

**STATE OF LOUISIANA  
COURT OF APPEAL, SECOND CIRCUIT  
430 Fannin Street  
Shreveport, LA 71101  
(318) 227-3700**

No. 55,517-CW

ROBERT FORREST, BECKY CAMPBELL, AND  
LARRY LANGLEY, INDIVIDUALLY AND ON  
BEHALF OF ALVA BERNICE FORREST (D)

VERSUS

ST. FRANCIS MEDICAL CENTER, INC.  
AND WALTER M. SARTOR, M.D.

FILED: 08/28/23

RECEIVED: BY EMAIL 08/23/23

On application of Becky Campbell Egloff, Alicia Rachel Forrest, Thomas Clay Forrest and Lisa Perrilloux, Individually and on Behalf of Alva Bernice Forrest (DECEASED) for SUPERVISORY WRIT in No. 2016-0199 on the docket of the Fourth Judicial District, Parish of OUACHITA, Judge Alvin Rue Sharp.

ROUNTREE LAW OFFICES  
James A. Rountree

Counsel for:  
Becky Campbell Egloff, Alicia Rachel Forrest, Thomas Clay Forrest and Lisa Perrilloux, Individually and on Behalf of Alva Bernice Forrest (D)

HAMMONDS, SILLS, ADKINS, ET AL.  
John Bibb Saye

Counsel for:  
St. Francis Medical Center, Inc.

NELSON, ZENTNER, SARTOR, ET AL.  
Fred Williams Sartor, Jr.

Counsel for:  
Walter M. Sartor, M.D.

Before STONE, COX, and THOMPSON, JJ.

**WRIT GRANTED AND MADE PEREMPTORY.**

Applicants, Robert Forrest, Beck Campbell, and Larry Langley, seek supervisory review of the trial court's exclusion of the testimony of Dr. Andrew Larson from the trial on this matter scheduled to start on November 13, 2023. In any civil action in a district court the court may direct the attorneys for the parties to appear before it for conferences to consider the identification of witnesses, documents, and exhibits. La. C.C.P. art. 1551(A)(8). The court shall render an order which recites the action taken at the conference, and the agreements

made by the parties as to any of the matters considered. Such order controls the subsequent course of the action, unless modified at the trial to prevent manifest injustice. La. C.C.P. art. 1551(B). The theory inherent in pretrial procedure is the avoidance of surprise and the allowance of the orderly disposition of the case. *Vernon v. Wade Correctional Institute*, 26,053 (La. App. 2 Cir. 8/19/94), 642 So. 2d 684, *citing*, *Gilcrease v. Gilcrease*, 438 So. 2d 658 (La. App. 2 Cir. 1983), *writ denied*, 442 So. 2d 461 (La. 1983). The pretrial order controls the subsequent course of the action, though it can be modified at trial to prevent substantial injustice. *Id.*

This Court finds that manifest injustice would befall the applicants if they were not permitted to present to the jury the expert testimony of Dr. Andrew Larson. All parties were aware of and expected Dr. Andrew Larson to testify at trial so that no prejudice will befall any parties involved. According to the pretrial order issued in this matter, the exchange of witness lists “shall be done no later than three weeks before the trial date.” The applicants provided a corrected witness list that named Dr. Andrew Larson as an expert witness on July 20, 2023, which is well before three weeks of the November 13, 2023, trial date.

For the reasons set forth herein, the writ is granted and the decision of the trial court to exclude the testimony of Dr. Andrew Larson from the November 13, 2023, trial of this matter is reversed. The trial court is ordered to allow the testimony of Dr. Andrew Larson at trial.

Shreveport, Louisiana, this 19 day of September, 2023.

JRS SDS JSC

FILED: September 19, 2023

Shandra Jaylor  
DEPUTY CLERK