



# YOUR AI MUSE

HOW TO USE AI TO IMPROVE DRAFTING DISCOVERY, MOTIONS & BRIEFS

SPECIAL  
THANKS

seminar

**ARTIFICIAL  
INTELLIGENCE IN  
DEFENSE PRACTICE:**

TOOLS, PROMPTS, WORKFLOWS,  
IMPLEMENTATION, AND GOVERNANCE





# WILL FOCUS ON

- MOTIONS & BRIEFS
- WRITTEN FILINGS & SUBMISSIONS
- TO A COURT OF LAW

*Petitioner*

v.

SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF

ALAMEDA

*Respondent*

THE PEOPLE OF THE STATE OF CALIFORNIA

*Real Party in Interest*

After a Decision of the Court of Appeal, First Appellate District  
Deny a Petition for Writ of Habeas Corpus or Prohibition  
filed in March 2018, Court Appeal No. A15-0000  
Alameda County Superior Court Nos. 17-CR-013310 & 17-CR-035088

# A FEW TIPS

PETITION FOR REVIEW

## WRITTEN SUBMISSIONS

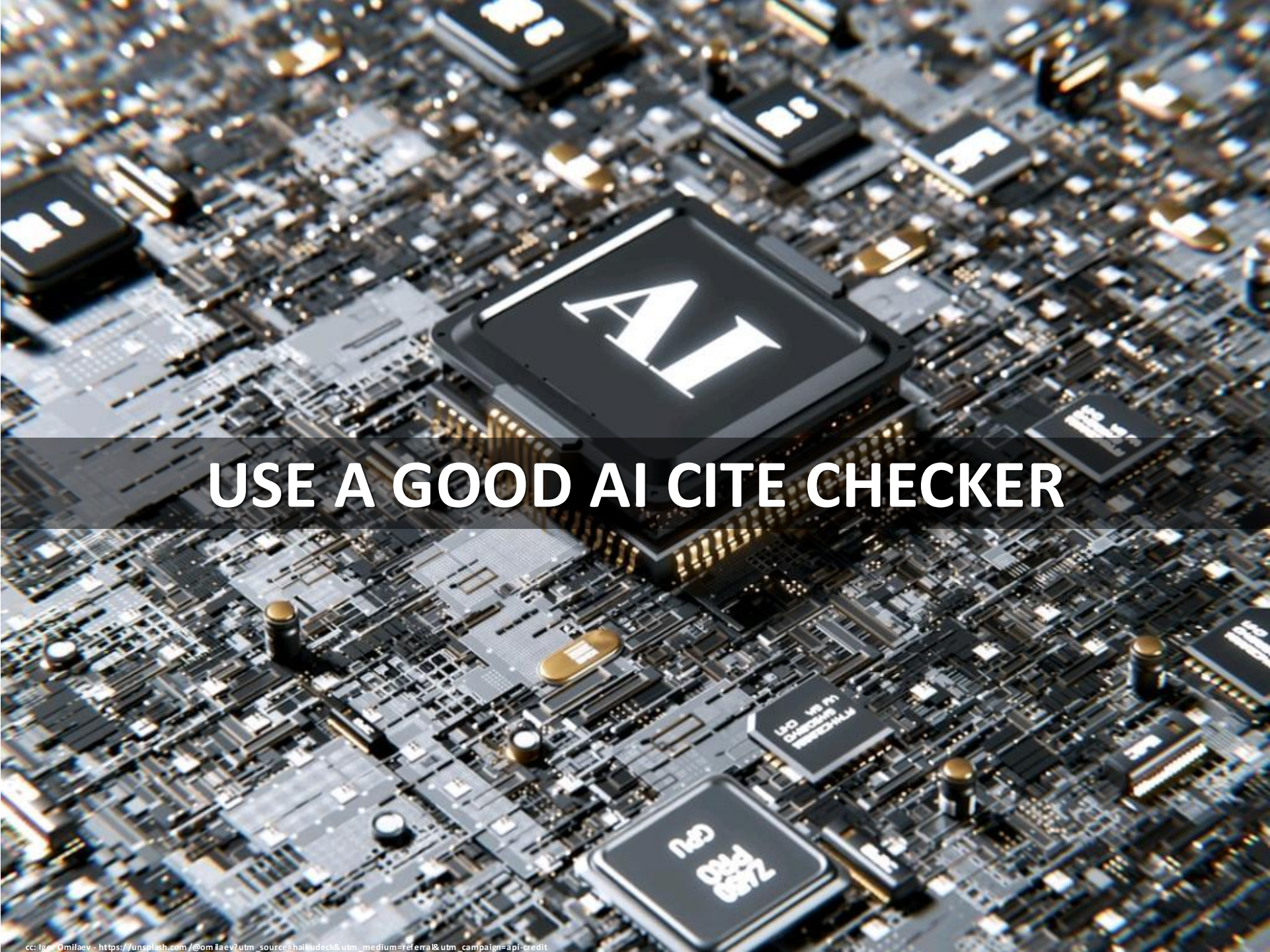
Service on Respondent; District Attorney of Alameda County; the  
Court of Appeal, First Appellate District; and the Attorney General

