

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

PAUL THOMPSON AND DAVID
SIMMONS

NO. 2014 CW 0740

VERSUS

WILLIAMS COMPANIES, INC.
WILLIAMS OLEFINS, LLC,
WILLIAMS PARTNERS, LP,
WILLIAMS PARTNERS, GP, LLC,
DISCOVERY PRODUCER SERVICES,
LLC, BLACK MARLIN PIPELINE,
LLC, WILLIAMS OHIO VALLEY
MIDSTREAM, LLC, AND TURNER
INDUSTRIES GROUP, LLC

JUL 28 2014

In Re: Williams Olefins, LLC, applying for supervisory writs,
18th Judicial District Court, Parish of Iberville, No.
72701.

BEFORE: CRAIN, THERIOT, AND DRAKE, JJ.

WRIT GRANTED. Relator, defendant Williams Olefins, L.L.C. seeks review of the trial court's May 7, 2014 judgment that granted plaintiffs' motion for partial summary judgment denying it statutory employer status. Pursuant to a *de novo* review, we find that the written contract between Williams and plaintiffs' direct employer, CB&I, Inc., which recognizes Williams as the statutory employer of CB&I's employees, is legally permissible for purposes of the Workers' Compensation Act. The contractual language complained of serves only to allocate ultimate liability as between Williams and CB&I. See **Mitchell v. So. Scrap Recycling, L.L.C.**, 11-2201 (La. App. 1 Cir. 6/8/12), 93 So.3d 754, writ denied, 12-1502 (La. 10/12/12), 99 So.3d 47. The trial court erred as a matter of law in holding otherwise. Thus, we grant the writ and reverse the May 7, 2014 judgment. Plaintiffs' motion for partial summary judgment is hereby **DENIED.**

EGD
WJC
MRT

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DEPUTY CLERK OF COURT
FOR THE COURT