

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

NORETTA THOMAS AND DEMETRICE
BUTLER, EACH INDIVIDUALLY,
AND ON BEHALF OF ALL OTHERS
SIMILARLY SITUATED

NO. 2014 CW 0292

VERSUS

A. WILBERT & SONS, LLC AND
XYZ INSURANCE COMPANY

CONSOLIDATED WITH

TROY ROBICHAUX, SHANNON
ROBICHAUX, MICHAEL J.
TUMINELLO, SR., AND OLIVE D.
TUMINELLO

VERSUS

STATE OF LOUISIANA, THROUGH
THE DEPARTMENT OF HEALTH AND
HOSPITALS AND THROUGH THE
DEPARTMENT OF ENVIRONMENTAL
QUALITY AND DOW CHEMICAL
COMPANY

APRIL 24, 2014

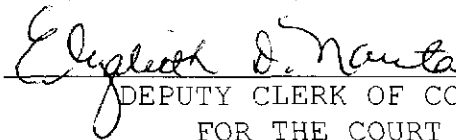
In Re: Troy Robichaux, Shannon Robichaux, Michael J.
Tuminnello, Sr. and Olive D. Tumonello, applying for
supervisory writs, 18th Judicial District Court,
Parish of Iberville, No. 55127 c/w 56803.

BEFORE: KUHN, HIGGINBOTHAM AND THERIOT, JJ.

WRIT GRANTED IN PART; DENIED IN PART; STAY GRANTED. The claims alleged in the Petition for Intervention are matters reviewable under the as-yet-unlodged appeal taken by Dow Chemical Company. The trial court was divested of jurisdiction over these claims upon the signing of the October 25, 2013 order granting the appeal. La. C.C.P. art. 2088. As the court was without jurisdiction to rule on relators' exceptions to the petition at the January 31, 2014 hearing, the court's rulings of that date on relators' exceptions of no cause and no right of action hereby are vacated. Further proceedings in this matter hereby are stayed pending disposition of the appeal of the court's May 22, 2013 judgment. To the extent the application seeks other relief, this Court declines to exercise supervisory jurisdiction.

MRT
JEK
TMH

COURT OF APPEAL, FIRST CIRCUIT



DEPUTY CLERK OF COURT
FOR THE COURT