Elle W. Ko

mailing address: 32440 Lake Temescal Ln, Fremont, CA 94555  
Residence: 1536 Jones St., San Francisco, CA 94108

FAKE CASES – HALLUCINATIONS – BAD  
QUOTES FROM CASES – CASES CITED ARE  
REAL BUT PROPOSITION IS WRONG





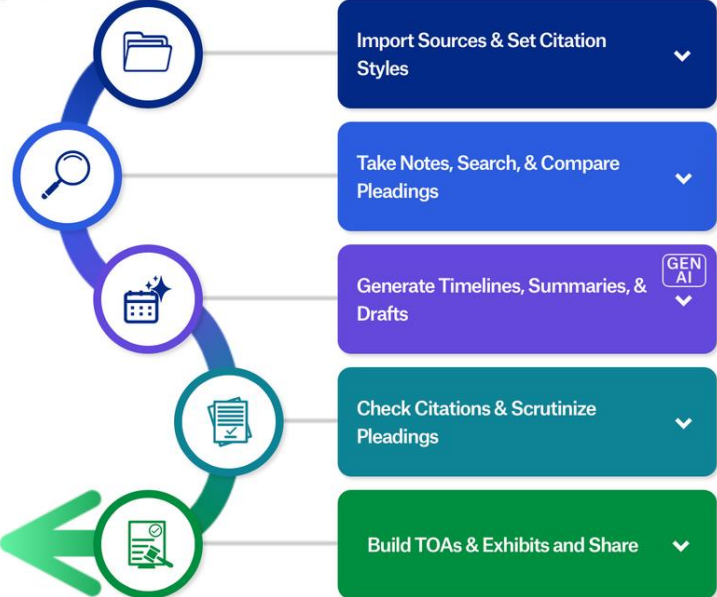
**USE A GOOD AI CITE CHECKER**

# Clear|brief

★ Favorites

- Source Docs
- Analyze Your Draft
- Saved Tables & Drafts

Start



Finalize





Summary By Copilot

Generate

IN THE CIRCUIT COURT OF ██████████ COUNTY, MISSISSIPPI

PLAINTIFF

V.

CAUSE NO. ██████████

DEFENDANTS

**DEFENDANT ██████████ RESPONSE TO PLAINTIFFS' MOTION FOR SANCTIONS FOR SPOILIATION OF EVIDENCE**

Contrary to the false statements and ignoble accusations made in Plaintiffs' motion, there is one plain and clear truth: ██████████ never possessed or controlled the subject ██████████

Clearbrief

Jimmy Wilkins's team > Matters > ██████████ How-to

# Matter Dashboard

## ★ Favorites

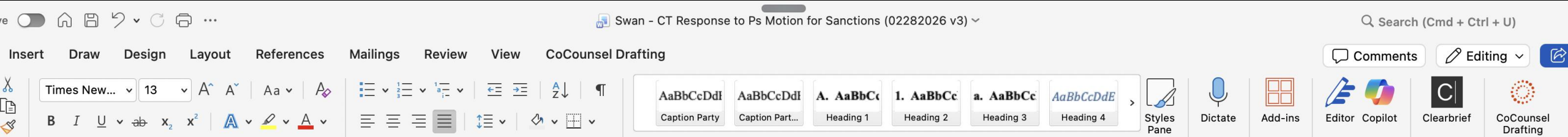
- Source Docs
- Analyze Your Draft
- Saved Tables & Drafts

## Start

- Import Sources & Set Citation Styles
- Take Notes, Search, & Compare Pleadings
- Generate Timelines, Summaries, & Drafts GEN AI
- Check Citations & Scrutinize Pleadings
- Build TOAs & Exhibits and Share

## Finalize

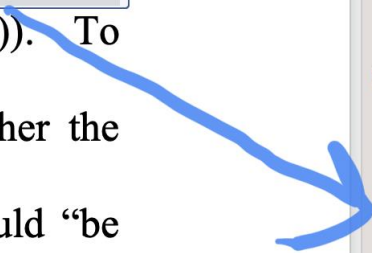




of sanctions for spoliation of evidence.

The death penalty sanction, like dismissal of a plaintiff’s case or deeming a defendant’s product to be defective, should only be issued “under the most extreme circumstances.” *Pierce v. Heritage Props., Inc.*, 688 So. 2d 1385, 1388 (Miss. 1997) (citing *Hapgood v. Biloxi Reg’l Med. Ctr.*, 540 So. 2d 630, 634 (Miss. 1989)). To determine if death penalty sanctions are appropriate, the court considers whether the spoliating party acted from “willfulness or bad faith;” “the deterrent value” could “be substantially achieved by the use of less drastic sanctions;” and the other party incurred

*Pierce v. Heritage Props., Inc.*, 688 So. 2d 1385, 1388 (Miss. 1997)



responsibility for [redacted] actions. "Under the general rule, [an] independent contractor's principal has no vicarious liability for the torts committed by the independent contractor or its employees in the performance of the contract." Freeman v. CLC of Biloxi, LLC, 119 So. 3d 1164, 1170 (Miss. Ct. App. 2013) (quoting Chisolm v. Miss. DOT, 942 So. 2d 141 (Miss. 2006) and finding contractor was not vicariously liable for its independent contractor); Heirs & Wrongful Death Beneficiaries of Branning v. Hinds Cmty. Coll. Dist., 743 So. 2d 311, 318 (Miss. 1999) (same).

