


FILED

MAY 25 2017

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSISSIPPI

RANDY CARNEY, CLERK


BLAKE L. FREES

PLAINTIFF

VERSUS

CIVIL ACTION NO. 2011-0069(3)

MIGUEL MCNAIR AND SINGING RIVER
ELECTRIC POWER ASSOCIATION

DEFENDANTS

ORDER GRANTING DEFENDANT SINGING RIVER ELECTRIC POWER
ASSOCIATION'S MOTION FOR PARTIAL SUMMARY JUDGMENT

This case came before the Court on Defendant Singing River Electric Power Association's ("Singing River Electric") Motion for Partial Summary Judgment as to Plaintiff Blake Frees's claims of negligent training and supervision. Attorneys for the parties argued the motion on May 19, 2016. After considering the pleadings, briefs, evidence of record and arguments of counsel, the Court finds Plaintiff Blake L. Frees has failed to show a genuine issue of material fact as to Singing River Electric's alleged negligent training and supervision of Defendant Miguel McNair. Because Plaintiff is unable to establish a *prima facie* case of negligence, Singing River Electric is entitled to judgment as a matter of law as to Plaintiff's claims of negligent training and supervision. It is therefore;

ORDERED that Singing River Electric's Motion for Partial Summary Judgment is granted and the Plaintiff's claims of negligent training and supervision are hereby dismissed with prejudice. It is further;

MB 500 P 687

ORDERED that this is not a final judgment pursuant to Miss. R. Civ. P. 54(b). The Plaintiff's claims of negligence against Singing River Electric on the grounds of *respondeat superior* are unaffected by this ruling and Singing River Electric is to remain a Defendant to this lawsuit.

SO ORDERED AND ADJUDGED this the 24th day of May, 2017.


CIRCUIT COURT JUDGE

Prepared by:

NATHAN L. BURROW, ESQ.
COUNSEL FOR DEFENDANTS
FRANKE & SALLOUM, PLLC
ATTORNEYS AT LAW
POST OFFICE DRAWER 460
GULFPORT, MS 39502
TELEPHONE: (228) 868-7070
FACSIMILE: (228) 868-7090
nlb@frslaw.com

FILED

IN THE CIRCUIT COURT, JACKSON COUNTY, MS, 33RD DAY THE APRIL TERM, 2017

(25TH DAY OF MAY A.D. 2017)

MAY 25 2017

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSISSIPPI

RANDY CARNEY, CLERK
BY BLAKE L. FREES D.C.

PLAINTIFF

VERSUS

CIVIL ACTION NO. 2011-0069 (3)

MIGUEL MCNAIR AND SINGING RIVER
ELECTRIC POWER ASSOCIATION

DEFENDANTS

ORDER GRANTING DEFENDANTS' MOTION TO STRIKE
PLAINTIFF'S DESIGNATION OF EXPERT WITNESSES

This case came before the Court on Defendants Miguel McNair and Singing River Electric Power Association's Motion to Strike Plaintiff's Designation of Expert Witnesses. After considering the pleadings, briefs, evidence of record and arguments of counsel, the Court finds Plaintiff has not properly designated his proposed expert witnesses by failing to provide the information required by Rule 26 of the Mississippi Rules of Civil Procedure. Specifically, the Plaintiff has failed to provide the substance of the facts and opinions to which each expert is expected to testify, and the grounds for each such opinion. It is therefore;

ORDERED that Singing River Electric's Motion to Strike Plaintiff's Designation of Expert Witnesses is hereby granted and the Plaintiff is prohibited from offering expert testimony at the trial of this cause.

SO ORDERED AND ADJUDGED this the 24th day of May, 2017.

Don Harkey
CIRCUIT COURT JUDGE

Prepared by:

NATHAN L. BURROW, ESQ.
COUNSEL FOR DEFENDANTS
FRANKE & SALLOUM, PLLC
POST OFFICE DRAWER 460
GULFPORT, MS 39502

TELEPHONE: (228) 868-7070
nlb@frslaw.com

MB 500 P 689