr. Balraj previously submitted. The supplemental reports shall fully comply with Local Rule 21.1 and Rule 16 of the Ohio Rules of Civil Procedure. The supplemental report shall be personally delivered to counsel for Plaintiff by the close of business on Friday, February 11, 2000.

Plaintiff is given leave to apply to the Court for additional relief, including the possibility of deposing the Coroner with respect to her supplemental reports.

It is so ordered.

2-05-00
Date

Ronald Suster
Judge Ronald Suster

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FEB 05 2000

By Gerald E. Fuerst Dep.