

FOR IMMEDIATE NEWS RELEASE

NEWS RELEASE #015

FROM: CLERK OF SUPREME COURT OF LOUISIANA

The Opinions handed down on the 17th day of March, 2009, are as follows:

PER CURIAM:

2008-C -1185

BARABAY PROPERTY HOLDING CORPORATION v. BOH BROTHERS CONSTRUCTION CO., L.L.C. D/B/A BOH BROTHERS CONSTRUCTION (Parish of E. Baton Rouge)

After hearing oral arguments and reviewing the issues raised by this matter, we conclude that the writ of certiorari was improvidently granted. Accordingly, we recall our order of October 10, 2008, and we deny defendant's application.

VICTORY, J., dissents from recalling the writ.

KNOLL, J., dissents from recalling the writ.

WEIMER, J., dissents from the recall of the writ.

03/17/09

SUPREME COURT OF LOUISIANA

No. 2008-C-1185

BARABAY PROPERTY HOLDING CORPORATION

v.

**BOH BROTHERS CONSTRUCTION CO., L.L.C.
D/B/A BOH BROTHERS CONSTRUCTION**

**ON WRIT OF CERTIORARI TO THE COURT OF APPEAL,
FIRST CIRCUIT, PARISH OF EAST BATON ROUGE**

PER CURIAM

Upon defendant's writ application, we granted certiorari in this case. *Barabay Prop. Holding Corp. v. Boh Brothers Constr. Co.*, 08-1185 (La. 10/10/08), 993 So.2d 1270. After hearing oral arguments and reviewing the issues raised by this matter, we conclude that the writ of certiorari was improvidently granted. Accordingly, we recall our order of October 10, 2008, and we deny defendant's application.

03/17/09

SUPREME COURT OF LOUISIANA

No. 08-C-1185

BARABAY PROPERTY HOLDING CORPORATION

versus

BOH BROTHERS CONSTRUCTION CO., L.L.C.
D/B/A BOH BROTHERS CONSTRUCTION

**ON WRIT OF CERTIORARI TO THE COURT OF APPEAL,
FIRST CIRCUIT, PARISH OF EAST BATON ROUGE**

VICTORY, J., dissents from recalling the writ.