Chisolm v. Miss. DOT, 942 So. 2d 141

(Miss. 2006) and finding contractor was not vicariously liable for its independent contractor); Heirs & Wrongful Death Beneficiaries of Branning v. Hinds Cmty. Coll. Dist., 743 So. 2d 311, 318 (Miss. 1999) (same).

Citation is off by 5 pages

Even if [redacted] was acting as [redacted] agent (it was not), it would be presumptive and without factual basis to sanction [redacted] as [redacted] principal because it is not known how or why [redacted] lost the tire (although it is known [redacted] had nothing to do with it). So far, the only explanation offered by [redacted], who concluded the shipping labels probably fell off the packages. It may be Plaintiffs are to blame for the manner and method of packaging and labeling the tire evidence. Or it may be [redacted] fault entirely. But it would be deeply unfair to conclude [redacted] is vicariously liable for [redacted] spoliation if [redacted] is not to blame for the loss.

Mississippi courts have provided guidance for cases like this one where the alleged

Clearbrief

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Chisolm v. Miss. DOT, 942 So. 2d 141 (Miss. 2006)

Suggestions

- 2023-07-27 [#53-13] Huang v. Americans at 2
- 2023-07-27 [#53-14] Ramos v. Cooper at 2
- 2023-07-27 [#53-1] Complaint, ¶ 8
- 2023-07-27 [#53-1] Complaint, ¶ 6
- 2023-07-27 [#53-1] Complaint at 2

We can't seem to display this case automatically from our databases

Double check your citation source. If it's accurate, upload the PDF you want to display.

Search on Google Scholar

Unlink Cite

Add your own Source



# CONSIDER AI TOOLS FOR

- INITIAL FEEDBACK ON OPPONENTS'S BRIEF
- JUMP STARTING YOUR RESPONSE
- PRELIMINARY IDEAS FOR WRITTEN SUBMISSION RESPONSE

# CoCounsel Core

CoCounsel Core

cocounsel core

 Evaluation of Legal Arguments in Mississippi Sanctions Motion 

 Jimmy – Mar 1 09:22 PM

 Save prompt

review the attached, evaluation of arguments under current mississippi law, indicate where this document is weak, not strong, and takes liberties with mississippi law. indicate the current status of mississippi law when evidence in a case is lost or destroyed and what the standards are for adverse inference.

**1 file added**

 2026-02-19 [#62-0] Plf Motion for Sanctions.pdf

New

- Edge Representin...
- Arguments in Miss...
- Strategies in Mi...
- Agency in Daniel...
- tion Challenges f...
- d Agency Under ...
- requests Based o...

New

## 2. Strengths and Weaknesses in the Document's Legal Argumentation

### Strong Points

- **Elements of Spoliation Accurately Stated:**

The document correctly outlines the three elements required for spoliation: duty to preserve, culpable state of mind (including negligence), and relevance to the claim or defense. [5](#) [6](#) [7](#)

- **Negligence Sufficient for Sanctions:**

The assertion that simple negligence suffices for spoliation is well aligned with the stated contents of City of Jackson v. Hilton and Thomas. [8](#)

- **Restorative Purpose of Sanctions:**

The brief is on firm ground in stating that the purpose of sanctions is to remedy prejudice, placing the innocent party as close as possible to their original position. [9](#)

- **Adverse Inference as Remedy:**

The motion accurately describes that Mississippi courts may employ adverse inference instructions as a remedy for spoliation [10](#).

### Weak or Overstated Points

- **Sanction Severity – Deeming Defect as a Matter of Law:**

The motion requests that the court deem the tire defective as a matter of law and preclude all Cooper Tire defenses. [11](#) [12](#) [13](#) [14](#) The document cites out-of-state authorities (Fla., 4th Cir., 2nd Cir., Tex.) to support such drastic sanctions. [15](#) [16](#) [17](#) [18](#) [19](#) The only Mississippi case cited that comes close is Freeman v. State of Mississippi, which involved reversal of a conviction due to State failure to preserve evidence after a court order. [20](#) [21](#) However, Freeman concerned governmental destruction of evidence in a criminal context, not a civil product liability case. This makes its persuasive value on the appropriateness of deeming an element established as a matter of law in a civil context less direct, and the motion's application of it is an ambitious extension.

