

The Louisiana Jury Verdict Reporter

The Most Current and Complete Summary of Louisiana Jury Verdicts

April 2011

Statewide Jury Verdict Coverage

2 LaJVR 4

In This Issue

Orleans Parish

Auto Negligence - \$490,000 p. 1
Auto Assault - \$2,000 p. 6

St. Tammany Parish

Auto Negligence - \$1,791,396 p. 1
Dog Attack - \$57,500 p. 7
Auto Negligence - Defense verdict p. 8

Lafayette Parish

UIM/ Bad Faith - \$1,689,283 p. 2

Federal Court - New Orleans

Employment Retal - Defense verdict p. 2
Maritime Negligence - Defense verdict p. 3
Truck Negligence - \$213,000 p. 3
Premises Liability - Defense verdict p. 5
Products Liability - Defense verdict p. 7
Maritime Negligence - Defense verdict p. 8

East Baton Rouge Parish

Workplace Negligence - \$343,856 p. 3

Jefferson Parish

Premises Liability - Defense verdict p. 4
Bus Negligence - \$82,800 p. 5
Cable Box Neg - Defense verdict p. 8

Federal Court - Shreveport

First Amendment - \$112,900 p. 4
Gender Discrim - Defense verdict p. 7

Tangipahoa Parish

Four-Wheeler Neg - Defense verdict p. 5

St. Landry Parish

Underinsured Motorist - \$120,450 p. 6

Federal Court - Baton Rouge

Sexual Harassment - \$45,000 p. 6

Historical Louisiana Verdicts

Notable Out of State Verdicts p. 9

Civil Jury Verdicts

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

Auto Negligence - A dentist linked a serious rear-end crash to a multi-level disc injury that has impaired his dental practice

St. Romain v. Chef Folse & Co.,
06-15959

Plaintiff: Curtis C. Kronlage, *Kronlage & Associates*, New Orleans and Michael R. Sistrunk and Keith W. McDaniel, *McCranie Sistrunk Anzelmo Hardy McDaniel & Welch*, New Orleans

Defense: Albert D. Giraud, *Ungarino & Eckert*, Metairie

Verdict: \$1,791,396 for plaintiff

Parish: **St. Tammany**

Judge: August J. Hand

Date: 6-25-10

Scott St. Romain, a dentist, was rear-ended on I-12 on 10-31-06. He had stopped in traffic. St. Romain's vehicle was struck by Sean Mitchell, then driving a commercial vehicle for Chef Folse & Co. The impact was significant – Mitchell was traveling at some 55 mph, the impact knocking St. Romain's SUV forward some 75 feet. Fault was no issue.

St. Romain has since treated for two injuries, (1) a multi-level cervical condition that was repaired in a fusion surgery, and (2) a vitreous detachment to his eye. A treating neurosurgeon, Dr. Bradley Bartholomew, opined that the disc injury limited his dental practice. St. Romain's economist was Ken Boudreaux.

In this lawsuit, St. Romain sought damages from Chef Folse & Co. It defended as well as it could and relied on an IME, Dr. Paul van Deventer, Orthopedics. The expert confirmed the injury, but believed that St. Romain could practice dentistry full-time.

This case was tried on damages only. The jury did consider causation and decided for St. Romain that he had suffered an injury. Then to damages, he

took medicals of \$186,896 but nothing for future care. His lost wages were \$433,500, the jury adding \$861,000 for in the future. The lost value of his practice was valued at \$35,000. The final category of damages was pain and suffering – the jury awarded St. Romain \$275,000. The verdict totaled \$1,719,396. A judgment in that sum followed and the defendant has appealed.

Auto Negligence - The plaintiff linked a multi-level disc injury to a right of way collision with a phone company truck

Gittens v. AT&T of Louisiana, 08-7541

Plaintiff: James M. Williams, *Gauthier Houghtaling & Williams*, Metairie and Edward J. Womac, Jr. and Douglas J. Womac, *Law Office of Edward Womac*, New Orleans

Defense: David F. Bienvenu and Shannon H. Huber, *Simon Peragine Smith & Redfearn*, New Orleans

Verdict: \$490,000 for plaintiff

Parish: **Orleans**

Judge: Madeline W. Landrieu

Date: 2-4-11

Lisa Gittens, then age 42, was involved in a right of way collision on 8-1-07 with a commercial AT&T vehicle driven by David Opdenhoff. Opdenhoff had failed to yield at the intersection of Bullard Avenue and Lake Forest Boulevard. A moderate collision resulted. AT&T of Louisiana conceded fault.

Gittens initially treated for an apparent soft-tissue strain and headaches. The symptoms persisted and she was later diagnosed with a multi-level disc injury. Dr. Kenneth Vogel, Neurosurgery, Kenner performed a surgical repair after a course of conservative care.

In this lawsuit, Gittens sought damages from Opdenhoff and his employer. AT&T of Louisiana defended that Gittens suffered a minor injury at best. Its IME,

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