

**WIRTHMAN-TAG
CONSTRUCTION COMPANY,
L.L.C.**

*

NO. 2014-CA-1394

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COURT OF APPEAL

VERSUS

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FOURTH CIRCUIT

**JAMES AND JANE HOTARD,
ROBERT B. ANDERSON
CONSULTIG ENGINEERS,
INC., ROBERT B. ANDERSON
AND JAMES HOTARD, SR.**

*

STATE OF LOUISIANA

* * * * *

CONSOLIDATED WITH:

CONSOLIDATED WITH:

**WIRTHMAN-TAG
CONSTRUCTION COMPANY,
L.L.C.**

NO. 2014-CA-1395

VERSUS

**ROBERT B. ANDERSON
CONSULTING ENGINEERS, INC.,
ROBERET B. ANDERSON AND
JAMES HOTARD, SR.**

APPEAL FROM
CIVIL DISTRICT COURT, ORLEANS PARISH
NO. 1999-14339, DIVISION "D-16"
Honorable Lloyd J. Medley, Judge

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Judge Daniel L. Dysart

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(Court composed of Judge Max N. Tobias, Jr., Judge Daniel L. Dysart, Judge Joy Cossich Lobrano)

ON APPLICATION FOR REHEARING

Thomas A. Gennusa, II
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**REHEARING GRANTED;
JUDGMENT AMENDED
AND RENDERED**

SEPTEMBER 16, 2015

We grant rehearing for the limited purpose of amending the judgment to reflect an offset of \$75,600 due Wirthman-TAG Construction Company.

At the time Wirthman-TAG abandoned the job, the amount that would have been due from the Hotards to complete the work was \$75,600. As the Hotards would have had to pay Wirthman-TAG that amount to complete the house, the \$75,600 should be offset from the amount of the judgment.

Thus, the judgment is amended as follows:

It is ordered, adjudged and decreed that there be judgment in favor of James Hotard, Jr., and Jane Hotard, and against Wirthman-TAG Construction Company, L.L.C., in the amount of \$128,258.53, together with legal interest from the date of judicial demand until, paid, and for attorney fees and costs to be determined by the trial court.

**REHEARING GRANTED;
JUDGMENT AMENDED
AND RENDERED**