

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

LOUISIANA CONSTRUCTION &
INDUSTRY, SELF-INSURERS
FUND

NO. 2013 CW 0374

VERSUS

SOUTHERN ENVIRONMENTAL OF
LOUISIANA, LLC, JOAQUIN
ROQUE AND STACEY ROQUE AS
OWNERS OF THE DISSOLVED
LIMITED LIABILITY COMPANY,
SOUTHERN LABOR SERVICES,
LLC

APRIL 23, 2013

In Re: Joaquin Roque and Stacey Roque, applying for
supervisory writs, Office of Workers'
Compensation, District 6, No. 11-024778.

BEFORE: WHIPPLE, C.J., McCLENDON AND HIGGINBOTHAM, JJ.

WRIT DENIED.

VGW
TMH

McCLENDON, J., CONCURS IN PART AND DISSENTS IN PART.
Concluding that the Office of Workers' Compensation lacks
subject matter jurisdiction over all claims seeking to
impose personal liability against Joaquin Roque and Stacy
Roque through operation of La. R.S. 12:1335.1, I would
reverse the ruling of the Office of Worker's Court denying
the Roques' peremptory exception of lack of subject matter
jurisdiction in this regard only. I would maintain the
peremptory exception of lack of subject matter jurisdiction
only insofar as it pertains to claims of the Louisiana
Construction and Industry, Self-Insurer Fund against
Joaquin Roque and Stacy Roque for personal liability
arising through operation of La. R.S. 12:1335.1, which I
would dismiss. In all other regards, I agree in the denial
of the writ.

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DEPUTY CLERK OF COURT
FOR THE COURT