

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

MIGUEL A. CULASSO, M.D.

NO. 2019 CW 0165

VERSUS

DOCTOR'S HOSPITAL OF  
SLIDELL, LLC D/B/A STERLING  
SURGICAL HOSPITAL, DHOSTATE,  
LLC D/B/A CONCENTUS, ET AL.

JUL 11 2019

---

In Re: Miguel A. Culasso, M.D., applying for supervisory writs, 22nd Judicial District Court, Parish of St. Tammany, No. 2018-12903.

---

**BEFORE: WELCH, CHUTZ, AND PENZATO, JJ.**

**WRIT NOT CONSIDERED.** This court is unable to address the merits of the relator's writ application without a copy of the transcript of the hearing on December 4, 2018, including identification of evidence admitted at the hearing.

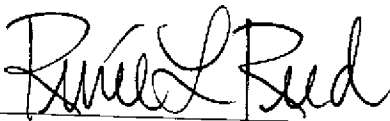
Supplementation of this writ application and/or application for rehearing will not be considered. See Uniform Rules of Louisiana Courts of Appeal, Rules 4-9 and 2-18.7.

In the event relator seeks to file a new application with this court, it must contain all pertinent documentation, the missing items noted above, and must comply with Uniform Rules of Louisiana Courts of Appeal, Rule 2-12.2. Any new application must be filed no later than August 14, 2019 and must contain a copy of this ruling.

**WRC**  
**AHP**

**Welch, J.**, dissents. I would grant the writ and reverse the trial court's December 4, 2018 judgment to the extent that it determined the arbitrability of the relator's claims. Pursuant to the parties' adoption of the AAA Rules in the subject operating agreements, the arbitrability of the relator's claims will be determined by an arbitrator. See **Fla. Gas Transmission Co., LLC v. Texas Brine Co., LLC**, 2017-0304 (La. App. 1st Cir. 12/6/18), 267 So.3d 633; see also **Jasper Contractors, Inc. v. E-Claim.com, LLC**, 2011-0978 (La. App. 1st Cir. 5/4/12), 94 So.3d 123. I would deny the writ in all other respects.

COURT OF APPEAL, FIRST CIRCUIT



---

DEPUTY CLERK OF COURT  
FOR THE COURT