

**IN THE COURT OF APPEALS OF TENNESSEE
MIDDLE SECTION AT NASHVILLE**

FILED

December 30, 1997

**Cecil W. Crowson
Appellate Court Clerk**

JERRY HAMMOCK and wife)
RUBY HAMMOCK, et al.,)
)
Plaintiffs/Appellants,)
)
VS.)
)
SUMNER COUNTY, TENNESSEE,)
)
Defendant/Appellee.)

Sumner Circuit
No. 15861-C

Appeal No.
01A01-9710-CV-00600

OPINION DENYING PETITION FOR REHEARING

Sumner County has filed a timely petition for rehearing in accordance with Tenn. R. App. P. 39 requesting this court to reconsider its December 5, 1997 opinion because it misapprehends the application of Tenn. R. Civ. P. 26.02(3) and 26.02(4). Citing *Taylor v. Anderson-Tully Co.*, 151 F.R.D. 295, 296 (W.D. Tenn. 1993), the County asserts that the routine disclosure of an expert's report prior to deposing the expert is "not a practice to be encouraged." We respectfully disagree. Accordingly, the petition for rehearing is denied.

HENRY F. TODD, PRESIDING JUDGE
MIDDLE SECTION

BEN H. CANTRELL, JUDGE

WILLIAM C. KOCH, JR., JUDGE