

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**AUNT SALLY’S PRALINE SHOPS, INC.**

**CIVIL ACTION**

**VERSUS**

**NO. 06-7674**

**UNITED FIRE AND CASUALTY COMPANY**

**SECTION “K”(5)**

**ORDER AND OPINION**

Before the Court are the “Objections to Plaintiff’s Exhibits” filed on behalf of defendant United Fire & Casualty Company (“United Fire”)(Doc. 135). Having reviewed the pleadings, memoranda, and relevant law, the Court makes the following rulings with respect to the following exhibits:

1. Defendant’s objection to Plaintiff’s Exhibits 6 and 11-25 are overruled. See Order and Reasons entered October 5, 2009 (Doc. 131).

2. Defendant’s objection to Plaintiff’s Exhibit 7 is overruled. However, if United Fire does not contest the accuracy of the information contained in the segmented monthly income statements for the same time period, then the exhibit will not be admitted.

3. Defendants objection to Plaintiff’s Exhibit 30, 31, and 52 is sustained unless plaintiff introduces evidence that the problems with the phone system and the lack of gas at the facility resulted from physical damage to the phone line and gas line at the Chartres Street facility.

4. Defendant’s objection to Plaintiff’s Exhibit 13 is overruled; the document is relevant to plaintiff’s claim for damages under La. Rev. Stat. 22:1220.

5. Defendant’s objection to Plaintiff’s Exhibit 57 is overruled; counsel for plaintiff has indicated that the photographs have been forwarded to counsel for defendant. If after reviewing the

photographs, defendant has objections to specific photographs, defendant shall so advise the Court.

New Orleans, Louisiana this 28<sup>th</sup> day of October, 2009.

A handwritten signature in black ink, appearing to read "Stanwood R. Duval, Jr.", written over a horizontal line.

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STANWOOD R. DUVAL, JR.  
UNITED STATES DISTRICT JUDGE