UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS, SHERMAN DIVISION

Ronald Alexander Garcia Delgado v. Experian Information Solutions, Inc.

Civil Action No. 4:24-cv-637 (E.D. Tex. [date not stated]) · No. 4:24-cv-637 · Decided March 10, 2026

SUMMARY

The United States District Court for the Eastern District of Texas partially grants and partially denies Experian Information Solutions, Inc.'s motion to strike or limit the report and testimony of plaintiff's expert, Douglas Hollon, in a Fair Credit Reporting Act case. The court permits testimony concerning industry standards and the types of damages typically caused by credit-reporting errors but excludes Hollon's opinions regarding the plaintiff's specific economic damages and their cause. The court also declines to strike the plaintiff's briefing for local-rule violations.

CASE DETAILS

COURT	United States District Court for the Eastern District of Texas, Sherman Division
WRITING FOR THE COURT	Judge Amos L. Mazzant
JURISDICTION	United States District Court for the Eastern District of Texas, Sherman Division
DECIDED	March 10, 2026
DOCKET	4:24-cv-637
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved to strike or limit the report and testimony of Plaintiff's expert under Federal Rule of Evidence 702 and Daubert.
STANDARD OF REVIEW	A district court's decision to admit or exclude expert testimony under Daubert and Rule 702 is reviewed for abuse of discretion; in the district court, the proponent bears the burden of establishing admissibility.
PRECEDENTIAL VALUE	Nonprecedential district-court memorandum opinion; persuasive authority only.

TOPICS

expert testimony · daubert standard · evidence · civil procedure

PRACTICE AREAS

Evidence · Consumer protection · Fair Credit Reporting Act · Civil procedure

QUESTIONS PRESENTED

1. Whether Hollon was qualified to testify about Plaintiff's alleged economic and emotional damages and the types of damages typically caused by credit-reporting errors.
2. Whether Hollon's proposed opinions constituted improper legal conclusions.
3. Whether Hollon's experience-based methodology was sufficiently reliable under Federal Rule of Evidence 702 and Daubert.
4. Whether Plaintiff's response should be stricken for violating the court's page limits and for failing to raise the issue through a separately filed motion.

HOLDINGS

1. Hollon may not testify about Plaintiff's specific economic damages or the cause of those damages, but he may testify in general terms about the types of damages typically caused by errors on credit reports. The court did not exclude proposed testimony about Plaintiff's emotional distress because Plaintiff represented that he did not intend to offer such testimony; any attempt to offer it would be addressed at trial.
2. The motion was denied insofar as it sought exclusion of Hollon's testimony as improper legal conclusions, based on Plaintiff's representation that Hollon would testify about industry standards and whether conduct comported with those standards rather than opine definitively that Defendant violated the FCRA.
3. Hollon's testimony was not excluded for lack of reliability because his opinions were primarily based on nineteen years of experience and expertise in FCRA and credit-reporting matters, and alleged deficiencies could be explored through cross-examination and contrary evidence.
4. The court declined to strike Plaintiff's response despite page-limit violations because Defendant sought the relief through improper footnotes rather than a separately filed motion, and the court was granting the motion in part in any event.

KEY QUOTATIONS

> *"Vigorous cross-examination, presentation of contrary evidence, and careful instruction on the burden of proof are the traditional and appropriate means of attacking shaky but admissible evidence."*

> *"the rejection of expert testimony is the exception rather than the rule."*

> *"It is the role of the adversarial system, not the court, to highlight weak evidence."*

FACTUAL BACKGROUND

Plaintiff alleged that Experian failed to use reasonable procedures in preparing consumer reports by mixing Plaintiff's information with information belonging to his son. Plaintiff retained Douglas Hollon to offer opinions concerning credit-reporting industry standards, the defendant's procedures, and damages. Experian challenged Hollon's qualifications, alleged legal conclusions, and methodology.

PROCEDURAL HISTORY

Plaintiff brought an action alleging violations of the Fair Credit Reporting Act based on allegedly mixed consumer-report information. Plaintiff designated Douglas Hollon as an expert, and Defendant moved to exclude or limit his testimony. The district court granted the motion in part and denied it in part, excluding testimony concerning Plaintiff's specific economic damages and their cause while allowing the challenged testimony in other respects subject to trial objections.

DISPOSITION

other

CASES CITED

- Vega v. Ross Stores Inc., No. 4:24-CV-00733-SDJ-BD, 2025 WL 2601538, at *2 (E.D. Tex. Sept. 8, 2025)
- Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579, 589-96 (1993)
- Kumho Tire Co. v. Carmichael, 526 U.S. 137, 147, 152 (1999)
- Pipitone v. Biomatrix, Inc., 288 F.3d 239, 244 (5th Cir. 2002)
- Guy v. Crown Equipment Corp., 394 F.3d 320, 325 (5th Cir. 2004)
- Puga v. RCX Solutions, Inc., 922 F.3d 285, 294 (5th Cir. 2019)
- Primrose Operating Co. v. National American Insurance, 382 F.3d 546, 562 (5th Cir. 2004)
- St. Martin v. Mobil Exploration & Producing U.S., Inc., 224 F.3d 402, 405 (5th Cir. 2000)
- Nelson v. Experian Information Solutions, Inc., No. CV 2:23-1634-RMG, 2024 WL 3219180, at *2-4 (D.S.C. June 27, 2024)
- Huizar v. Experian Information Solutions, Inc., No. 4:22-CV-85-PPS, 2025 WL 3085049, at *5 (N.D. Ind. Nov. 5, 2025)
- Oatway v. Experian Information Solutions, Inc., No. 2:24-CV-00523-LK, 2025 WL 2689029, at *8 (W.D. Wash. Sept. 19, 2025)
- Wright v. HireRight LLC, No. CV-23-00493-PHX-SMM, 2025 WL 928852, at *4-5 (D. Ariz. Mar. 27, 2025)
- Wellemeyer v. Trans Union, LLC, No. 3:20-CV-814-DJH-LLK, 2023 WL 11262971, at *3-9 (W.D. Ky. Sept. 22, 2023)
- Panchenko v. Comenity Capital Bank, No. 23-CV-04965-EKL, 2025 WL 2372597, at *3-5 (N.D. Cal. Aug. 13, 2025)
- Garcia v. Equifax Information Services, LLC, No. 8:22-CV-1987-WFJ-UAM, 2024 WL 1739505, at *2, *4 (M.D. Fla. Apr. 23, 2024)