



Robert Sullivant <robert@steelandbarn.com>

Dr. Perkins discovery

Swayze Alford <salford@swayzealfordlaw.com>

Tue, Sep 26, 2023 at 3:21 PM

To: Robert Sullivant <robert@steelandbarn.com>

Cc: Kayla Ware <kayla@swayzealfordlaw.com>, Presley Easley <paralegal@swayzealfordlaw.com>

Robert,

After I sent the previous email, I saw that you referenced Rule 26 (a) (A) (ii) for the discovery. I think that you intended to reference Rule 26 (b) (4) (A) (ii). That provision is what we commonly refer to as the expert interrogatory. That interrogatory would be sent to one party when the other party is seeking discovery about an expert that the party intends to use at trial. So in other words, that interrogatory would be sent to Sullivant SR not to Dr. Perkins. It would be sent prior to trial where the expert would testify. At this point in the litigation, Dr. Perkins has testified already and he is not expected to testify at trial.

Sincerely,

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