

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
LOUISIANA, LAKE CHARLES DIVISION

Taylor N. Lavergne v. Hyundai Motor Co. et al.

Lavergne v. Hyundai Motor Co. · No. 2:21-CV-04236 · Decided December 10, 2025

SUMMARY

The court grants Plaintiff Taylor N. Lavergne’s motion in limine to exclude untimely crash tests, expert testimony, and supplemental reports in a Louisiana Products Liability Act action arising from a rear-end collision. The court finds that Hyundai failed to comply with the expert disclosure deadlines and that allowing the untimely supplemental reports would significantly prejudice Plaintiff at trial.

CASE DETAILS

COURT	United States District Court for the Western District of Louisiana, Lake Charles Division
WRITING FOR THE COURT	James D. Cain, Jr.
JURISDICTION	United States District Court for the Western District of Louisiana, Lake Charles Division
DECIDED	December 10, 2025
DOCKET	2:21-CV-04236
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved in limine to exclude Hyundai's untimely crash-test evidence, related expert testimony, and supplemental expert reports. The district court granted the motion.
STANDARD OF REVIEW	The court applied Federal Rule of Civil Procedure 37(c)(1) and the Fifth Circuit's four-factor test for excluding untimely evidence: the explanation for the delay, the importance of the evidence, prejudice to the opposing party, and whether a continuance could cure the prejudice.
PRECEDENTIAL VALUE	unpublished district court memorandum order
PARTIES	Taylor N. Lavergne v. Hyundai Motor Co. et al.

TOPICS

- motion in limine
- expert testimony
- evidence
- civil procedure
- sanctions

PRACTICE AREAS

civil procedure

products liability

expert evidence

QUESTIONS PRESENTED

1. Whether Hyundai's crash-test evidence and related supplemental expert reports should be excluded under Federal Rules of Civil Procedure 26 and 37 because they were disclosed after the court-ordered expert deadline.
2. Whether Hyundai demonstrated that its failure to timely disclose the crash tests and supplemental reports was substantially justified or harmless.

HOLDINGS

1. Hyundai's crash-test evidence and the Ridenour and Germane supplemental reports were excluded because Hyundai disregarded the court-ordered expert-disclosure deadline and the untimely disclosures significantly prejudiced Plaintiff at trial.

KEY QUOTATIONS

"Here, the Court set expert report deadlines that Hyundai chose to ignore. The Court finds that the untimely supplemental report would significantly prejudice Plaintiff at trial." (Page 8)

"Accordingly, IT IS ORDERED that the Motion in Limine to Exclude Untimely Crash Tests and Expert Testimony, and Untimely Supplemental Reports (Doc. 58) filed by Plaintiff, Taylor N. Lavergne is GRANTED, and the Ridenour and Germane supplemental reports will be excluded at the trial of the matter." (Page 8)

FACTUAL BACKGROUND

The lawsuit arose from a December 19, 2019, rear-end collision involving a 2016 Hyundai Accent and a modified 2013 Jeep Wrangler. Lavergne, who was seated in the Accent's rear seat, was thrown into the back of the driver's seat when the rear seatback moved forward. Hyundai's experts conducted crash tests on June 24 and September 15, 2025, after Hyundai's April 7, 2025, expert-report deadline, and two experts later issued supplemental reports relying on those tests.

PROCEDURAL HISTORY

Lavergne initially filed the action in state court against the Jeep driver and her insurer for negligence and against Hyundai under the Louisiana Products Liability Act. The negligence claims were resolved, and Hyundai removed the remaining products-liability claims to federal court. After Hyundai's expert-disclosure deadline passed, its experts conducted crash tests and prepared supplemental reports, prompting Plaintiff's motion in limine.

DISPOSITION

other

CASES CITED

- Avina v. JP Morgan Chase Bank
- Willis v. USAA Cas. Ins. Co., 2024 U.S. Dist. LEXIS 82599, *6-7 (W.D. La. May 6, 2024)

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