

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

PHILIP BOURGEOIS III

NO. 2014 CW 1019

VERSUS

SOMPO JAPAN INSURANCE
COMPANY OF AMERICA

JUN 08 2015

In Re: Sompo Japan Insurance Company of America, applying for supervisory writs, 22nd Judicial District Court, Parish of St. Tammany, No. 2013-15847.

BEFORE: WHIPPLE, C.J., McCLENDON, HIGGINBOTHAM, CRAIN AND THERIOT, JJ.


WRIT DENIED. See Garrison v. James Const. Group LLC, et al, 2014-0761 (La. App. 1st Cir. 5/6/15), ___ So.3d ___; Ortego v. State Dept. of Transp. and Devel., 96-1322 (La. 1997), 689 So.2d 1358, 1363; Five N Company, L.L.C. v. Stewart, 2002-0181 (La. App. 1st Cir. 7/2/03), 850 So.2d 51, 62. See also Butler v. U.S. Auto. Ass'n Ins. Co., 2004-2562 (La. App. 1st Cir. 12/22/05), 928 So.2d 53, 54-55, writ denied sub nom, Butler v. U.S. Auto Ass'n Ins. Co., 2006-0182 (La. 4/24/06), 926 So.2d 546.

VGW
TMH
WJC

Theriot, J., concurs.

McClendon, J., dissents and would grant the writ. See Westerman v. State Farm Mut. Auto. Ins. Co., 2001-2159 (La. App. 1st Cir. 9/27/02), 834 So.2d 445.

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DEPUTY CLERK OF COURT
FOR THE COURT