

The Louisiana Jury Verdict Reporter

The Most Current and Complete Summary of Louisiana Jury Verdicts

November 2025

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.

Premises Liability - The

plaintiff slipped on a wet floor in the floral department of a grocery and broke his toe – he blamed the hazard on water that leaked from a spigot that is used to fill buckets and water the plants – a Covington jury awarded the plaintiff his medicals of \$6,626 and \$60,000 more in non-economic damages

Mitchell v. Rouse's, 22-15519

Plaintiff: Grant T. Wood and Jeffrey Green, *JJC Law*, Metairie

Defense: Philip J. Borne, *Christovich & Kearney*, New Orleans

Verdict: \$66,266 for plaintiff

Parish: **St. Tammany**

Judge: Richard A. Swartz

Date: 10-8-25

Larry Mitchell, then age 71, shopped at a Rouse's in Slidell on the morning of 7-24-22. He entered the store at 11:45 a.m. By the design of the store, patrons must first walk by the floral department. As Mitchell did so, he slipped and fell on a wet floor. He would later recall a store manager (Amber) told him she'd seen water in the area before. How did it form there? It leaked from a spigot that was used to fill buckets and water the plants.

Mitchell fractured his big toe in the fall and bruised his knee. He was treated at the ER the next day and later followed with a podiatrist. His medical bills were \$6,266. There was proof Mitchell endured pain and suffering for four months or so.

Mitchell sued Rouse's and alleged negligence regarding its failure to maintain the premises in a

reasonably safe condition. He argued Rouse's created the condition (the leaky spigot) and/or failed to clean up the wet floor. The jury could award Mitchell his medicals and non-economic damages in three categories.

Rouse's defended the case that it lacked notice of the spill and that it acted reasonably to police for hazards. It cited a report by the manager made at 11:22 p.m. (25 minutes before Mitchell fell) that indicated the floors were clear of hazard. Another employee made a report three minutes earlier that indicated the same thing. Rouse's argued then it lacked notice of the spill. The defense also sought to apportion fault to Mitchell.

This case was tried for three days and the jury deliberated 2.5 hours. The jury asked the court a question in the deliberations. It wanted the exhibit book used by the parties. Judge Swartz provided it. The jury then had a second question that asked for the court's closing instructions and the picture exhibits. The court complied with the request.

The jury ultimately reached a verdict and found Rouse's solely at fault. It answered three separate interrogatories for Mitchell (he had to prevail on all three questions) that, (1) his fall was caused by a hazardous condition, (2) Rouse's had actual or constructive knowledge of that condition, and (3) Rouse's failed to exercise ordinary care.

The jury then went to damages. Mitchell took his medicals of \$6,266

Workplace Negligence - Eight bellwether plaintiffs (employees of contractors injured at a refinery explosion in Chalmette during a turnaround) were admittedly statutory employees and subject to worker's compensation exclusivity unless they prevailed that the accident was "substantially certain to occur" – in this lawsuit they argued the operations working with highly flammable pentane were so dangerous as to satisfy the standard – the refinery replied it was an accident and the claim was barred by worker's compensation – a Baton Rouge jury resolved that technical question for the refinery and that ended the deliberations

Garcia et al v. Valero Refining Meraux, 718626

Plaintiff: Michael Fruge and A.M. "Tony" Clayton, *Clayton Fruge & Ward*, Port Allen and Noah M. Wexler, Trevor Courtney and Trenton Shelton, *Arnold & Itkin*, Houston, TX

Defense: James F. Bennett and Megan Heinsz, *Dowd Bennett*, St. Louis, MO and C. Parker Kilgore and Justin J. Marocco, *Jones Walker*, Baton Rouge

Verdict: Defense verdict on liability
Parish: **East Baton Rouge**
Judge: Beau Higginbotham
Date: 9-17-25

Valero Refining Meraux operates a refinery in Chalmette, LA some fifteen miles from New Orleans. It's a large facility that has the capacity to refine 136,000 barrels of oil a day. Among its processes there, it uses pentane to extract deasphalted oil from feed stock. Pentane is highly flammable. The plant was in the midst of a scheduled maintenance turnaround on 4-23-22. Elite

CASE NO.: C-718626

SECTION: 22

JOSE PEREZ, LUIS ANGEL SANCHEZ ACOSTA, ALBERT GONZALEZ, JOSUE CEPEDA, DANTE MARAVILLA, IVAN GARCIA, DEMERICK NOLLEY AND CARL ALEMAR

VS.

VALERO REFINING-MERAUX LLC; VALERO SERVICES INC.

FILED: _____

DEPUTY CLERK

VERDICT SHEET

1. Do you find that Valero-Refining Meraux, LLC and/or Valero Services, Inc (referred to herein collectively as "Valero") was at fault and that its fault (in whole or in part) was a cause (in whole or in part) of the incident on April 23, 2022?

