



Jeffery P. Reynolds, P.A.

Jeffery P. Reynolds  
jeff@jprpa.com

October 11, 2018

**Via U. S. Mail**

Clerk of Appellate Courts  
Post Office Box 249  
Jackson, Mississippi 39205

Re: ***My Comments to the Proposed Amendments to Rule 26 of the Mississippi Rules of Civil Procedure***

Ladies and Gentlemen:

I disagree that a party, after his expert is deposed, be allowed to "supplement" his/her expert's testimony by fixing the damage to the expert's testimony obtained by the attorney deposing the expert. Proposed Rule 26(f)(2). Too many times, I have received a party's expert disclosure, then deposed their expert, severely undermined the testimony of the expert, then to have the other side "supplement" the expert's opinions and testimony in an effort to fix the damage done. This greatly increases the time and expense of litigation because then I have to set out to investigate and seek to undermine the new opinions and testimony of the expert.

I do not object to an expert being able to fix something like a mathematical error he or she had in his/her calculations. It is another thing entirely for the expert to set out to substantively change his/her opinions now that he or she knows the weaknesses of his/her prior opinions.

Thank you for your consideration of this.

Yours sincerely,

**JEFFERY P. REYNOLDS, P.A.**

Jeffery P. Reynolds

JPR/clw

MOTION# 2018-2403