

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

CASEY P. LEE

NO. 2017 CW 1538

VERSUS

LOUISIANA FARM BUREAU MUTUAL  
INSURANCE COMPANY, ET AL.

**AUG 20 2018**

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In Re: HJC America, Inc., applying for supervisory writs,  
19th Judicial District Court, Parish of East Baton  
Rouge, No. 555559.

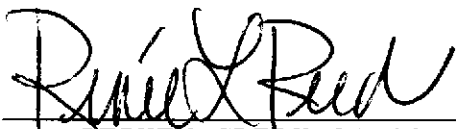
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**BEFORE: GUIDRY, PETTIGREW AND CRAIN, JJ.**

**WRIT GRANTED.** The trial court's October 17, 2017 judgment which denied the motion for summary judgment filed by defendant, HJC America, Inc., is reversed. A plaintiff asserting liability for damage caused by a product must prove, under the Louisiana Products Liability Act, that the defendant manufactured the product. **George v. Housing Authority of New Orleans**, 2004-2167 (La. App. 4th Cir. 6/29/05), 906 So.2d 1282, 1286, writ denied, 2005-2211 (La. 2/17/06), 924 So.2d 1016. In support of its motion for summary judgment, defendant, HJC America, Inc., produced evidence and pointed out to the court the absence of factual support to prove that it is a manufacturer as that term is defined by La. R.S. 9:2800.53(1), which is an essential element of plaintiff's products liability claim herein. Plaintiff failed to produce factual support sufficient to establish the existence of a genuine issue of material fact as to this element. Accordingly, the motion for summary judgment filed by defendant, HJC America, Inc., is granted, and plaintiff's claims against defendant, HJC America, Inc., are dismissed.

**WJC**  
**JMG**  
**JTP**

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