

JOHN HARTSON LEARY

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NO. 2007-CA-0751

VERSUS

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COURT OF APPEAL

**ROBERT M. FOLEY AND THE
TALLEY HO CLUB**

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FOURTH CIRCUIT

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STATE OF LOUISIANA

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CANNIZZARO, J., CONCURS WITH REASONS

I respectfully concur with the majority opinion to affirm the judgment of the trial court and remand the matter for a hearing on the issue of damages under La. R.S. 12:264(B). However, while I agree that the facts as alleged by Mr. Leary in his petition for damages, as amended and supplemented, do not state a cause of action for the “wrongful expulsion” of his membership in the Tally-Ho Club, I cannot say that Louisiana law does not provide a cause of action for damages for the wrongful expulsion from a private social club.