STATE OF LOUISIANA
COURT OF APPEAL, THIRD CIRCUIT

13-1409 consolidated with 14-433

ED GRABOWSKI, ET UX.

VERSUS

SMITH & NEPHEW, INC., ET AL.

****

ON APPLICATION FOR SUPERVISORY WRITS
FROM THE FOURTEENTH JUDICIAL DISTRICT COURT
PARISH OF CALCASIEU, NO. 2008-3878
HONORABLE DAVID A. RITCHIE, DISTRICT JUDGE

****

ELIZABETH A. PICKETT
JUDGE

****

Court composed of Elizabeth A. Pickett, James T. Genovese, and Phyllis M. Keaty, Judges.

WRIT DENIED. JUDGMENT AFFIRMED IN PART; REVERSED IN PART; AND REMANDED FOR FURTHER PROCEEDINGS.

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PICKETT, Judge.

For the reasons set forth in the companion case hereto, *Ed Grabowski, et ux.*
v. Smith & Nephew, Inc., et al., 14-433 c/w 13-1409, (La.App. 3 Cir. __/__/14), __
So.3d __, the writ application is denied. The judgment of the trial court granting
the Motion to Close the Record is affirmed. The grants of summary judgment in
favor of Smith & Nephew, Inc., PUREPLAY Orthopaedic Sales 1 Ltd., and Daniel
Forrest are reversed, and the matter is remanded to the trial court for further
proceedings. Costs of the writ application are assessed to the Grabowskis. Costs
of the appeal are assessed to Smith & Nephew, Inc. PUREPLAY Orthopaedic
Sales 1 Ltd., and Daniel Forrest.

**WRIT DENIED. JUDGMENT AFFIRMED IN PART; REVERSED IN
PART; AND REMANDED FOR FURTHER PROCEEDINGS.**