

**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 is "Aunt Sally's Praline Shops, Inc.'s Objection to United Fire & Casualty Co.'s Exhibit 15" (Doc. 136). Having reviewed the pleadings, memoranda, and relevant law, the Court overrules the objection. The flyer is relevant to the determination of the whether plaintiff is entitled to penalties and damages under La. Rev. Stat. 22:1220 and La. Rev. Stat. 22:658. The Court will however, if requested by plaintiff, instruct the jury that the flyer is not relevant to and may not be considered in determining the restoration period for the Chartres Street facility.

New Orleans, Louisiana this 28th day of October, 2009.



STANWOOD R. DUVAL, JR.
UNITED STATES DISTRICT JUDGE