

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

M & R DRYWALL, INC.

NO. 2015 CW 0108

VERSUS

MAPP CONSTRUCTION, L.L.C.
SOUTHGATE TOWERS, L.L.C.
AND R.W. DAY AND
ASSOCIATES, INC.

CONSOLIDATED WITH

APRIL 21, 2015

SOUTHGATE RESIDENTIAL
TOWERS, LLC, SOUTHGATE
PENTHOUSES, LLC

VERSUS

MAPP CONSTRUCTION, INC.,
ET AL.

In Re: Great American Insurance Company as the excess insurer of Mapp Construction Company, applying for supervisory writs, 19th Judicial District Court, Parish of East Baton Rouge, No. 529351 c/w 550534.

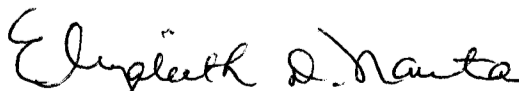
BEFORE: PETTIGREW, WELCH AND CHUTZ, JJ.

WRIT DENIED.

WRC
JEW

Pettigrew, J. dissents in part and concurs in part. He would grant the writ in part and vacate that portion of the December 19, 2014 judgment denying defendant's, Great American Insurance Company, motion for summary judgment as to the claims by plaintiffs, Southgate Residential Towers, LLC and Southgate Penthouses, LLC, seeking insurance coverage for defective flooring and electrical defects and misplaced plumbing corings/penetrations claims. He would find that the flooring, electrical and plumbing corings/penetrations defects asserted by the plaintiffs are not property damage under the terms of the relevant policies; therefore, no coverage exists for said claims. Accordingly, he would dismiss Claims 5 through 9 of the plaintiffs' petition as to the defendant. In all other respects, he concurs in the denial of the writ.

COURT OF APPEAL, FIRST CIRCUIT



DEPUTY CLERK OF COURT
FOR THE COURT