#### 4. Summary Table

Issue	Motion's Position & Strengths	Weaknesses / Liberties / State of Law
Mississippi law on spoliation	Three elements well stated; negligence suffices. <a href="#">37</a> <a href="#">38</a> <a href="#">39</a>	Accurate, with support from cited cases. <a href="#">40</a> <a href="#">41</a> <a href="#">42</a>
Available sanctions	Restorative sanctions, including adverse inference. <a href="#">43</a>	Issue preclusion (deeming defect as a matter of law) not established by MS law for negligent spoliation in civil cases; relies on out-of-state cases. <a href="#">44</a> <a href="#">45</a> <a href="#">46</a> <a href="#">47</a>
Standard for adverse inference	Can be imposed for negligent loss, to counteract prejudice. <a href="#">48</a> <a href="#">49</a>	No MS case cited requiring issue preclusion in this context; adverse inference appears recognized, but the sufficiency of such is not addressed in controlling MS civil authority. <a href="#">50</a>
Nondelegable duty to preserve (agency by shipment)	Asserts party cannot outsource duty in active litigation. <a href="#">51</a> <a href="#">52</a> <a href="#">53</a>	Logical, but the document does not cite direct MS authority for this point; relies on application of general principles. <a href="#">54</a> <a href="#">55</a> <a href="#">56</a>
Reliance on out-of-state authority	Supports broader sanction requests (issue preclusion). <a href="#">57</a> <a href="#">58</a> <a href="#">59</a> <a href="#">60</a>	MS law does not compel such remedies; argument is extrapolated from persuasive, non-precedential cases. <a href="#">61</a> <a href="#">62</a> <a href="#">63</a> <a href="#">64</a>

LLM TOOLS  
ADD VALUE



Claude

BY ANTHROPIC



OpenAI  
ChatGPT



onse to plaintiff's motion for sanctions ▾



I represent the defendant, [REDACTED], and I need to give my comments to my co-counsel on the response to plaintiff's motion for sanctions. And I need to do the response in bullet point fashion. The proposed response is attached. And here are my comments. Number one, I would remove the word ignoble accusations from the response. number two where it says Mississippi does not support death penalty sanctions I would just briefly mention what those death penalty sanctions are So, next number. The citation of the May v. Austin case, 240 SO period 2D 389 does not appear to be correct, so I will correct this to put in the proper citation for the case. The citation for the Chisholm v. Mississippi D.O.T. case of 942 SO period 2D 141 does not appear to be correct. I would correct this citation. I will be sure to point out that under



TOOL CAN BE ASKED IF UNDERSTANDS  
IF PROMPT IS NUANCED  
AND REQUESTING TO BOIL  
LAKE MICHIGAN



that the brief does not cite any Mississippi civil cases requiring such a drastic remedy. Just so you understand what I want you to do, ask me three questions one at a time so I know that you know what I need you to do.

Show less

Recognized need to clarify task requirements through sequential questioning >

Got it, Jimmy. Let me make sure I fully understand what you need. First question:

You want me to take the attached proposed response brief and draft a **comment memo to co-counsel** — formatted in **bullet points** — that summarizes each of your editorial comments and suggestions for improving the response. Is that correct, or do you want me to actually **redline/revise the brief itself** based on your comments?

draft a comment memo, and no need to redline

# Demonstration of Memo



## MEMORANDUM

**TO:** Benjamin Matlock  
**FROM:** Jimmy B. Wilkins  
**DATE:** March 2, 2026  
**RE:** Comments on Acme Motors' Response to Plaintiffs' Motion for Sanctions – Doe v. Acme Motors, et al., Cause No. CV 2026-0000

---

The following are my comments and suggested revisions to the proposed Response to Plaintiffs'

The following are my comments and suggested revisions to the proposed Response to Plaintiffs' Motion for Sanctions for Spoliation of Evidence. Please review and incorporate as appropriate.

- **Opening Paragraph – Remove “Ignoble Accusations.”** The phrase “ignoble accusations” in the opening paragraph should be removed. The language is unnecessarily inflammatory and may undermine the professional tone of the brief. A more measured characterization of Plaintiffs' assertions is preferable.
- **Section Header – Briefly Define “Death Penalty” Sanctions.** Where the brief states that “Mississippi does not support death penalty sanctions,” we should briefly explain what those sanctions entail for context. Specifically, we should note that Plaintiffs are seeking (1) a judicial determination that the Acme Motors tire is defective as a matter of law, and (2) preclusion of Acme Motors from introducing evidence to the contrary. This brief explanation will help frame the severity and impropriety of Plaintiffs' request.
- **Citation Verification – May v. Austin.** The citation for *May v. Austin*, 240 So. 2d 389, does not appear to be correct. Please verify and correct this citation before the brief is filed.
- **Citation Verification – Chisolm v. Mississippi D.O.T.** The citation for *Chisolm v. Mississippi D.O.T.*, 942 So. 2d 141, does not appear to be correct. Please verify and correct this citation before the brief is filed.

- **Culpable State of Mind Requirement Under Mississippi Law.** Under Mississippi law, a spoliation finding requires a culpable state of mind on the part of the alleged spoliator. This argument is important and should be emphasized – Acme Motors had no culpable state of mind whatsoever with respect to the loss of the tire. I believe this point was adequately addressed in the brief, but please ensure it receives sufficient prominence.
- **Freeman v. State – Criminal Case, Not Applicable Here.** The only Mississippi case Plaintiffs cite in support of severe sanctions is *Freeman v. State*, which is a criminal and constitutional due process case involving governmental destruction of evidence in a criminal context. It has no application to a civil products liability dispute. We should more pointedly emphasize this distinction in the brief, as it effectively neutralizes Plaintiffs’ reliance on *Freeman*.

- **No Mississippi Authority Endorses Automatic Defect Determination via Spoliation.** There is no Mississippi authority that directly endorses automatically deeming a product defective as a matter of law as a sanction for spoliation in a civil case. This point was adequately made in the brief, but it deserves continued emphasis as a central argument against Plaintiffs' requested relief.
- **No Mississippi Authority Holds Negligent Loss by Common Carrier Triggers Spoliation Sanctions.** Plaintiffs' brief does not cite any Mississippi case law directly holding that the negligent loss of evidence by a common carrier selected by a party results in spoliation sanctions against that party. We should affirmatively highlight this gap in Plaintiffs' authority.
- **Plaintiffs Rely Primarily on Out-of-State Authority for Broader Sanctions.** We should point out that Plaintiffs lean heavily on out-of-state authority to support the more severe and draconian sanctions they seek. Mississippi law does not embrace such a broad remedy for the loss of a product by a third-party carrier, and this distinction should be made explicit.
- **Plaintiffs' Request for Issue Preclusion and Deemed Defect Stretches Mississippi Law.** Plaintiffs' request for the harshest available sanctions – including issue preclusion and a judicial determination that the tire is defective as a matter of law – represents a significant overreach that finds no support in Mississippi civil jurisprudence. The brief does not cite a single Mississippi civil case requiring such a drastic remedy, and we should make clear that no such authority exists.



# PROCEDURAL RULES LIBRARY

## THE SET UP & CONCEPT

# Claude



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- 🛠️ Customize
- 🗉 Chats
- 📁 Projects
- 🔗 Artifacts
- </> Code

## Recents

- Motion for summary judgment res...
- Response to plaintiff's motion for ...
- By-laws revision assistance
- Product manufacturer sanctions ...
- Summary judgment motion timeli...
- Premises Liability Case Review an...
- ChatGPT description for ABA paper
- Notebook LM tool documentation ...
- Summary judgment motion memo...
- Challenging plaintiff's expert quali...
- ABA standards for lawyer training ...
- Reviewing AI tool attachments an...
- AI automation for litigation workfl...
- Revising Claude AI tool descriptio...
- AI tools for litigation lawyers
- Technology strategies for telling cl...
- Claude co work explanation
- Subrogation defenses and service...
- Effective closing statement struct...



Jimmy B. Wilkins

Pro plan



Projects



## 🌟 Back at it, Jimmy

How can I help you today?

+

Sonnet 4.6 Extended



✎ Write

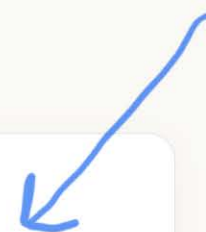
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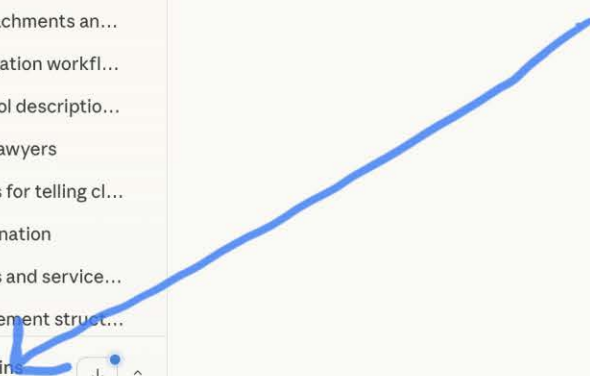
☕ Life stuff

💡 Claude's choice

Reasoning model



Paid pro plan



- Claude ☐
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  - Response to plaintiff's motion for ...
  - By-laws revision assistance
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  - AI tools for litigation lawyers
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  - Subrogation defenses and service...
  - Effective closing statement struct...

## Projects

+ New project

🔍 Search projects...

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**local rules**

To discuss and give illustrations on using AI to create demonstratives on a court case

Updated 10 months ago

**FedTech U 2026 Questions on Demonstratives**

To discuss and give illustrations on using AI to create demonstratives on a court case

Updated 13 days ago

**FedTech U 2026 Opening Statement - T - Case**

To provide ideas and suggestions for making an opening statement from the perspective of counsel for defendants in a civil case.

Updated 13 days ago

**FedTech U 2026 Pre Trial Order - T - Case**

Updated 13 days ago

**FedTech U 2026 - Case -- Expert Direct Examin...**

The goal of this project is to help facilitate and structure a direct exam of an civil defense expert witness at trial and during trial. I represent defendan...

