

The Louisiana Jury Verdict Reporter

The Most Current and Complete Summary of Louisiana Jury Verdicts

June 2026

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.

Medical Malpractice - A just delivered infant linked permanent quadriplegic cerebral palsy to error by hospital nurses in the NICU for failing to appreciate hypoxia that was caused by a hypoglycemic event

Turner v. Women's Hospital of Baton Rouge, 657352

Plaintiff: Ronnie G. Penton and MaryAnna Penton, *The Penton Law Firm*, Bogalusa and Shawn C. Reed and Kyle T. Del Hierro, *Reed & Pederson*, Covington

Defense: Joseph S. Manning and Katie Baudoin, *Rowe & Manning*, Baton Rouge

Verdict: \$17,000,000 for plaintiff

Parish: **East Baton Rouge**

Judge: Ronald R. Johnson

Date: 5-1-26

Jamie Turner, then age 32, came to Women's Hospital to deliver her second child on 6-18-13. She's an insulin-dependent diabetic which complicated the pregnancy. Her first child had been delivered by c-section. Her daughter (Lilith May) was delivered two days later at the hospital by c-section.

Because of the risk for complications, Lilith May was taken to the NICU at the hospital. There was evidence that while in the NICU, she suffered hypoglycemia for some two hours. This led to a hypoxic event and the development of quadriplegic cerebral palsy. The injury was not immediately diagnosed (she was released from the hospital on 7-4-13) but was identified when she failed to hit developmental

goals that fall. Lilith May has permanent long-term deficits from the brain injury including seizures and epilepsy.

The girl's parents (Jamie and Rickie) filed this malpractice lawsuit against the hospital. They alleged error by the nurses in failing to monitor Lilith May's hypoglycemic condition (especially as she was at high risk) and to communicate with her doctors. Those failures, the theory went, led to her injury. Lilith May's condition is permanent and is not expected to improve. An expert, Dr. Stephen Deputy, Pediatric Neurology, Austin, TX, identified the injury and linked it to the neonatal hypoglycemic event.

The plaintiffs relied on several other experts on the medicine. They included Dr. Brian Stansfield, Neonatology, Augusta, GA and Dr. Geoffrey Negin, Neuroradiology. Two identified damage experts were Denis Boudreaux, Economist and Jodi Loud, a life care planner from Powell, OH.

The hospital settled with the plaintiff and paid its \$100,000. The hospital then became a nominal defendant, the Patient's Compensation Fund (PCF) intervening as a statutory defendant. The PCF was on the hook then for the non-economic damages to \$500,000 as well as the girl's past and future medicals. The claimed future medicals were substantial. The effect of the settlement with the hospital was significant. It equated with a

Past loss of enjoyment: \$50,000
 Future loss of enjoyment: \$150,000
 The verdict for Jiggetts totaled \$1,786,269. A judgment was entered on 6-2-26 but weeks later, it was not yet public. Greyhound too has since filed a motion on 6-23-26 (the contents are not clear) and its not public either.

Exterminator Negligence - The plaintiff operated an organic flower and vegetable farm on a plot of land next to her home in the Holy Cross neighborhood (Flood Street) in New Orleans that suffered damage when an exterminator company mistakenly sprayed the property (a wrong address error) with chemicals that damaged the property, obviated the "organic" nature of it for several years and left the owners of the farm with a mild personal injury

Fat River Farm v. Orkin, LLC, 23-2538

Plaintiff: Megan C. Kiefer, *Kiefer & Kiefer*, New Orleans

Defense: Gretchen F. Richards and Gus A. Fritchie, III, *Irwin Fritchie Urquhart Moore & Daniels*, New Orleans

Verdict: \$297,300 for plaintiff

Parish: **Orleans**

Judge: Ellen Hazeur

Date: 6-11-26

Marguerite Green and Elliot Robinson own a home in New Orleans (the Holy Cross neighborhood) near the Mississippi River on Flood Street. It is a typical shotgun house. The property also features what was once a vacant lot. Green has turned the lot into an organic and verdant flower, herb and vegetable farm. She also has chickens on the property. She calls it Fat River Farm and she operates it as a d/b/a under that name. The organic



527 Flood Street and Fat River Farm to the right of the home

wildflowers particularly are arranged by Green into elaborate decorative pieces for weddings and events.

The address of Fat River Farm is 527 Flood Street. A neighbor on Flood Street had contracted with Orkin, LLC, for pest control. An Orkin exterminator, Alex Davila, showed up on 4-15-22 to spray a liquid pesticide known as Suspend Polyzone. It is not designed to be sprayed on edible crops. The address for the spraying was 534 Flood Street.

Davila didn't go to 534 Flood – he began spraying at Fat River Farm at 527 Flood. Green and Robinson came outside to protest but the damage from the mistake was already done. The chemicals damaged the property including the flowers and vegetables. The effect of the spraying was that for a period of three years, the property could not be designated as organic. Green and Robinson could no longer eat their own produce

(they had to now buy organic products), they also lost the economic value of their organic farm. They also suffered minor personal injuries (a headache and a rash) related to the spraying. More significantly the plaintiffs suffered an emotional loss as Fat River Farm had been their dream and the culmination of their life's work.

The plaintiffs (Green, Robinson and Fat River Farm) sued Orkin and alleged negligence in spraying the wrong property. Orkin admitted fault. The case would come down to causation and the extent of the plaintiff's damages. Their environmental expert was Carl Mostenbocker, an agriculture professor at LSU. The plaintiffs sought both emotional and economic damages at trial.

Orkin contested that the plaintiffs had suffered damages. The defense expert was Lance Fontenot, Environmental Science, Baton Rouge.

