

LOUISIANA COURT OF APPEAL, FIRST CIRCUIT

**Jamie W. Turner, wife of/and Ricky Ray Turner, on behalf of their
minor child, Lilith May Turner v. Woman's Hospital Foundation,
d/b/a Woman's Hospital, et al.**

No. 2026 CW 0044 (La. Ct. App. 2026) · No. 2026 CW 0044 · Decided February 19, 2026

OPINION

Jamie W. Turner, wife of_and Ricky Ray Turner, on behalf of their minor child, Lilith May Turner
v. Woman's Hospital Foundation

PER CURIAM.

STATE OF LOUISIANA

COURT OF APPEAL, FIRST CIRCUIT

JAMIE W. TURNER, WIFE OF/AND NO. 2026 CW 0044

RICKY RAY TURNER, ON BEHALF

OF THEIR MINOR CHILD, LILITH

MAY TURNER

VERSUS

WOMAN'S HOSPITAL FOUNDATION, FEBRUARY 19, 2026

D/B/A WOMAN'S HOSPITAL, ET

AL Tn Re: The Louisiana Patient's Compensation Fund and The Louisiana Patient's Compensation
Fund Oversight Board, through the Nominal Defendant, Woman's Hospital, applying for
supervisory writs, 19th Judicial District Court, Parish of East Baton Rouge, No. 657352. BEFORE
: THERIOT, LANIER, STROMBERG, BALFOUR, AND HAGGERTY,+ JJ. WRIT DENIED.

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Theriot and Haggerty, JJ., dissent and would grant the writ and reverse the district court's
judgment which granted the motion in limine filed by plaintiffs limiting the testimony of the
medical review panel members to only the medical review panel opinion. Either party shall have
the right to call, at his cost, any member of the medical review panel as a witness. La. R.S.
40:1231.8(H). This statute does not place limitations on the scope of such testimony. In fact,
panelists may change their individual opinions after the panel's written expert opinion has been
rendered and testify to their changed opinion at trial, so long as the panel's initial opinion is also
presented for consideration. Galloway v. Baton Rouge General Hospital, 602 So.2d 1003, 1006-07
(La. 1992). The purpose of an expert report as contemplated by La. Code Civ. P. art. 1425 is to
provide the opposing party with advance notice of the expert's opinions and the basis and reasons
therefore and the data or other information considered by the witness in forming the opinions. All

parties herein were aware that any party could call a panel member as a witness, and it does not appear that the Louisiana Patient's Compensation Fund retained a panel member as its expert, and accordingly, all parties had access to the panel members. See *Moonan v. Louisiana Med. Mut. Ins. Co.*, 2016-113 (La. App. Sth Cir. 9/22/16), 202 So.3d 529, writ denied, 2016-2048 (La. 1/9/17), 214 So.3d 869.

WRT OF APPEAL, FIRST CIRCUIT

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) FOR THE COURT

‘Haggerty, J., serving pro tempore, by special appointment of the Louisiana Supreme Court.

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