Updated 13 days ago

**FedTech U 2026 Orthopaedic Surgeon Deposit...**

Updated 13 days ago

**Mississippi State Court Rules of Procedure**

This project relates to the Mississippi Rules of Civil Procedure and the Uniform Rules of Circuit and County Court Practice. This will deal with questions related t...

**Premises Law - Not Dangerous Condition**

Explain basis that something must in fact be considered a dangerous condition before premises liability can attach.

*Federal Rules  
Local Rules Fed Ct  
Mississippi*

*Mississippi  
Rules of  
Civil Procedure  
Local Uniform  
Rules  
Mississippi*



# Protective Order Compliance

Proposed Agreed  
Protective  
Order2.docx

DOCX

Can you review the proposed protective order. Compare it to the local rules requirement. Then outline a list of items that do not appear to be in compliance with the local rules for protective orders. Include in there also the requirements about when seeking relief from the court that this should be done in the form of a motion.

Charted compliance review strategy for protective order analysis >

I'll review the proposed protective order and compare it against the local rules. Let me first examine the document and then check the local rules requirements.

Pivoted document extraction strategy and researched local protective order requirements >

Let me extract the document content properly and search the local rules for protective order requirements.

Identified compliance gaps between proposed protective order and local rules requirements >

Now I have a clear picture of the proposed protective order. Let me search for additional local rule requirements regarding seeking relief and compare against the order.

Identified multiple non-compliance issues with local rule requirements >

Now I have all the information needed. Let me compile my analysis into a comprehensive document for you.

Prepared protective order compliance analysis and summary >

I've completed my review of the proposed Agreed Protective Order against the Local Uniform Civil Rules. Here's a summary of the key compliance issues:

## **Most Significant Issues:**

1. **No Accompanying Motion** — Under L.U. CIV. R. 7(b), any request for court action must be presented by motion. The proposed order seeks court approval but isn't accompanied by a proper motion.
2. **Paragraph 11's Automatic Sanctions** — The provision mandating "three times the fee and costs" and potential removal of counsel bypasses required motion practice. Sanctions must be sought by motion under the Local Rules and Fed. R. Civ. P. 37.
3. **Paragraph 12's Filing "Under Seal"** — L.U. CIV. R. 79(d) explicitly states that a protective order "will not qualify as an order to seal documents." Each filing under seal requires a separate motion with the extensive requirements of L.U. CIV. R. 79(e)(3).
4. **Paragraph 17's Clerk Authority** — The provision letting the Clerk unilaterally return or destroy sealed materials conflicts with L.U. CIV. R. 79(f), which requires records remain sealed "until otherwise ordered by the court."
5. **General Motion Requirement** — Paragraphs 13 and 15 contemplate seeking court relief without specifying that such requests must be made by formal motion under L.U. CIV. R. 7(b).

# EXPERT REPORT OBLIGATIONS



You are a lawyer in civil litigation representing a corporate defendant in a case pending in federal court in the Northern District of Mississippi. You have retained an expert who will be a testifying expert. Local at the federal rules and the local rules, can you draft a letter to the expert outlining the requirements of what must be in his report and what information we need from him to properly designate him under the local rules and federal rules of civil procedure.

[Date]

[Expert's Name]

[Expert's Address]

Re: Expert Witness Disclosure Requirements

Case: [Case Name and Number]

U.S. District Court for the Northern District of Mississippi

Dear [Expert's Name],

Thank you for agreeing to serve as our testifying expert witness in the above-referenced case. This letter outlines the specific requirements for your expert report and disclosure under Federal Rule of Civil Procedure 26(a)(2)(B) and the Local Uniform Civil Rules for the Northern District of Mississippi.

### **CRITICAL DEADLINES AND COMPLIANCE REQUIREMENTS**

**Expert Disclosure Deadline:** [Insert specific deadline from case management order]

Please note that under Local Rule 26(a)(2), failure to make full expert disclosures by the expert designation deadline is grounds for prohibiting introduction of your evidence at trial absent a finding of just cause. The Northern District of Mississippi strictly enforces these deadlines.

### **REQUIRED EXPERT REPORT CONTENTS**

Under Federal Rule 26(a)(2)(B), your written report must contain ALL of the following six mandatory elements:

#### **1. Complete Statement of Opinions**

- **Requirement:** A complete statement of all opinions you will express and the basis and reasons for them.
- **What We Need:** Please provide every opinion you intend to offer at trial, no matter how minor. Include detailed explanations of the factual and scientific basis for each opinion, your methodology, and your reasoning process.