Yes ☒ No ☐

If you checked "Yes", proceed to question 2. If you checked "No", please have the foreperson sign the verdict form at the end and return it to the Bailiff.

2. Do you find that Valero's conduct was intentional or that the incident and resulting injuries were substantially certain to occur from Valero's perspective (including through its agents or employees)?

Yes ☐ No ☒

If you checked "Yes", proceed to question 3. If you checked "No", please have the foreperson sign the verdict form at the end and return it to the Bailiff.

3. Do you find that Elite Turnaround Specialists, Ltd. ("Elite") was at fault and that its fault (in whole or in part) was a cause (in whole or in part) of the incident on April 23, 2022?

Yes ☐ No ☐

If you checked "YES" to questions numbers 2 and 3 proceed to question 4 to assign fault percentages. But if you checked "NO" to question 3 proceed to question 5.

The Garcia v. Valero Refining jury verdict form on liability

Turnaround Specialists was involved in that process.

There was an explosion that afternoon at the plant's so-called Rose Unit. Rose is an acronym for Residium Oil Supercritical Extraction. The explosion occurred as valves were being changed. Pentane vapors escaped and ignited a flash fire. The explosion was significant. Several Valero Refining employees were injured including the one who was in charge of the valve changing

operation.

There were some 30 other persons who sustained a variety of injuries in the explosion. They became the plaintiffs in this lawsuit. These workers were employed for contractors doing repairs as a part of the turnaround. Their injuries were not directly due to the Rose explosion as they were working in another part of the plant. However the explosion was significant enough that they suffered evacuation injuries such as

Bad Faith - The plaintiff suffered a de-stabilizing spinal fracture when his medical van driver (the plaintiff was moving from one hospital to another for stroke care) caused a collision – the plaintiff took damages of \$3.816 million against the driver and his company in Evangeline Parish in 2021 – the policy limits were just \$1,000,000 and the medical transport company assigned its bad faith case to the plaintiff – that bad faith case was tried in federal court and the plaintiff (as assignee) took the difference between the underlying judgment and the policy limits plus interest and an awarded \$975,000 bad faith penalty – thus as the case stands now, the initial \$1,000,000 policy limits (the insurer could have settled for the limits before the first trial) have grown almost five times to \$4.710 million being paid and owed on the underlying case

Franks et al v. State National Insurance, 3:23-437

Plaintiff: Derrick G. Earles, Mary K. Cryar, David C. Laborde, Sr. and Daniel B. Snellings, *Laborde Earles Law Firm*, Lafayette

Defense: Frederic C. Fondren and Joshua L. Davis, *Fondren Blaize*, Lafayette

Verdict: \$3,710,749 including \$975,000 bad faith penalty and \$403,645 in interest

Federal: **Baton Rouge**

Judge: Shelly D. Dick

Date: 8-12-25

This litigation began with a 9-23-17 accident involving an ambulance. The plaintiff, Lawrence Franks, age 65, suffered a stroke and was hospitalized at Rapides Regional Medical Center. As a part of his rehabilitation, he was transferred to

WHEREAS, Larry Frank was insured by State National Insurance Company, also a defendant in the TORT ACTION.

WHEREAS, Lawrence Franks and Robbie Franks were awarded \$3,816,421.49 plus judicial interest from the date of judicial demand plus court costs against Larry Frank.

WHEREAS, Larry Frank was never advised that Lawrence Franks and Robbie Franks offered to release him from personal liability in exchange for payment of the insurance limit of the State National insurance policy, specifically, in a letter dated January 7, 2020, which included medical bills totaling \$357,699.14.

WHEREAS, Larry Frank was never advised that any judgment over the policy limits or interest owed would be his responsibility prior to the date that the plaintiff's demand for policy limits expired.

WHEREAS, Larry Frank was never advised that he should seek the advice of separate counsel due to the possibility of an excess judgment.

WHEREAS, Larry Frank affirms that had he been timely advised that there was the possibility of an excess judgment, and that Plaintiff was willing to settle for the policy limits that he would have specifically requested the payment of the policy limits in exchange for his release.

VI. TERMS AND CONDITIONS

1. PLAINTIFF will have the exclusive right to recover all proceeds that may be recovered through the prosecution of the BAD FAITH ACTION. The PARTIES further intend that PLAINTIFF will not seek to satisfy the judgment out of any assets held or hereafter acquired by Larry Frank, other than the BAD FAITH ACTION.
2. In consideration of PLAINTIFF undertaking as set forth herein, DEFENDANT assigns to PLAINTIFF all rights, claims, and causes of action DEFENDANT has now or may hereafter acquire against THIRD PARTY related to or connected with the CLAIM. This assignment specifically includes all rights related to the BAD FAITH ACTION, including all rights under La. R.S. 22:1973 and La. R.S. 22:1982. DEFENDANT warrants that it has not conveyed, assigned, encumbered, or otherwise transferred or purported to transfer, said rights to any other persons or entities.
3. DEFENDANT further agrees to waive any and all rights he may have to appeal or seek appellate review and/or reconsideration of any rule, order, decree, or judgment rendered by the trial court in connection with the TORT ACTION. Defendant agrees to immediately dismiss any said motions or appeals should they have been

A portion of the compromise agreement

Mercy Regional. Franks was transported in a medical van operated by Larry Frank of Reliant Transportation. Frank and Reliant were a State National Insurance insured. Their policy limits were \$1,000,000.

