

**STATE OF LOUISIANA
COURT OF APPEAL, THIRD CIRCUIT**

20-520

JAMES B. “BLAKE” CURETON

VERSUS

JAMES H. “JIMMY” CURETON AND

CUSTOM METAL FABRICATORS, INC.

**APPEAL FROM THE
FOURTEENTH JUDICIAL DISTRICT COURT
PARISH OF CALCASIEU, NO. 2020-274
HONORABLE CLAYTON DAVIS, DISTRICT JUDGE**

**BILLY HOWARD EZELL
JUDGE**

ON REHEARING

Court composed of Billy Howard Ezell, D. Kent Savoie, and J. Larry Vidrine*,
Judges.

GRANTED.

*Honorable J. Larry Vidrine participated in this decision by appointment of the Louisiana Supreme Court as Judge Pro Tempore.

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EZELL, Judge.

We now grant a rehearing on the application of Plaintiff, Blake Cureton, as to whether he is entitled to attorney fees incurred in seeking an inspection of the Corporation's records. We now affirm the trial court's award of attorney fees insofar as it concerns Blake's right to inspect corporate records.

On rehearing, Blake brought to our attention La.R.S. 12:1-140(9)(B)(emphasis added), which defines "expenses" in the Business Corporation Act as "reasonable expenses of any kind, including **attorney's fees** and other litigation-related expenses, which are incurred in connection with a matter."

In our original opinion, we affirmed the trial court's judgment ordering inspection of the Corporations' records. Pursuant to La.R.S. 12:1-1604(C), once the court orders inspection of the records, the court "shall also order the corporation to pay the shareholder's expenses incurred to obtain the order". Since "expenses" are defined to included attorney fees, we find that Blake is entitled to an award of attorney fees against the Corporation in connection with his inspection of the Corporation's records pursuant to La.R.S. 12:1-1604(C).

The rehearing application of Blake Cureton is granted, affirming the trial court's award of attorney fees as to the inspection of the Corporation's records.

GRANTED.