

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

KRISTIN LOUPE

CIVIL ACTION

VERSUS

ROBIN O'BANNON, ET AL.

NO.: 14-00573-BAJ-RLB

**RULING AND ORDER**

Defendant Robin O'Bannon filed a **Motion for Entry of Final Judgment under Federal Rule of Civil Procedure 54(b)** (Doc. 111). Plaintiff filed an opposition. (Doc. 113). The Court previously dismissed all of Plaintiff's claims against O'Bannon on January 8, 2018 (Doc. 82 at p. 22), and now O'Bannon asks the Court to make its Order dismissing the claims against her a final appealable order. (Doc. 111). Under Rule 54(b), when multiple parties are involved in an action, a court may enter a final judgment as to one or more, but fewer than all, claims or parties if the court determines that there is no just reason for delay.

The rule "reflects a balancing of two policies: avoiding the danger of hardship or injustice through delay which would be alleviated by immediate appeal and avoid[ing] piecemeal appeals." *Eldredge v. Martin Marietta Corp.*, 207 F.3d 737, 740 (5th Cir. 2000) (internal citations omitted). Rule 54(b) judgments are not favored and should be awarded only when necessary to avoid "hardship or injustice through delay," and "should not be entered routinely as a courtesy to counsel." *PYCA Indus. V. Harrison Cty. Waste Water Mgmt. Dist.*, 81 F.3d 1412, 1421 (5th Cir. 1996).

Here, O'Bannon has not shown that she will experience a hardship or injustice if she must wait for a final judgment to be entered until after the trial set for August 8, 2018. (Doc. 109). O'Bannon argues that this lawsuit has "weighed heavily" on her for nearly four years, and that because the trial was recently continued she should not have to wait for a final judgment. (Doc. 111-1 at p. 7). But the trial in this matter is only a few months away, and the Court finds that any hardship O'Bannon will experience is not outweighed by the piecemeal appeals that will occur if the Court enters a final judgment on her claims, but not on the remaining claims against the other Defendants awaiting trial.

Accordingly,

**The Motion for Entry of Final Judgment under Federal Rule of Civil Procedure 54(b) (Doc. 111) is DENIED.**

Baton Rouge, Louisiana, this 16<sup>th</sup> day of May, 2018.



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**BRIAN A. JACKSON, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA**