

The Louisiana Jury Verdict Reporter

The Most Current and Complete Summary of Louisiana Jury Verdicts

December 2010

Statewide Jury Verdict Coverage

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St. Charles Parish

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Civil Jury Verdicts

Timely coverage of civil jury verdicts in Louisiana including court, division, presiding judge, parties, case number, attorneys and results.

Utility Negligence - The gas to a family home was cut off in Opelousas for non-payment and a lock installed; the lock was flimsy and the family patriarch broke it and began stealing gas – his jerry-rigged connection was poor and the house exploded in the middle of the night when a cigarette was lit – six plaintiffs in the home (including wife, children and grandchildren) were all injured in the explosion

Jones et al v. Centerpoint Energy,

04-2184

Plaintiff: Randolph A. Piedrahita, Kirk A. Guidry and B. Scott Andrews, *Duè Price Guidry Piedrahita & Andrews*, Baton Rouge and Patrick C. Morrow, *Morrow Morrow Ryan & Bassett*, Opelousas

Defense: Randy G. Donato and Robbie A. Moehlmann, *Donato Minx & Brown*, Houston, TX and Edward P. Landry, *Landry Watkins Repaske & Breaux*, New Iberia

Verdict: \$15,334,443 for plaintiff less 50% comparative fault

Parish: **St. Landry**

Judge: Donald Hebert

Date: 7-23-10

Carl Jones, Sr. (hereinafter Father) lived with his family in Opelousas on 1221 Truman Street. In the Spring of 2003, natural gas (provided by Centerpoint Energy) was cut off due to non-payment. A lock was installed to prevent theft.

**Coming in the January 2011 Edition of the
Louisiana Jury Verdict Reporter**

St. James Parish - Teen left a paraplegic because ponding on a roadway - \$13,631,706
Terrebonne Parish - Lap pad left during c-section - Defense verdict
East Baton Rouge Parish - Right of way crash - \$566,894 (subject to Hi-Lo)
Jefferson Parish - Ureter injured hysterectomy - Defense verdict
Federal - Lake Charles - Forklift seat belt failed - Defense verdict
Acadia Parish - Dog attacked a motorcycle - Defense verdict
Federal - Lafayette - Negligently placed lap band - \$85,000
Federal - New Orleans - The plaintiff lost three fingers when they became caught in an unguarded egg conveyor - Defense verdict
And many more

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Father broke the lock with a wrench and fugitive service was restored. However in this jerry-rigged restoration (it was theft of gas too), it was forgotten that there was an open gas line where a gas appliance had formerly been. Natural gas was leaking into the home.

In the middle of the night on 6-15-03, Brenda Jones (Father's wife) lit a cigarette. The house blew up and windows were shattered.
See the December issue for the full report.

Maritime Negligence - A mechanic being loaded in rough seas onto an off-shore jack rig suffered disabling injuries when his transfer basket (being loaded by a crane) was slammed against the deck of the rig
Guillotte v. Heather Lynn, Inc.,
118-0262

Plaintiff: Robert P. Wynne and Michael Pierce, *Arnold & Itkin*, Houston, TX and William N. Gee, III, Lafayette
Defense: Scott R. Wheaton, Jr. and Stanley J. Cohn, *Lugenbuhl Wheaton Peck Rankin & Hubbard*, New Orleans
Verdict: \$3,546,634 for plaintiff
Parish: **St. Mary's**
Judge: John Conery
Date: 9-30-10
See the December issue for the full report.

Wrongful Death - A mentally retarded man died of pneumonia at an assisted living facility – his estate linked the death to a pattern of neglect, the man complaining as well as he could that he was ill – his complaints were ignored until it was too late – a Lake Charles jury valued damages at \$7.5 million, the trial judge later remitting that figure to \$5,000,000
Courville v. Robinswood School for the Developmentally Disabled, 05-6071
Plaintiff: Andre P. Gauthier and Lee J. Amedee, III, *Gauthier & Amedee*, Gonzalez
Defense: Kay A. Theunissen, *Mahtook & LaFleur*, Lafayette
Verdict: \$7,500,000 for plaintiff
Parish: **Calcasieu**
Judge: Clayton Davis
Date: 1-22-10
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Auto Negligence - A back seat passenger suffered a purportedly disabling back injury when a tractor-trailer encroached and ran over his vehicle

Newman v. Louisiana Transportation,
574721
Plaintiff: Michael P. Fruge', *Clayton & Fruge'*, Port Allen and Cleo Fields and Courtney R. DeCuis, *The Fields Law Firm*, Baton Rouge
Defense: Michael J. Gautier, Jr., Guy D. Perrier and Gerard J. Dragna, *Perrier &*

Lacoste, New Orleans
Verdict: \$610,268 for plaintiff
Parish: **East Baton Rouge**
Judge: Timothy E. Keller
Date: 10-15-10
See the December issue for the full report.

Products Liability - A little girl (a front seat passenger in a Ford Mustang coupe and not wearing a seat belt) suffered fatal injuries in a minor crash secondary to the deployment of an airbag

Murphy v. Ford Motor Company, 3:07-864
Plaintiff: Michael L. DuBos and K. Lamar Walters, III, *Breithaupt Dunn DuBos Shafto & Wolleson*, Monroe and G. Lynn Shumway, Phoenix, AZ

Defense: Robert W. Maxwell and Phillip A. Dominique, *Bernard Cassis Elliott & Davis*, Metairie and Patrick X. Fowler, *Snell & Wilmer*, Phoenix, AZ

Verdict: Defense verdict on liability

Court: **Federal - Monroe**

Judge: Robert G. James

Date: 9-21-09

See the December issue for the full report.

Wide Load Negligence - The plaintiff suffered injuries when her vehicle was sideswiped by a wide load – a federal jury in Monroe awarded \$100,000 in medical bills but nothing for non-economic damages

Richardson v. TK Stanley et al, 3:09-457

Plaintiff: Tracy W. Houck and Ronald L. Riggle, *Houck & Riggle*, Ruston

Defense: Thomas M. Hayes, IV, *Hayes Harkey Smith & Cascio*, Monroe

Verdict: \$100,000 for plaintiff

assessed 80% to the defendants

Court: **Federal - Monroe**

Judge: James D. Kirk

Date: 9-2-10

See the December issue for the full report.

Premises Liability - A storage box fell from a shelf and struck the plaintiff in the foot
Powell v. Target, 05-2264

Plaintiff: Carol D. Powell Lexing, Monroe

Defense: Sam N. Poole, Jr., *Gold*

Weems Bruser Sues & Rundell, Alexandria

Verdict: \$10,121 for plaintiff less 50%

comparative fault

Parish: **Ouachita**

Judge: Alvin R. Sharp

Date: 8-20-10

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