

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

JEFF MAYNE, BRIAN CLARK, JAY
DIEZ, IRVIN DARES AND GLEN
JACKSON

NO. 2014 CW 0008

VERSUS

BOARD OF TRUSTEES OF THE
LOUISIANA STATE EMPLOYEES'
RETIREMENT SYSTEM

FEB 18 2014

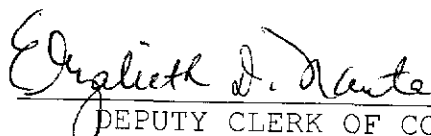
In Re: Louisiana State Employees' Retirement System, applying
for supervisory writs, 19th Judicial District Court,
Parish of East Baton Rouge, No. 532548.

BEFORE: PARRO, GUIDRY AND DRAKE, JJ.

WRIT GRANTED IN PART, WRIT DENIED IN PART. In the absence of a showing of good cause for plaintiffs' failure to timely request service on defendant, ABC Insurance Company, the district court erred in denying relator's properly filed motion to dismiss under La. Code Civ. P. art. 1672(C). Accordingly, the judgment of the district court is reversed insofar as it denies relator's motion to dismiss ABC Insurance Company, and the motion to dismiss plaintiffs' suit against ABC Insurance Company is granted. Plaintiffs' suit is dismissed without prejudice as to ABC Insurance Company pursuant to La. Code Civ. P. art. 1672(C). In all other respects, the writ is denied.

RHP
JMG
EGD

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DEPUTY CLERK OF COURT
FOR THE COURT