

Second Successful Daubert Challenge Within Past Three Months

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BOVIS, KYLE, BURCH & MEDLIN

IN THE **NEWS**

SECOND SUCCESSFUL **DAUBERT** **CHALLENGE** WITHIN PAST 3 MONTHS



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Attorneys **Wayne Tartline** and **Eric Connelly** recently obtained a trial court order excluding causation testimony of a doctor identified by the Plaintiff to provide testimony in support of Plaintiff's special damages. In excluding the causation testimony, the State Court Judge found that "the basis for any causation testimony . . . is not based upon sufficient facts and data and does not satisfy the *Daubert* standard."

The exclusion of this testimony will likely result in the Plaintiff being unable to connect over \$500,000 in medical treatment to the motor vehicle collision at issue, making settlement more likely.