

**DIANE BREAUX, WIFE OF
AND JOSEPH BREAUX**

VERSUS

**AVONDALE INDUSTRIES,
INC.**

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NO. 2004-C-1138

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COURT OF APPEAL

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FOURTH CIRCUIT

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STATE OF LOUISIANA

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MURRAY, J. CONCURS AND ASSIGNS REASONS

I agree with the result reached by the majority on the basis that the release is a contract and, as such, is governed by the law in effect at the time of its execution. However, I do not accept the majority's suggestion that Walls v. American Optical Corp., *supra*, and Landry v. Avondale Industries, *supra*, provide additional authority for reaching the same result. Accordingly, I respectfully concur in the granting of the writ application and the reversal of the partial summary judgment.