STATE OF LOUISIANA COURT OF APPEAL, THIRD CIRCUIT

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REHEARING ACTION: July 9, 2008

Docket Number: 07 00725-CA

DR. DONALD FALGOUST VERSUS HART EYE CENTER, LLC, ET AL.

Appealed from Calcasieu Parish Case No. 2002-3523

BEFORE JUDGES:

Hon. Ulysses Gene Thibodeaux

Hon. John D. Saunders

Hon. Marc T. Amy

Hon. Michael G. Sullivan Hon. Billy Howard Ezell

As counsel of record in the captioned case, you are hereby notified that the application

for rehearing filed by Dr. Donald Falgoust has this day been

DENIED.

Ezell, J., would grant rehearing.

cc: James Buckner Doyle, Counsel for the Appellee Albert Dale Clary, Counsel for the Appellee