

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

VALERIE B. BERTHELOT

NO. 2016 CW 0881

VERSUS

GREAT MIDWEST INSURANCE
COMPANY, ET AL

OCT 31 2016

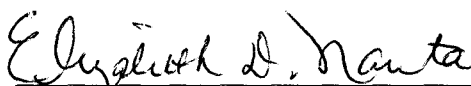
In Re: Great Midwest Insurance Company, Deep South Crane and Rigging, LLC and Larry K. Aguillard, applying for supervisory writs, 18th Judicial District Court, Parish of Iberville, No. 75397.

BEFORE: PETTIGREW, McDONALD, AND DRAKE, JJ.

WRIT GRANTED. Deep South Crane and Rigging, LLC had a commercial automobile liability insurance policy with limits of one million dollars, of which plaintiff, Valerie Berthelot's counsel acknowledged he was aware. Plaintiff, however, failed to allege in her petition or set forth any medical evidence indicating that her injuries might exceed Deep South's policy limits of one million dollars. We therefore find plaintiff acted in bad faith in naming Shelter Mutual Insurance Company, her uninsured/underinsured motorist carrier as a defendant. Accordingly, the judgment of the trial court denying Great Midwest Insurance Company, Deep South Crane and Rigging, L.L.C., Larry K. Aguillard and Shelter Mutual Insurance Company's declinatory exception raising the objection of improper venue is reversed and the matter is remanded to the trial court to transfer this lawsuit to Ascension Parish, 23rd Judicial District Court.

JTP
JMM
EGD

COURT OF APPEAL, FIRST CIRCUIT



DEPUTY CLERK OF COURT
FOR THE COURT