

IN THE CIRCUIT COURT OF THE 1ST JUDICIAL CIRCUIT
IN AND FOR ESCAMBIA COUNTY, FLORIDA
GENERAL JURISDICTION DIVISION

Hunter Moak,

CASE NO: 2020 CA 001180

Plaintiff,

vs.

Skanska USA Civil SE, Inc.,

Defendant.

_____ /

ORDER ON PLAINTIFF'S MOTION TO LIMIT TESTIMONY

The Court, having considered Plaintiff's Motion to Limit the Testimony of Defendant's Retained Physical Therapy Expert Trevor Bardarson, PT; Defendant's Memorandum in Opposition; argument of counsel; and, applicable statutes, rules and case law, finds as follows:

Trevor Bardarson's testimony at trial shall be limited to his physical examination of Mr. Moak. Trevor Bardarson shall not offer any testimony at trial on any "validity assessment" conducted by him, nor on the cause of Mr. Moak's smaller left calf.

Trevor Bardarson's proposed testimony on a "validity assessment" is stricken because Defendant failed to disclose this topic as part of its process in seeking the physical examination under Rule 1.360.

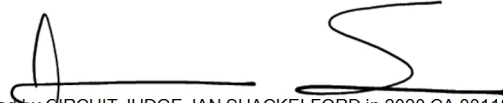
In addition, Trevor Bardarson's proposed testimony on a "validity assessment" is stricken because Defendant fails to prove by a preponderance of the evidence that Mr. Bardarson's opinions in this regard are based on sufficient facts and data.

Finally, Trevor Bardarson's proposed testimony on a "validity assessment" is stricken because Defendant fails to prove by a preponderance of the evidence that Mr. Bardarson's opinions

in this regard are based reliable principles and methods.

Trevor Bardarson's proposed testimony on the cause of Mr. Moak's smaller left calf is stricken because Mr. Bardarson admits his opinion in this regard constitutes speculation.

DONE AND ORDERED in Chambers in Pensacola, Escambia County, Florida.



eSigned by CIRCUIT JUDGE JAN SHACKELFORD in 2020 CA 001180
on 08/03/2023 14:55:27 Wd7rLFZA

Parties will receive service from the Courts at the e-mail designations on the service list of the ePortal. The Attorney/movant shall effectuate service upon any party not registered on the service list of the ePortal and file a Certificate of Compliance within five business days.