

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

GUSTAVE J. LABARRE, JR.

NO. 2015 CW 0799

VERSUS

OCCIDENTAL CHEMICAL COMPANY
AND TEXAS BRINE COMPANY, LLC

MAY 22, 2015

In Re: Texas Brine Company, LLC, applying for supervisory writs, 23rd Judicial District Court, Parish of Assumption, No. 33796.

**BEFORE: WHIPPLE, C.J., GUIDRY, McDONALD, HIGGINBOTHAM AND
CRAIN, JJ.**

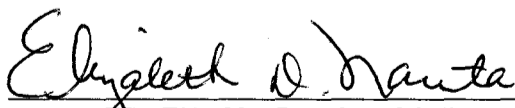
STAY GRANTED. WRIT GRANTED. We grant the writ application as to the judgment of the district court dated April 29, 2015, which denied the motion to quash plaintiffs' notice of inspection and entry upon land filed by defendant, Texas Brine Company, LLC. Further, we order a stay of any inspection under plaintiffs' notice of inspection and entry upon land. We reverse the district court's denial of the defendant's motion to quash and remand this matter back to the district court to conduct an evidentiary hearing to address and resolve the issues of protocol for all aspects of the inspection and to provide for the issuance of adequate indemnity agreements to apply to the plaintiffs' inspection activities on the subject property.

**JMM
TMH
JMG**

Crain, J., dissents and would deny the writ.

Whipple, C.J., dissents and would deny the writ. **Herlitz Construction Company v. Hotel Investors of New Iberia, Inc.,** 396 So.2d 878 (La. 1981) (per curiam).

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DEPUTY CLERK OF COURT
FOR THE COURT