

2RCV01

IN THE IOWA DISTRICT COURT FOR CERRO GORDO COUNTY

ANGEL MARIE HERMAN,

PLAINTIFF(S),

vs.

MAXINE MARIE KRUGER
NEIL ARTHUR KRUGER

,

DEFENDANT(S).

Case No. 02171 LACV073357

ORDER

A Hearing was held on Plaintiff's Motion in Liminie and the Responses thereto on April 21, 2025. Plaintiff was represented by Attorney Devin Ross. Defendant was represented by Attorney Natalie Burris. A formal record was made. The Hearing was conducted by teleconference. The Defendant did not designate Expert Witnesses. Instead, Defendant is relying on the cross examination of the Plaintiff's Experts to make their points. These evidentiary depositions have already been completed. The Defendant also wishes to call a treating physician, who was designated as an Expert by the Plaintiff and is listed as a potential witness by the Defendant, as a fact witness. This Deposition is scheduled for Thursday April 24.

The Plaintiff wishes to exclude any Expert testimony from the Defendant, and any reference to Plaintiff's alcohol or drug usage.

The Court has considered the arguments, and will deny the Plaintiff's Motion in Liminie. The Court finds it is permissible for the Defendant to elect to rely on cross examination of the Plaintiff's Experts, and the Court understands that the treating P.A. will be testifying to fact issues regarding Plaintiff's treatment and statements made by Plaintiff and the P.A. in the course of treatment.

Because the evidence will involve Plaintiff's concussion/closed head injury and seizure activity, the Court will allow relevant evidence about any drug or alcohol use by Plaintiff if it may relate to causation of or contribution to injuries or conditions or recovery from injuries or conditions. However, the evidence will need to be relevant and tied into the Plaintiff's medical condition.

IT IS SO ORDERED.

CLERK TO FURNISH COPIES TO:



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Case Number
LACV073357
Type:

Case Title
(GRR)ANGEL HERMAN V. MAXINE KRUGER
OTHER ORDER

So Ordered

Gregg R. Rosenblatt, District Court Judge,
Second Judicial District of Iowa

Electronically signed on 2025-04-22 11:50:52