

Regular Session, 2012

# ACT No. 115

HOUSE BILL NO. 12

BY REPRESENTATIVE ABRAMSON

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AN ACT

To amend and reenact Code of Civil Procedure Article 592(A)(3)(a)(ii), relative to certification of class actions; to provide for discovery and admissibility of expert witness testimony and evidence under certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Article 592(A)(3)(a)(ii) is hereby amended and reenacted to read as follows:

Art. 592. Certification procedure; notice; judgment; orders

A.

\* \* \*

(3)(a) No motion to certify an action as a class action shall be granted prior to a hearing on the motion. Such hearing shall be held as soon as practicable, but in no event before:

\* \* \*

(ii) The parties have had a reasonable opportunity to obtain discovery on class certification issues, on such terms and conditions as the court deems necessary, which may include expert witness testimony or evidence. The admissibility of expert witness testimony or evidence for class certification purposes shall also be

1 governed by Article 1425(F), although the court in its discretion may change the deadlines  
2 for filing or hearing a motion as set forth in Article 1425(F) provided such deadlines are  
3 prior to or contemporaneous with the class certification hearing.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_