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Court of Appeal, First Circuit
State of Louisiana
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Clerk of Court

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Notice of Judgment and Disposition

February 15, 2019

Docket Number: 2018 - CW - 1470

Walmart, Inc.
versus
Michael Ohler

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Hon. Robert W. Varnado Jr.
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Taylor Couvillion
Workers Compensation Adm
112 Innwood
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In accordance with Local Rule 6 of the Court of Appeal, First Circuit, I hereby certify that this notice of judgment and disposition and the attached disposition were transmitted this date to the trial judge or equivalent, all counsel of record, and all parties not represented by counsel.


RODD NAQUIN
CLERK OF COURT

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

WALMART, INC.

NO. 2018 CW 1470

VERSUS

MICHAEL OHLER

FEB 15 2019

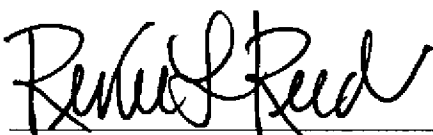
In Re: Wal-Mart Associates, Inc. and/or Walmart, Inc. and/or Wal-Mart Stores, Inc. D/B/A Wal-Mart Stores and/or All Its Subsidiaries and Affiliates, applying for supervisory writs, Office of Workers' Compensation, District 6, No. 17-05687.

BEFORE: GUIDRY, THERIOT, AND PENZATO, JJ.

WRIT GRANTED WITH ORDER. The August 29, 2018 judgment denying the production of social media as part of the discovery requested by relator, Walmart, Inc., is vacated. Information on social media accounts is generally discoverable. See, **Scott v. United States Postal Serv.**, No. 15-712, 2016 WL 7440468 (M.D. La. Dec. 27, 2016). Accordingly, this matter is remanded to the Workers' Compensation Judge with instructions to conduct an *in camera* review of respondent's social media content applying the pertinent **Farley** limitations to determine whether any information posted since the date of the accident in question refers or relates to the accident or physical injuries sustained therein or treatment received therefor, or reflects physical capabilities that are inconsistent with the injuries allegedly suffered as a result of the accident, thereby rendering the information discoverable. See **Farley v. Callais & Sons LLC**, No. 14-2550, 2015 WL 4730729 (E.D. La. Aug. 10, 2015).

JMG
MRT
AHP

COURT OF APPEAL, FIRST CIRCUIT



DEPUTY CLERK OF COURT
FOR THE COURT