

MAX PREJEAN

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NO. 2008-C-0364

VERSUS

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COURT OF APPEAL

MAINTENANCE

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FOURTH CIRCUIT

ENTERPRISES, INC., ET AL.

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STATE OF LOUISIANA

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MCKAY, J., CONCURS

I respectfully concur with the majority opinion and would affirm the trial court's judgment. A genuine issue of material fact exists as to whether the work done by Mr. Prejean for MEI was an integral part of or essential to the ability of Murphy to produce and distribute petroleum products. Accordingly, summary judgment is not appropriate in this case.