

*Robert J. Alumbaugh*  
CLERK OF STATE COURT

IN THE STATE COURT OF GWINNETT COUNTY  
STATE OF GEORGIA

|                                  |   |                      |
|----------------------------------|---|----------------------|
| KATELIN MCMAHON,                 | ) |                      |
|                                  | ) |                      |
| Plaintiff,                       | ) |                      |
|                                  | ) | Civil Action Number: |
|                                  | ) | 17C-6596-4           |
| vs.                              | ) |                      |
|                                  | ) |                      |
| ASHLEY COLE, JOHN DOE, JANE DOE, | ) |                      |
| ABC CO AND XYZ CO.,              | ) |                      |
|                                  | ) |                      |
| Defendants.                      | ) |                      |

ORDER GRANTING MOTION TO EXCLUDE EXPERT TESTIMONY OF  
HANADA COX

This case arises from a motor vehicle collision occurring on January 30, 2017. As a result of the collision Plaintiff Katelin McMahon (“McMahon”) sustained bodily injuries and was treated by several medical providers. McMahon has allegedly incurred medical bills totaling \$248,840.27. Hanada Cox was retained by the Defendant Ashley Cole (“Cole”) to determine the reasonable value of the medical bills. Plaintiff filed a Motion to Exclude Expert Testimony of Hanada Cox which is before this Court. After consideration of the Motion, all matters of record and the applicable and controlling law, this Court finds as follows:

The test for admissibility is set forth in Georgia law in O.C.G.A. §24-7-702 and in Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579 (1993). The statute provides in pertinent part:

If scientific, technical or other specialized knowledge will assist the trier of fact to understand the evidence or to determine a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training or education may testify thereto in the form of an opinion or otherwise, if:

- (1) The testimony is based upon sufficient facts or data;
- (2) The testimony is the product of reliable principles and methods;
- and

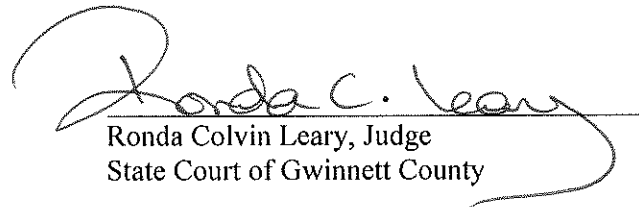
(3) The witness has applied the principles and methods reliably to the facts of the case which have been or will be admitted into evidence before the trier of fact.

The trial court is charged with acting as the gatekeeper and evaluates the reliability of proposed expert testimony. In addition to those principles set forth in Daubert, there are other aspects for this Court to consider: (1) the qualifications of the expert, (2) the reliability of the testimony and (3) the relevance of the testimony. Scapa Dryer Fabrics, Inc. v. Knight, 299 Ga. 286 (2016).

This Court has evaluated the reliability of Cox's proposed testimony and finds that her methodologies are not reliable. Defendant has not put forth any evidence to suggest that Cox's methodology is accepted in the scientific community or that it has been peer reviewed or tested.

Therefore, Plaintiff's Motion to Exclude Expert Testimony of Hanada Cox is hereby GRANTED.

SO ORDERED this 11 day of Dec, 2020.

  
Ronda Colvin Leary, Judge  
State Court of Gwinnett County

copies to:

All counsel of record