## 2. Facts and Data Considered

- **Requirement:** The facts or data considered by you in forming your opinions.
- **What We Need:** A comprehensive list of all materials you reviewed, including:
  - Documents we provided
  - Depositions, pleadings, or other case materials
  - Industry standards, regulations, or guidelines
  - Published literature or studies
  - Your own observations or testing
  - Any assumptions you were asked to make

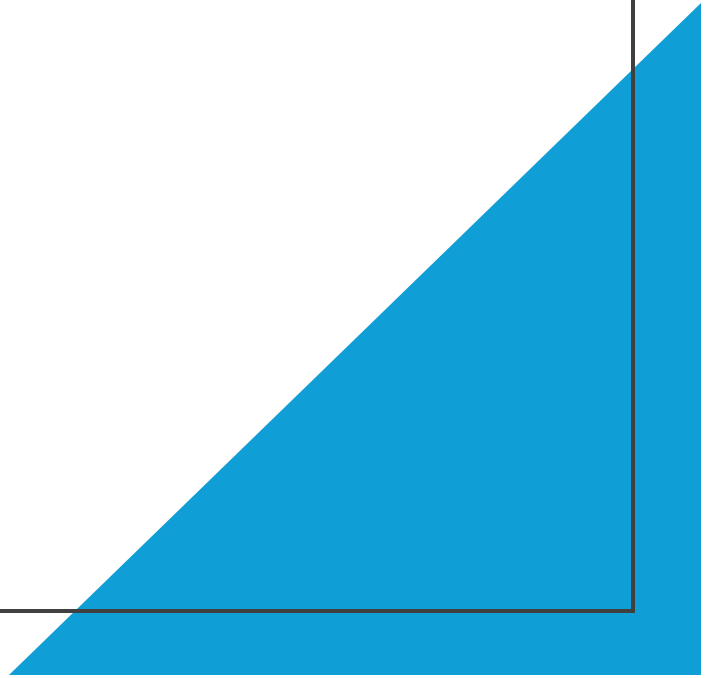
## 3. Exhibits and Visual Aids

- **Requirement:** Any exhibits that will be used to summarize or support your opinions.
- **What We Need:** All charts, graphs, diagrams, photographs, models, or other visual materials you plan to use. These must be attached to your report.

## 4. Your Qualifications

- **Requirement:** Your qualifications, including a list of all publications authored in the previous 10 years.
- **What We Need:**
  - Complete CV/resume
  - Educational background
  - Professional licenses and certifications
  - Work experience relevant to your testimony
  - **Complete bibliography of ALL publications from [current year minus 10] to present, including:**
    - Books
    - Journal articles
    - Conference papers
    - Technical reports
    - Blog posts or online publications
    - Any other written materials you've authored or co-authored

# EXPERT REPORT DEFICIENCY





I am designating this doctor in Mississippi federal court. Do a quick glance for the report and indicate where there may be deficiencies in the report based on the requirements of Rule 26 of FRCP and local rule 26

Identified multiple deficiencies in expert report compliance >

Based on a quick review of Dr. Geissler's report against FRCP Rule 26(a)(2)(B) and the Mississippi Local Uniform Civil Rules, I see several potential deficiencies:

**Missing Required Elements under Rule 26(a)(2)(B):**

**Qualifications (Rule 26(a)(2)(B)(iv))** — The report lists Dr. Geissler's titles and positions but does not include a CV or a list of publications authored in the previous 10 years. The rule specifically requires "the witness's qualifications, including a list of all publications authored in the previous 10 years."

**Prior Testimony List (Rule 26(a)(2)(B)(v))** — The report contains no list of cases in which Dr. Geissler testified as an expert at trial or by deposition during the previous four years.

**Compensation Statement (Rule 26(a)(2)(B)(vi))** — There is no statement of the compensation to be paid for his study and testimony in this case.

**Exhibits (Rule 26(a)(2)(B)(iii))** — The report does not identify any exhibits that will be used to summarize or support his opinions.

**Signature Requirement** — While the report includes a typed signature block, the Local Rules at 26(a)(2)(A) specify that a report is "prepared and signed by the witness when the witness executes the report after review." You'll want to confirm you have an actually signed version.

# DRAFTING BASIC AND ROUTINE MOTIONS

IS THIS POSSIBLE?





report in advance of the deadline. I also state that given the late nature, defendant has not had a chance to consult with counsel for the plaintiff, but assumes that the motion would be opposed. Then put in there stated that due to the straightforward nature of the brief, that the court should dispense with the requirement of a memorandum brief in support of the motion.

Show less

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

JANE DOE

PLAINTIFF

VS.

CIVIL ACTION NO.: 0:00-cv-00-AA-AAA

ACME CORPORATION;  
and JOHN DOES A-D

DEFENDANTS

**DEFENDANT ACME CORPORATION'S MOTION TO EXTEND**

**EXPERT DESIGNATION DEADLINE**

COMES NOW Defendant Acme Corporation ("Defendant"), by and through undersigned counsel, and files this Motion to Extend Expert Designation Deadline and in support thereof would show the following:

## **DEFENDANT ACME CORPORATION'S MOTION TO EXTEND**

### **EXPERT DESIGNATION DEADLINE**

COMES NOW Defendant Acme Corporation ("Defendant"), by and through undersigned counsel, and files this Motion to Extend Expert Designation Deadline and in support thereof would show the following:

