

89-R-99001

DC | DANIELCOKER

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**FILED**

**OCT 26 2023**

OFFICE OF THE CLERK  
SUPREME COURT  
COURT OF APPEALS

October 24, 2023

Honorable D. Jeremy Whitmire  
Mississippi Supreme Court Clerk  
P.O. Box 249  
Jackson, MS 39205

RE: Proposed Amendment to Rule 26 Regarding Rebuttal Experts

Dear Mr. Whitmire:

I write to the Court in opposition of the proposed changes of Mississippi Rules of Civil Procedure 26. Specifically, I completely join in Penny Lawson's well-reasoned objections provided to the Court in her October 23, 2023, correspondence. I concur with Ms. Lawson that the proposed change would create unneeded complications in the civil litigation process and cause insufficiencies in same. The amendment takes what is a level playing field between the litigants and tips it heavily in favor of plaintiffs, giving defendants no opportunity to address the inequities of allowing plaintiff additional chances at naming experts.

For these reasons, and the reasons set forth in Ms. Lawson's response, I respectfully object to the proposed changes.

If the Court has any questions, please do not hesitate to let me know.

With kind regards,

DANIEL COKER HORTON & BELL, P.A.

M. James Weems

MJW:rld

MOTION# 2018 2403  
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