

The Louisiana Jury Verdict Reporter

The Most Current and Complete Summary of Louisiana Jury Verdicts

February 2023

Statewide Jury Verdict Coverage

14 LaJVR 2

In This Issue

Orleans Parish

Underinsured Motorist - \$240,000 p. 4

Federal Court - Lake Charles

Marine Negligence - \$27,707,390 p. 1

St. Mary Parish

Train Negligence - \$9,776,000 p. 4

Jefferson Parish

Underinsured Motorist - \$535,276 p. 7

Police Negligence - Defense verdict p. 9

East Baton Rouge Parish

Medical Malpractice - Defense verdict p. 8

Federal Court - Baton Rouge

Marine Negligence - Defense verdict p. 9

Notable Out of State Verdict

Jackson, Mississippi

Truck Negligence - \$2,000,000 p. 10

Civil Jury Verdicts

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

Marine Negligence - A rigger doing repairs on an offshore platform on the Outer Continental Shelf was killed instantly when piping fell and struck him in the head – the plaintiff at trial represented both his wife and his son from another relationship and they alleged the operator of the platform failed to provide a safe place to work – the operator argued it was the plaintiff’s third-party employer who was to blame, the jury awarding substantial damages and reaching an apparent quotient verdict (88%-12%) on liability

Jackson v. Talos ERT, 2:18-1435

Plaintiff: J. Kyle Findley and John G. Grinnan, Jr., *Arnold & Itkin*, Houston, TX and Michael K. Cox, *Cox Cox Filo Camel & Wilson*, Lake Charles for Warner plaintiff (child) Zachary P. Vantrece, Justin C.

Warner and Matthew D. Greenberg, *Zehl Associates*, Houston, TX for Vantrece (spouse)

Defense: George B. Jurgens, III, Jedd S. Malish and W. Spencer King, *King & Jurgens*, New Orleans

Verdict: \$27,707,390 for plaintiffs less 12% comparative fault

Federal: **Lake Charles**

Judge: James D. Cain, Jr.

Date: 2-2-23

Walter Jackson, age 48, worked as a rigger on the West Cameron 215A offshore platform on 2-17-18. It is located 65 miles south of Lake Charles on the Outer Continental Shelf in the Gulf of Mexico. The platform is operated by Talos ERT which has some 80 platforms in its portfolio.

Jackson was married to Vantrece Jackson (Vantrece) and they resided in Houston, TX. He also was the father to a son, Yanni Jackson, then age 9, who lives in Brooklyn with his mother, Anika Warner. There was proof Jackson paid support to Warner for Yanni and had seen him a few times. They mostly communicated by telephone.

Turning back to the morning of 2-17-18, Jackson was an employee of DLS. It is an offshore marine contractor and had contracted with Talos to repair corroded firewater pipes on the 215A platform. The plan was to cut the elevated pipes into smaller pieces and then lower them to the main deck.

This operation was underway that morning and Jackson stood on the deck. A piece of pipe weighing 131 pounds was being lowered to the deck. The manila rope that secured it broke. The pipe fell some forty feet to the so-called landing zone where Jackson was standing. It struck him in the head and he was killed instantly.

There were two lawsuits that arose from this incident that were consolidated for trial. Vantrece sued to seek damages as Jackson’s spouse. Similarly Warner sued on behalf of Yanni for his damages as the decedent’s son.

The plaintiff’s theory was that Talos had failed to provide a safe place to work. That included having an adequate safety plan and failing to clear the “landing zone” before the pipe was lowered. Moreover but for

Have you tried a case lately? We are traveling all over the state and communicating with court personnel, but if we know about a verdict, we'll get on it right away

*Let us know about it at the
Louisiana Jury Verdict Reporter*

Case Style _____

Jurisdiction _____ Case Number _____

Trial Judge _____ Date Verdict _____

Verdict _____

For plaintiff _____ (Name, City, Firm)

For defense _____ (Name, City, Firm)

Fact Summary _____

Injury/Damages _____

Submitted by: _____

Return to the Louisiana Jury Verdict Reporter or use any other format to reach us with verdict news

Call us toll-free at 1-866-228-2447

Email to: info@juryverdicts.net

judgment the Vantrece verdict was reduced by comparative fault to \$6,677,378. Similarly the raw \$20,120,100 award to the son was reduced to \$17,705,600.

trial. Harris first came under Berggreen's care in December of 2008. She was dead on the fourth day of 2009. The lawsuit was filed in November of 2012. The summary judgment was July of 2014, the Court of Appeals reversing in April of 2016. Then more than six years after the appellate opinion and nearly 14 years since the alleged malpractice, a jury would hear the case.

