

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

CLARENCE J. CROCKETT, JR.,
CHRISTOPHER M. CROCKETT,
AND KERRIE S. CROCKETT

NO. 2013 CW 1527

VERSUS

FIRST ASSURANCE LIFE OF
AMERICA

MAR 17 2014

In Re: First Assurance Life of America, applying for
supervisory writs, 19th Judicial District Court,
Parish of East Baton Rouge, No. 621,434.


BEFORE: PARRO, GUIDRY, McDONALD, McCLENDON AND DRAKE, JJ.

WRIT GRANTED WITH ORDER. The trial court's judgment of August 28, 2013, denying First Assurance Life of America's peremptory exception of nonjoinder is hereby reversed. As the creditor beneficiary on a credit life insurance policy, Neighbors Federal Credit Union must be joined as a party to this action to obtain a just adjudication herein. See La. Code Civ. P. art. 641 and **Milton v. Pilgrim Life Insurance Co. of America**, 500 So.2d 434 (La. App. 1st Cir. 1986). Therefore, First Assurance Life of America's peremptory exception of nonjoinder is sustained and the plaintiffs/respondents are ordered to join Neighbors Federal Credit Union as a party to the lawsuit by May 2, 2014. See La. Code Civ. P. arts. 644, 646, and 934.

RHP
JMG
JMM
PMc

Drake, J., dissents and would deny the writ.

COURT OF APPEAL, FIRST CIRCUIT


DEPUTY CLERK OF COURT
FOR THE COURT