

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

CRAIG McDONALD

NO. 2017 CW 1580

VERSUS

THE DOW CHEMICAL COMPANY, ET
AL

NOV 14 2017

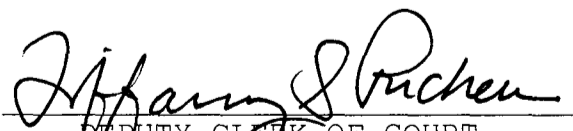
In Re: The Dow Chemical Company, applying for supervisory writs, 18th Judicial District Court, Parish of Iberville, No. 76,426.

BEFORE: HIGGINBOTHAM, HOLDRIDGE, AND PENZATO, JJ.

WRIT GRANTED. Based upon the trial court having previously allowed the filing of a third party demand for which issue has not been joined, and the recent dismissal of two defendants in the action, the court finds that the trial court abused its discretion in failing to grant a continuance in this matter. Accordingly, the application is granted, the court's November 13, 2017 denial of relator's motion to continue is reversed, and the matter is remanded for further proceedings. However, the continuance shall be granted only if mover is responsible for all costs, including plaintiff's costs and court costs, necessitated by the continuance.

**TMH
GH
AHP**

COURT OF APPEAL, FIRST CIRCUIT


DEPUTY CLERK OF COURT
FOR THE COURT