

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

RICKEY LEE WHITAKER AND
MARIA WHITAKER

NO. 2013 CW 0436

VERSUS

PETERBILT OF LOUISIANA,
LLC, PARKER-HANNIFIN
CORPORATION, DANA
CORPORATION, CHELSEA
HYDRAULICS, CHELSEA
PRODUCTS DIVISION, CHELSEA
PTO DIVISION, BUYERS
PRODUCTS COMPANY, ROPER
PUMP COMPANY, TEXON
OPERATING, LLC, EPCO, INC.
AND ENTERPRISE
TRANSPORTATION CO

MAY 21 2013

In Re: EPCO, Inc. and National Union Fire Insurance
Company of Pittsburgh PA, applying for
supervisory writs, 16th Judicial District Court,
Parish of St. Mary, No. 119613.

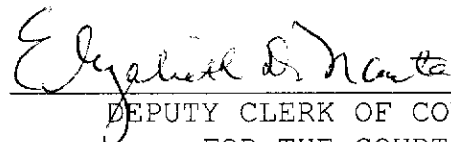
BEFORE: KUHN, GUIDRY, PETTIGREW, McDONALD AND CRAIN, JJ.

WRIT DENIED WITH ORDER. The portion of the trial court's judgment granting sanctions against relators' attorney, J. Roumain Peters, III, is a final appealable judgment. **Shahla v. City of Port Allen**, 601 So.2d 746, 752 (La.App. 1 Cir. 1992). Therefore, it is hereby **ordered** that this case be remanded to the trial court with instructions to grant J. Roumain Peters, III, a suspensive appeal pursuant to the February 28, 2013, pleading notifying the district court of relators' intention to seek writs and the filed motions for suspensive appeal that were denied. See **In Re Howard**, 541 So. 2d 195 (La. 1989). In the event J. Roumain Peters, III seeks to appeal the district court's judgment, he shall submit a new order for appeal to the trial court within fifteen days of this Court's order. Additionally, a copy of this Court's order is to be included in the appellate record.

JTP
WJC
JMG

Kuhn and McDonald, JJ., dissent and would grant the writ. We would convert the writ to an appeal and decide the issue.

COURT OF APPEAL, FIRST CIRCUIT



DEPUTY CLERK OF COURT
FOR THE COURT