

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE FARM FIRE CASUALTY
COMPANY AND CARROLL
THORGUSON

NO. 2013 CW 1745

VERSUS

BARNETT, INC., INTERLINE
BRANDS, INC., WATTS PLUMBING
TECHNOLOGIES, ABC COMPONENT
PARTS MANUFACTURER, AND XYZ
SELLER

DEC 10 2013

In Re: Watts Water Technologies, Inc., applying for
supervisory writs, 16th Judicial District Court,
Parish of St. Mary, No. 122717.


BEFORE: WHIPPLE, C.J., WELCH AND CRAIN, JJ.

WRIT DENIED. We deny the writ, finding no error in the trial court's judgment dated June 17, 2013, which denied the declinatory exception of lack of personal jurisdiction filed by the relator. Based on the evidence before us, the relator has purposefully availed itself of this state's forum through the activities of its subsidiary as well as by directing its activities at the citizens of this state. Relator failed to demonstrate that the exercise of jurisdiction over it would be unreasonable in light of traditional notions of fair play and substantial justice. **Ruckstuhl v. Owens Corning Fiberglas Corp.**, 98-1126 (La. 4/13/99), 731 So.2d 881, cert. denied, 528 U.S. 1019, 120 S.Ct. 526, 145 L.Ed.2d 407 (1999).

VGW
JEW

Crain, J., dissents and would sustain the relator's exception. The evidence presented by respondents failed to establish that the relator had minimum contacts with the forum such that it purposefully availed itself of the privilege of conducting activities within the forum. **Ruckstuhl v. Owens Corning Fiberglas Corp.**, 98-1126 (La. 4/13/99), 731 So.2d 881, cert. denied, 528 U.S. 1019, 120 S.Ct. 526, 145 L.Ed.2d 407 (1999). I would remand this matter to the district court for further proceedings in accordance with La. Code Civ. P. art 932 and afford respondents the opportunity to conduct discovery on the limited issue of relator's contacts with the forum state, and to remove the grounds of the objection by amendment of the petition within a period of time designated by the district court.

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DEPUTY CLERK OF COURT
FOR THE COURT