This case was tried for four days and the jury deliberated four hours. The jury answered separately that neither defendant was at fault and thus didn't reach apportionment between them or damages. A defense judgment was entered by the court.

Police Negligence - Just as a motorcyclist was being pulled over by the police on a service road (after being observed going 94 mph on I-10), he alleged a state trooper recklessly turned into him, causing the motorcyclist to be ejected and suffer injury

Carrone v. LA Dept. of Public Safety & Corrections, 772663

Plaintiff: R. Christian Bonin and Jean-Marc Bonin, *Bonin Law*, New Orleans

Defense: Luke Donovan and W. Bartlett Ary, *Assistant Attorneys General*, New Orleans

Verdict: Defense verdict on liability

Parish: **Jefferson**

Judge: Ellen S. Kovach

Date: 12-8-22

Chad Carrone was driving his motorcycle fast near dawn on the morning of 5-21-16. It wasn't just a little fast either. He was clocked at 94 mph by several state troopers who were running radar on I-94. They activated their emergency lights and sought to pull Carrone over.

Carrone exited I-10 and was on a service road. He was now traveling very slowly (10 to 15 mph) and was making a hairpin turn. He planned to stop. Next to him in traffic in a police cruiser was Trooper Mason Davis of the Louisiana Department of Public Safety and Corrections (DPS).

A moment later in the turn, the Davis cruiser swerved right and collided with the motorcycle. Carrone was ejected and has since treated for soft-tissue injuries including for cuts and bruises. He treated for some four months but has since recovered.

Carrone sued DPS and alleged that Trooper Mason had acted with reckless disregard. The collision, Carrone alleged, was no accident. At the scene on his recorded video, Mason remarked, "You're damn right I hit you." He also said to another trooper that he had "popped him." This comported with the opinion of another trooper who believed Mason had struck Carrone. An identified motorcycle expert for Carrone was Edward Patterson. If Carrone prevailed by a "reckless disregard" standard, he sought medicals and general damages.

Mason denied that he had acted recklessly. He thought that perhaps Carrone had struck him. He also noted that if anyone was reckless, it was Carrone who was driving at excessive speed and in fact later pled guilty to reckless driving. The defense also thought the injuries were minor and that Carrone had just four months of "perfunctory" medical care. The defense police practices expert was Ronnie Jones.

Carrone resisted the trooper's version of events. He in fact was very pointed in arguing that Mason was flat out lying. The best evidence of

this was Mason's excited utterance that he had hit Carrone as well as the observation by the other trooper on the scene. Mason denied that he was a liar.

This case was tried for three days in Gretna. The jury was asked if Trooper Mason acted with "reckless disregard" of others in this accident. The answer was "no" and the jury then did not reach Carrone's duties, apportionment or damages. A defense judgment was entered.

Marine Negligence - While working on a decommission effort on an offshore platform, the plaintiff tripped in a hole and in a twisting event he sustained a disc injury

Olivier v. Exxon Mobil, 3:18-568

Plaintiff: James P. Roy, Andrew J. Quackenbos and Thomas R. Edwards, *Domengeaux Wright & Edwards*, Lafayette

Defense: Cheryl S. Taplin, Trinity A. Morale and Mark R. Deethardt, *Liskow Lewis*, New Orleans

Verdict: Defense verdict on liability

Federal: **Baton Rouge**

Judge: Shelly D. Dick

Date: 9-2-22

Billy Olivier was working on a plug and decommission project onboard an offshore platform owned by Exxon Mobil. It is known as the Lena Platform and is located some 50 miles south of Grand Isle, LA. Olivier, a roustabout, worked for a contractor, Weatherford International.

Olivier was walking on a rig skid beam when his foot became caught in a hole. In the tripping event that ensued, Olivier suffered an L5-S1 injury. An MRI identified the injury days later. He later underwent a total of seven surgeries including a decompression, a fusion, the