

**Fifth Circuit Court of Appeal
State of Louisiana**

No. 26-C-260

PAULINE M. UMBACH

versus

JEFFERSON PARISH HOSPITAL DISTRICT NO. 2, ET AL

IN RE PAULINE M. UMBACH

APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE SHAYNA BEEVERS MORVANT, DIVISION "M", No. 778-680

TRUE COPY

June 26, 2026



LINDA TRAN
DEPUTY CLERK

Panel composed of Judges Fredericka Homberg Wicker,
Jude G. Gravois, and Timothy S. Marcel

WRIT DENIED

Relator, Pauline M. Umbach, seeks supervisory review of the May 7, 2026 Judgment of the 24th Judicial District Court granting the Motion in Limine to Exclude and/or Limit Medical Testimony of Physicians who did not Comply with the Court's Order (the "Motion in Limine"), filed by Defendants-Respondents, excluding the testimony at trial of Relator's treating physicians, R. Williams Junieus, Robert C. McMyne, Bryan Peterson, and Eric Lonseth for the reason that Relator failed to timely provide certified records or reports from these physicians to Respondents on or before the deadline established in the district court's Scheduling Order, entered June 18, 2025.¹ Although this litigation has been pending for more than nine years, Relator did not submit *any* records for these physicians, certified or otherwise, to Respondents by the deadline specified in the

¹ Relator has also filed a separate writ application in this Court seeking supervisory review of the March 13, 2026 judgment of the district court, granting Respondents' Motion to Strike Witnesses and Expert Report (the "Motion to Strike"), relative to any treating physicians who had not complied with the district court's June 18, 2025 Scheduling Order by submitting certified records or reports by the deadline set forth in the Scheduling Order. That writ application bears No. 26-C-186 on the docket of this Court. A decision dismissing that writ application as untimely is also being issued on this date.

June 18, 2025 Scheduling Order, or thereafter; nor did Relator submit any such records at the April 29, 2026 hearing on the Motion in Limine.²

This Court has held:

La. C.C.P. art. 1551 provides the trial court with great discretion in implementing pre-trial orders and ensuring that the items of the pre-trial order are enforced. *Moonan v. Louisiana Med. Mut. Ins. Co.*, 16-113 (La. App. 5 Cir. 9/22/16), 202 So.3d 529, 533, *writ denied*, 16-2048 (La. 1/9/17), 214 So.3d 869. A party has a right to expect compliance with the pre-trial order by the opposing party, and prepare for trial accordingly. When a party's attorney fails to obey a pre-trial order, the court, *sua sponte* or on the motion of a party, may make such orders as are just, including an order prohibiting the disobedient party from introducing designated matters into evidence. *Id.* Absent an abuse of discretion, the trial court's decision whether to admit or exclude evidence upon objection on the grounds of failure to abide by the pre-trial order will be upheld.

Cobena v. ACE Am. Ins. Co., 21-630 (La. App. 5 Cir. 8/3/22), 347 So. 3d 1117, 1125–26, *writ denied*, 2022-01337 (La. 11/16/22), 349 So. 3d 1007.

We find no abuse of discretion by the district court in this matter. Accordingly, the writ application is denied.

Gretna, Louisiana, this 26th day of June, 2026.

FHW
JGG
TSM

² Relator also did not introduce any records of these physicians at the March 2, 2026 hearing on the Motion to Strike.