Frank made a left turn into a gas station from the right lane in Alexandria. In the process he crashed into a pick-up truck in the left lane. Several witnesses to the crash indicated Frank was solely at fault. Frank denied fault.

In any event Lawrence Franks (close in spelling to the defendant driver Larry Frank) suffered a

contested liability (relying on Frank's version) and diminished damages. Franks made a demand for the \$1,000,000 policy limits. State National declined.

The case was tried in January of 2021 for five days in Ville Platte. Franks prevailed and took a total of \$3,816,421 in damages. That included economic damages of \$566,421 and \$3.25 million more in non-economic damages including for the consortium claim of Franks' wife. A consistent judgment was entered by the court. Franks was represented at the trial by Attorneys Earles, Laborde and Cryar as listed in the caption. State

destabilizing injury of a congenital C-2 fracture. This led to two disc surgeries including one to fuse his spine. While Franks had this prior condition, he'd led an active life and had recently run a marathon.

Franks sued Frank, Reliant Transportation and State National in Evangeline Parish. The case was simple enough. Frank had crashed and Franks sustained injury. The defense

A Historic Louisiana Verdict

Municipal Negligence - After the New Orleans police chief was murdered in October of 1890, anti-Italian bias in the city led to the roundup of "suspects" of whom 19 were tried to a jury the next March – a day after 13 were acquitted or the charges were dismissed at trial, a mob ginned up by the mayor and leading citizens attacked the Parish Prison and gruesomely lynched 11 Italians including the plaintiff, a recent Sicilian immigrant Antonio Bagnetto – it was an international incident and thereafter Bagnetto's mother, the Widow Giovanni Abagnato from Palermo pursued the negligence claim against the city in failing to protect her son from the mob – the plaintiff prevailed at trial and took \$5,000 in damages, the result later being reversed by the Fifth Circuit Court of Appeals

Bagnetto v. City of New Orleans

Plaintiff: Anthony Samboia, A.H.

Leonard and Henry Chiapella

Defense: E.A. Sullivan

\$5,000 for plaintiff

Federal Court - New Orleans

Judge: Aleck Boorman

Date: December 6, 1893

The young David Hennessy was the popular police chief in New Orleans on the evening of October 15, 1890. He'd battled the so-called scourge of Italian crime in the city. At this time the city had many recent Italian immigrants from Sicily who worked near the riverfront in so-called "Little Italy" section of the French Quarter. The Italian immigrants were not well-liked. Mayor Joseph Shakspeare had harsh words for the immigrants. He called the Italians filthy and said they



Antonio Bagnetto

spread disease. They lacked courage, honor, truth, pride or religion. Shakspeare did not hold back. Hennessy had a history of going after the Italian crime organizations in the city, notably the Provenzano and Matranga families.

Against this backdrop as Hennessy walked on Girod Street (near the Convention Center), he was gunned down by unknown assailants. He survived a day and he only identified the attackers by the pejorative for Italians, "Dago." Sawed off shotguns were found on nearby Julia Street which were associated with the Italians.

Immediately the city began to round up hundreds of Italian

suspects. It was a kangaroo investigation of sorts. That included Antonio Bagnetto (shorted from Abbagnato) who had immigrated to the United States four years earlier from Sicily. At the time a person had to reside in the U.S. five years to gain citizenship. Bagnetto remained an Italian citizen. He worked as a fruit seller and lived above Tony Matranga's oyster saloon. There was no evidence Bagnetto was a criminal or had involvement with the police chief's murder.

The criminal case advanced to trial in February of 1891. There were 19 defendants including Bagnetto. The trial concluded on March 13, 1891. Thirteen (including Bagnetto) were acquitted. Six others had charges dismissed because of insufficient evidence.

There were no criminal convictions. New Orleans was incensed and Italians were to blame.

The next day a mob gathered at the Henry Clay statue near the head of Canal Street. The crowd was whipped into a frenzy by leading citizens.

Revenge was in the air. The heavily armed mob moved to the nearby Parish Prison. The ghoulish prison (opened in 1837) was nearby on a square bordered by St. Ann, Tremé and Marais. The former prison is now the location of Louis Armstrong Park.

The mob marched to the prison and attacked it. The city had no defense even though it knew the mob was afoot and a lynching was imminent. Eleven of the Italians were taken from

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