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## DIGEST

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HB 1065 Original

2016 Regular Session

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**Abstract:** Revises discovery articles related to producing surveillance materials, witness statements, and expert reports.

Present law provides that a defendant may take the deposition of a plaintiff prior to producing surveillance materials.

Proposed law retains present law but requires the defendant to conduct the deposition of the plaintiff within 90 days of receiving the request for surveillance.

Present law provides that expert reports prepared by witnesses who will not testify at trial are not discoverable.

Proposed law entitles a requesting party to all expert reports, even if prepared by a witness who will not testify at trial.

Present law provides that the court shall not order the production of any writings, recordings, or electronically stored information if it has been prepared by the adverse party, his attorney, surety, indemnitor, or agent in anticipation of litigation unless the denial of production or inspection will unfairly prejudice the party or lead to undue hardship or injustice.

Proposed law requires a party to produce all writings, recordings, or electronically stored information unless such writings, recordings, or electronically stored information has been made or prepared by the party.

(Amends C.C.P. Arts. 1424(A) and 1425(D); Adds C.C.P. Art. 1424(E))