

**STATE OF LOUISIANA**  
**COURT OF APPEAL, FIRST CIRCUIT**

REV. STEFON A. WILLIAMS AND  
JEFFREY E. WILLIAMS

NO. 2021 CW 1325

VERSUS

DYNAMIC THERAPY, LLC, ET AL.

**DECEMBER 30, 2021**

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In Re: The Louisiana Patient's Compensation Fund and the Louisiana Patient's Compensation Oversight Board, applying for supervisory writs, 18th Judicial District Court, Parish of Iberville, No. 74984.

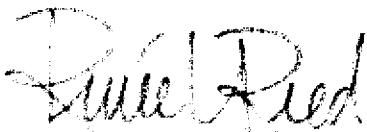
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**BEFORE: WHIPPLE, C.J., PENZATO AND HESTER, JJ.**

**WRIT GRANTED.** The trial court's July 7, 2021 judgment, which granted the Motion for New Trial filed by plaintiffs, Rev. Stefon A. Williams and Jeffrey E. Williams, vacated the trial court's April 15, 2021 judgment denying plaintiffs' Petition to Approve Settlement, and granted plaintiffs' Petition to Approve Settlement, is reversed. The trial court abused its discretion in granting plaintiffs' Motion for New Trial as evidence introduced at the hearing on plaintiffs' Petition to Approve Settlement reveals that Plaquemine Manor Nursing Home, Inc. did not pay plaintiffs \$100,000.00, the statutory minimum required to trigger the Louisiana Patient's Compensation Fund's statutory liability for excess damages. See Russo v. Vasquez, 94-2407 (La. 1/17/95), 648 So.2d 879. Accordingly, plaintiffs' Motion for New Trial is denied.

VGW  
AHP  
CHH

COURT OF APPEAL, FIRST CIRCUIT



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DEPUTY CLERK OF COURT  
FOR THE COURT