

**CHRISTINE MCGRAIL, WIFE
OF/AND PAUL FERGUSON**

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**NO. 2005-CA-0921 C/W
2005-CA-0922**

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VERSUS

COURT OF APPEAL

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**DR. MAX SUGAR AND CPC
OF LOUISIANA, INC.**

FOURTH CIRCUIT

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STATE OF LOUISIANA

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TOBIAS, J., CONCURS IN THE RESULT AND ASSIGNS REASONS.

I respectfully concur in the result.

The Louisiana Supreme Court granted a rehearing on 14 March 2008 in *Borel v. Young*, 07-0419 (La. 11/27/07), __ So. 2d __, 2007 WL 4171209. We rely in the majority's decision upon that case. Pending a definitive pronouncement by the Supreme Court in *Borel*, I feel compelled to concur in the result.