

The Louisiana Jury Verdict Reporter

The Most Current and Complete Summary of Louisiana Jury Verdicts

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Statewide Jury Verdict Coverage

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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.

Forklift Negligence - A prison guard at Angola suffered injuries when a construction forklift at a "sally gate" struck her prison transport van – she subsequently treated for neck, low-back and shoulder injuries – the plaintiff's non-economic damages totaled \$520,000

Piazza v. Rycars Construction, 19-6880
Plaintiff: Cory P. Roy, *Roy Scott & James*, Marksville and Robert M. Marionneaux, Jr., *Marionneaux Law Firm*, Baton Rouge
Defense: Jack E. "Bobby" Truitt and Michael "Trey" St. Romain, *The Truitt Law Firm*, Covington
Verdict: \$931,809 for plaintiff less 10% comparative fault
Parish: **Orleans**
Judge: Sidney H. Cates, IV
Date: 11-22-24

Michelle Piazza, then age 38, was working as a prison guard at the Louisiana State Penitentiary in Angola on 7-2-18. At this time it was her job to operate a prison transport van. She would regularly move prisoners around the facility. On this day Piazza was taking two prisoners to the prison's medical center.

Piazza approached the so-called "sally gate" that provides enter to the medical center. As Piazza approached the sally gate and parked, she observed a forklift. The forklift was operated by Kenneth Steptoe who was working on a construction project within the facility for Rycars Construction.

Steptoe exited the sally gate and struck Piazza's prison van nearly

head-on. It was a hard hit. Piazza for her part had seen the forklift coming and tried to back up to avoid the impact. The forklift was carrying a large box – the box fell off the forklift in the impact and damaged the windshield on the prison van.

Piazza has since undergone a complex and lengthy course of care. Her initial complaint upon presenting to her PCP (Dr. Dixie Clement) was for the aggravation of a prior ankle fracture from May of 2018. Then to September of 2020, Piazza underwent an ESI for low-back pain as well as a shoulder surgery. She later had two-level lumbar fusion in February of 2022. Piazza has continued to treat for SI joint pain.

Piazza is expected to have significant future care. Her medical team (Drs. David Weir, Neurology and Dr. Louis Blanda, Orthopedics) has recommended she will need two additional surgeries, (1) an SI joint fusion, and (2) an L3-4 fusion. The incurred medical bills were \$281,809 and some \$730,000 of future care is estimated. Piazza also made a wage claim. While still working in corrections, she now has a sedentary position in job recruitment.

In this lawsuit Piazza sought damages from Steptoe and his employer regarding this incident. She alleged negligence by him in driving out of the sally gate and striking her. If Piazza prevailed she sought both economic and non-economic damages.

Piazza's case was complicated by

violation of the standard of care. The panel included Dr. Ghiath Mikdadi, Cardiology and Dr. Brian DeHart, ER. The record does not indicate the third member of the panel.

This case was tried for four days in Chalmette and the jury deliberated 5.5 hours. The instructions asked if the plaintiff had proven by a preponderance of the evidence that Curran had breached the standard of care in treating Hartley. The answer was no and the jury then did not reach a separate proximate causation instruction or damages. A defense judgment was entered.

The plaintiff moved for a new trial and argued the verdict was against the evidence. It suggested that even the defense expert (DeHart from the Medical Review Panel) agreed that it was essential to secure the airway immediately and here, Curran didn't until the fourth attempt at which point Hartley had already suffered an injury. The motion was pending at the time of this report.

Underinsured Motorist - The plaintiff complained of a mild TBI (she hit her head on the steering wheel) and a cervical disc injury that will require a fusion surgery following a minor rear-end collision – a defense IME expert (Archibald Melichor, Neurology) explained the plaintiff didn't have a brain injury and post-concussive injury isn't a real thing

D'Amico v. State Farm, 788316

Plaintiff: Richard H. Barker, IV, New Orleans

Defense: Nicole T. Bowyer and John Womble, *Frederick Miller & Associates*, Metairie

Verdict: \$700,000 for plaintiff

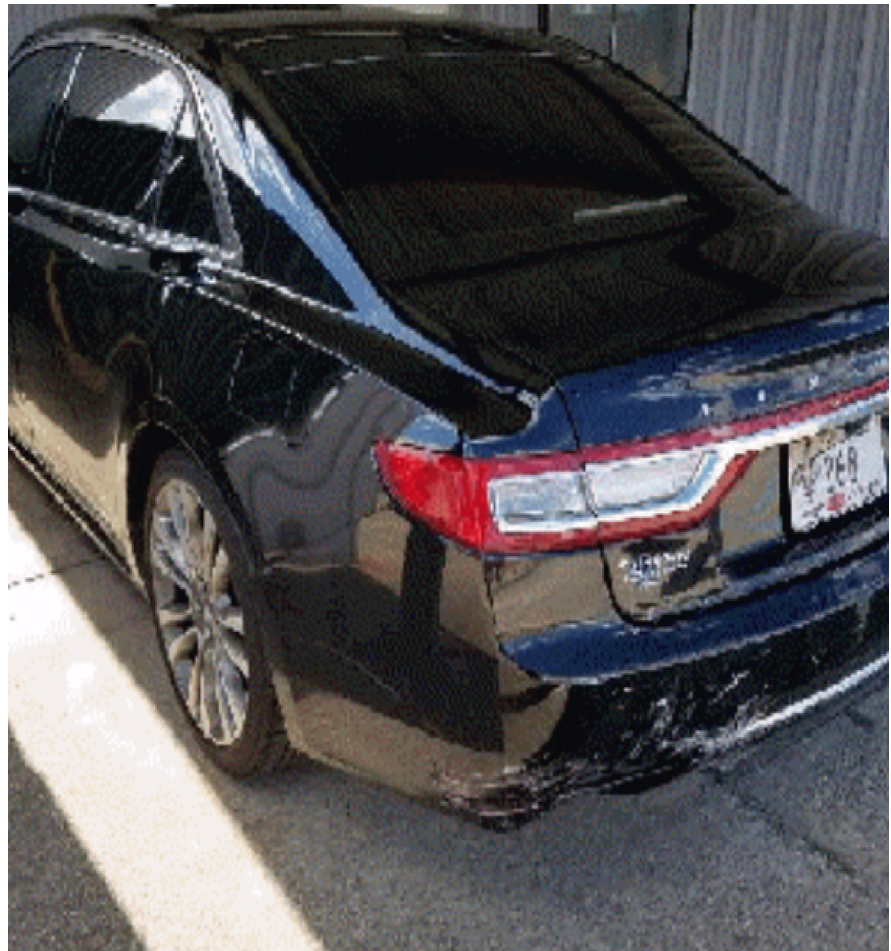
Parish: **Jefferson**

Judge: Chris Cox

Date: 10-10-24

Jamie D'Amico, then age 53, was driving a new Lincoln Continental sedan on 10-15-17. She traveled on Airport Access Road near Veterans Boulevard in Kenner. At this location she was rear-ended by Henry White. The impact resulted in relatively minor damage, but was enough to push D'Amico into the next car in traffic. Fault was no issue.

D'Amico has since treated for several injuries. The first was a minor TBI and post-concussive symptoms. This was related to her striking her head on the steering wheel and briefly



The plaintiff's vehicle in D'Amico v. State Farm