

RALPH BURAS

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NO. 2000-CA-1932

VERSUS

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COURT OF APPEAL

**DARRYL M. SCHULTZ, ET
AL.**

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FOURTH CIRCUIT

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STATE OF LOUISIANA

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TOBIAS, J., CONCURS

I respectfully concur.

The only issue raised by the appellant on appeal is whether a genuine issue of material fact exists so as to preclude the granting of summary judgment.

The judgment of the trial court not only awards the appellee \$20,954.50, judicial interest and court costs, but also penalty wages and reasonable attorneys' fees pursuant to La. R.S. 23:631, et seq. Although I have concerns about the applicability La. R.S. 23:631 et seq. to this case, it is not an issue raised by appellant and thus cannot be considered by this court.