

**STATE OF LOUISIANA**  
**COURT OF APPEAL, FIRST CIRCUIT**

VALERIE B. BERTHELOT

NO. 2016 CW 1101

VERSUS

GREAT MIDWEST INSURANCE  
COMPANY, ET AL

**OCT 31 2016**

---

In Re: Shelter Mutual Insurance Company, applying for supervisory writs, 18th Judicial District Court, Parish of Iberville, No. 75397.

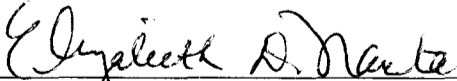
---

**BEFORE: PETTIGREW, McDONALD, AND DRAKE, JJ.**

**WRIT GRANTED.** Deep South Crane and Rigging, LLC had a commercial automobile liability insurance policy with limits of one million dollars, of which plaintiff, Valerie Berthelot's counsel acknowledged he was aware. Plaintiff, however, failed to allege in her petition or set forth any medical evidence indicating that her injuries might exceed Deep South's policy limits of one million dollars. We therefore find plaintiff acted in bad faith in naming Shelter Mutual Insurance Company, her uninsured/underinsured motorist carrier as a defendant. Accordingly, the judgment of the trial court denying Great Midwest Insurance Company, Deep South Crane and Rigging, L.L.C., Larry K. Aguiard and Shelter Mutual Insurance Company's declinatory exception raising the objection of improper venue is reversed and the matter is remanded to the trial court to transfer this lawsuit to Ascension Parish, 23<sup>rd</sup> Judicial District Court.

**JTP**  
**JMM**  
**EGD**

COURT OF APPEAL, FIRST CIRCUIT

  
\_\_\_\_\_  
DEPUTY CLERK OF COURT  
FOR THE COURT