#### **BACKGROUND**

1. On October 21, 2025, Plaintiff filed an Unopposed Motion to Extend Deadlines [Doc. 43], which was granted by the Court's Order dated October 21, 2025 [Doc. 44].
2. Pursuant to the Court's Order [Doc. 44], the following deadlines were established: Plaintiff's expert designation deadline was extended to November 10, 2025; Defendant's expert designation deadline was extended to December 10, 2025; the discovery deadline was reset to January 12, 2026; and the dispositive and Daubert-type motions deadline was reset to February 12, 2026. The trial date remains set for June 15, 2026.
3. The basis for Plaintiff's original motion to extend deadlines was that Dr. Trapper John, Plaintiff's treating physician, had testified in his deposition on September 22, 2025, that Plaintiff's shoulder injury would eventually require shoulder replacement surgery. Plaintiff subsequently referred to Dr. P. Quinry in Sports for consultation for shoulder



3. The basis for Plaintiff's original motion to extend deadlines was that Dr. Trapper John, Plaintiff's treating physician, had testified in his deposition on September 22, 2025, that Plaintiff's shoulder injury would eventually require shoulder replacement surgery. Plaintiff was subsequently referred to Dr. R. Quincy in Sparta for consultation for shoulder replacement surgery, which was scheduled for December 30, 2025. The extension was necessary to allow Plaintiff time to designate an expert regarding the future cost of the shoulder replacement surgery.

### **CURRENT SITUATION**

4. In response to the shoulder replacement surgery issue raised by Plaintiff, Defendant has been in the process of preparing a supplemental expert designation of its expert, Dr. Mark Greene, M.D., to address the shoulder replacement surgery issue as it relates to medical opinions in this case.

5. Based on the current scheduling deadlines, Defendant's supplemental expert report is due today, December 10, 2025.

6. Dr. Green has prepared a draft report and indicated to undersigned counsel that a finalized report would be submitted in advance of today's deadline. Unfortunately, Dr. Greene has been unable to complete and finalize the report, which Defendant believes is due to Dr. Greene's significant medical duties with the Sparta University Medical Center.

### **RELIEF REQUESTED**

7. Defendant respectfully requests that the Court extend the Defendant's expert designation deadline by two (2) days, from December 10, 2025, to December 12, 2025.

### **GOOD CAUSE**

8. Good cause exists for this extension based on the following: Dr. Greene holds a distinguished position as the Doug Ross Chair of Hand Surgery, Chief of the Section of Arthroscopic Surgery and Sports Medicine, and Director of the Hand & Upper Extremity Fellowship at the Sparta University Medical Center's Department of Orthopedic Surgery & Rehabilitation. Dr. Greene maintains an active medical practice and has significant clinical responsibilities that have prevented him from completing the finalized report in advance of today's deadline.

9. This request is made in good faith and is not made for purposes of delay or tactical advantage. The brief two-day extension requested poses no harm or prejudice to any

**OPPOSING COUNSEL'S POSITION**

10. Due to the late nature of this filing and the circumstances giving rise to the need for this extension, Defendant has not had an opportunity to consult with counsel for Plaintiff regarding this Motion. Accordingly, Defendant assumes that this Motion may be opposed.

**MEMORANDUM BRIEF**

11. Due to the straightforward nature of this Motion, Defendant respectfully requests that the Court dispense with the requirement of a memorandum brief in support pursuant to L.U. Civ. R. 7(b)(4).

WHEREFORE, PREMISES CONSIDERED, Defendant Acme Corporation respectfully requests that this Court grant this Motion and extend Defendant's expert designation deadline from December 10, 2025, to December 12, 2025, and for such other and further relief as the Court deems just and proper.

Respectfully submitted, this the 10th day of December, 2025.

ACME CORPORATION  
By Its Attorneys

OF COUNSEL:  
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### **CERTIFICATE OF SERVICE**

I hereby certify that on this date I electronically submitted a true and correct copy of the above and foregoing to the following via electronic mail:

Benjamin J. Matlock (MSB#00000)  
Matlock & Associates PLLC  
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Sparta, MS 00000  
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This the 10th day of December, 2025

A photograph of an airport scene. On the left, a tall, slender air traffic control tower with a glass-enclosed top section stands against a grey, overcast sky. In the foreground and middle ground, there are airport buildings, including a large red-roofed terminal structure on the right. A parking lot filled with cars is visible at the bottom. A dark grey horizontal band is overlaid across the center of the image, containing white text.

# FINAL THOUGHTS

VERSION CONTROL

An aerial photograph of a river flowing through a dense forest in winter. The trees are heavily covered in snow, and the river's surface is partially frozen with white patches. The text "HAVE A MIDDLE GROUND MANUAL CITE CHECKING" is overlaid in white, bold, sans-serif font on a dark horizontal band across the center of the image.

# HAVE A MIDDLE GROUND MANUAL CITE CHECKING

A photograph of a city skyline, likely Chicago, featuring several tall skyscrapers and a river in the foreground. A boat is visible on the water. The text "THANK YOU" is overlaid in large white letters on a dark horizontal band across the middle of the image.

**THANK YOU**