This case was tried for four days in

Historical Louisiana Verdict

Wagon Negligence - A judge in New Orleans was run over by a runaway oyster wagon at the corner of Bourbon and Canal in September of 1903 and suffered a broken leg – the judge went to trial seven months later and took a \$1,000 verdict

King v. Poretti

\$1,000 for plaintiff

Orleans Parish

Judge: W.R. Sommerville

Date: April 12, 1904

Judge Frederick E. King was already a well-known New Orleans judge (he'd been on the bench for ten years) on September 18, 1903. That day he walked on Canal Street in the city at its intersection with Bourbon. His young son was with him.

Suddenly an oyster wagon (it was owned by Paul Poretti) broke loose. It was a so-called runaway wagon. The horses were spooked by street cars. The wagon was coming straight for Judge King's son. He pulled his son out of the way, but was struck himself. He suffered a broken leg and was confined to bed for several months.

Judge King sued Poretti and sought damages in this lawsuit. The case came to trial just seven months later before Judge Sommerville. King prevailed and took a \$1,000 verdict. That would be about \$40,000 in today's dollars suggesting it was a modest verdict.

Judge King would serve on the bench until his death in October 1922. He stepped from a vehicle and was struck by a passing car. He was dead at age 72. Judge King had been on the bench for 36 years.



A picture of Canal looking north from Royal taken in 1904 which reflects how busy and dense the city was at the site of Judge King's wagon accident



Judge Fred King.

separate or duplicative? The instructions weren't clear. Finally if the jury did award damages, it could also consider whether the defendants proved the receiver failed to mitigate damages in failing to recover profits paid to investors, the so-called net winners from the scheme. The jury could also assess punitive damages against the attorneys. The court did not permit a claim for punitive damages to go to the jury against Baker Donelson.

Alexander and Seawright denied fault. Baker Donelson did as well that it was not responsible for the conduct of the two attorneys.

The case was complex and heavily litigated. There were more than 400 entries in the case file. The trial lasted a month in Jackson. The jury returned a mixed verdict. The receiver prevailed against the attorneys on aiding and abetting. However it was a defense verdict on civil conspiracy and joint venture. The damages were assessed at \$1.4 million.

The jury moved to the claims against Baker Donelson. It found for the plaintiffs on negligent supervision. The damages on this count (which perhaps were duplicative of the earlier damages) were also \$1.4 million. Moving then to the mitigation question the verdict was for Baker Donelson. The jury valued that failure to mitigate at "10m" apparently representing \$10,000,000.

The jury then went to a mini-trial on punitive damages in a supplemental jury verdict form. It found that the receiver had proved its claim for punitives against the attorneys by clear and convincing evidence. The finding was pyrrhic as the jury went on to write "0" on the

verdict form. There was no award of punitives.

What does the verdict mean? That is debated. The receiver has viewed it as a \$2.8 million win and that the damages were duplicative. She has also argued in a motion to enter judgment that there should be no mitigation as the \$10,000,000 was speculative and not subject to a rational methodology. She noted as well that mitigation didn't reduce the judgment against the attorneys, Alexander and Seawright. The receiver issued a press release trumpeting the victory and thanking the court for its impartial assistance in conducting the litigation.

Baker Donelson sees it differently and has been critical of the receiver "spinning" the result as a victory. It postured that the receiver was seeking \$300,000,000, but with the set-off for mitigation, she'd taken nothing. While there were damages of \$1.4 million, it was set-off by the \$10,000,000 for mitigation. The law firm has suggested the court entered a "take-nothing" verdict. The competing motions to enter a judgment were pending at the time of this report.

Case Documents:

[Complaint](#)

[Defense Summary Judgment Motion](#)

(Baker Donelson)

[Defense Summary Judgment](#)

(Seabrook)

[Plaintiff Summary Judgment](#)

[Response](#)

[Summary Judgment Order](#)

[Jury Verdict](#)

[Jury Verdict](#) (Supplemental - Punitive damages)

[Defense Motion to Enter Judgment](#)

[Defense Proposed Judgment](#)

[Plaintiff Motion to Enter Judgment](#)

[Plaintiff Proposed Judgment](#)

[Plaintiff Press Release](#)

A Notable South Carolina Verdict (Involving Louisiana Counsel)

FELA - A locomotive engineer stepped from his train onto a slippery walkway (it was raining heavily) and felt a pop in his knee – he later underwent a repair surgery – in this lawsuit the engineer alleged the railroad failed to provide him a reasonably safe place to work (as well as alleging a Locomotive Inspection Act claim) because of the slippery (combination water and oil) condition of the walkway – the railroad replied that rainy conditions are normal in train operations

McKay v. CSX Transportation,
2022-CP-10-04964

Plaintiff: Blake G. Arata, Jr., W. Chad Stelly and M. Ali Barnes, *Rome Arata Baxley & Stelly*,
New Orleans, LA

Defense: Daniel J. Fleming, *Johnson Pope Bokor Ruppel & Burns*, Tampa, FL and Sonja R. Tate, *Fulcher Hagler*,
Augusta, GA

Verdict: Defense verdict on liability
Court: **Charleston, South Carolina
Charleston County**

Judge: T.J. Rode

Date: 4-16-26

Daniel McKay, then age 56, was working as a locomotive engineer on 11-12-19 for CSX. He got up that morning at 4:00 a.m. and piloted a train from Augusta, GA to Charleston's Bennett Yard. McKay arrived at 3:15 p.m. He then parked the train, detached the engine and tied them off near the office. A heavy rain was falling.

McKay stepped from the train to a

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