

Official Docket

Court of Appeal, Third Circuit
State of Louisiana
Lake Charles

Court Convenes at 9:30AM - CHECK IN BY 9:15AM

Posted: 07/24/18

Please Note

- (1) Attorneys wishing to submit their case on briefs are requested to notify the Clerk's Office before the hearing date.
- (2) Please let us know if there is an error in spelling or in the address. This information is used for publication of opinions and should be accurate.
- (3) You may have more than one case on this docket - CHECK CAREFULLY.
- (4) Please note that only the attorneys listed on this docket will appear as attorneys of record on the opinion.

Tuesday, August 28, 2018

PANEL: JUDGES THIBODEAUX, KEATY, PERRET

THE FOLLOWING CASES ARE SET FOR ORAL ARGUMENT

Case Number 16 897 CW Hearing Date: 08/28/2018

MATTHEW M. WALKER

VERSUS

THE MANITOWOC COMPANY, INC.,

ET AL.

consolidated with

JIM LEE HANKINS

VERSUS

THE MANITOWOC COMPANY, INC.,

ET AL.

Lead Case CW 16 0000897 consolidated with CW 16 0000898

CA 18 0000221

CA 18 0000223

Trial Court - Iberia

Sixteenth Judicial District Court

Defendant Applicant - Edward Paul Landry - Manitowoc Cranes, LLC

Defendant Applicant - Michael Thomas Pulaski - Manitowoc Cranes, LLC

Defendant Applicant - Keith W. McDaniel - Manitowoc Cranes, LLC

Defendant Applicant - Kevin M. Young - Manitowoc Cranes, LLC

Defendant Applicant - Edward Paul Landry - Westchester Fire Insurance Co.

Defendant Applicant - Michael Thomas Pulaski - Westchester Fire Insurance Co.

Defendant Applicant - Keith W. McDaniel - Westchester Fire Insurance Co.

Defendant Applicant - Kevin M. Young - Westchester Fire Insurance Co.

Plaintiff Respondent - Franklin Glen Shaw - Jim Lee Hankins

Plaintiff Respondent - Michael L. Barras - Jim Lee Hankins

Defendant Respondent - Harry Joseph Philips, Jr. - H & E Equipment Services, Inc

Defendant Respondent - L. Adam Thames - H & E Equipment Services, Inc.

Defendant Respondent - Harry Joseph Philips, Jr. - Travelers Property and Casual

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Court of Appeal, Third Circuit
State of Louisiana
Lake Charles

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Defendant Respondent - L. Adam Thames - Travelers Property and Casualty Co.of Am
Intervenor Respondent - John Hatch Hughes - Bayou Welding Works, LLC
Intervenor Respondent - David J. Ayo - Bayou Welding Works, LLC
Intervenor Respondent - Jake P. Skaggs - Allianz Global Corporate andSpecialty C
Intervenor Respondent - Dan Boudreaux - Liberty Mutual Insurance Company
Plaintiff Respondent - Franklin Glen Shaw - Matthew M. Walker
Plaintiff Respondent - Michael L. Barras - Matthew M. Walker
Defendant Applicant - Edward Paul Landry - The Manitowoc Company, Inc.
Defendant Applicant - Michael Thomas Pulaski - The Manitowoc Company, Inc.
Defendant Applicant - Keith W. McDaniel - The Manitowoc Company, Inc.
Defendant Applicant - Kevin M. Young - The Manitowoc Company, Inc.

Case Number 16 898 CW Hearing Date: 08/28/2018

MATTHEW M. WALKER
VERSUS
THE MANITOWOC COMPANY, INC.,
ET AL.
consolidated with
JIM LEE HANKINS
VERSUS
THE MANITOWOC COMPANY, INC.,
ET AL.

Lead Case CW 16 0000897 consolidated with CW 16 0000898
Trial Court - Iberia
Sixteenth Judicial District Court

Intervenor Respondent - Dan Boudreaux - Liberty Mutual Insurance Company
Defendant Respondent - Harry Joseph Philips, Jr. - H & E Equipment Services, Inc
Defendant Respondent - L. Adam Thames - H & E Equipment Services, Inc.
Defendant Respondent - Harry Joseph Philips, Jr. - Travelers Property and Casual
Defendant Respondent - L. Adam Thames - Travelers Property and Casualty Co.of Am
Defendant Applicant - Edward Paul Landry - Westchester Fire Insurance Co.
Defendant Applicant - Michael Thomas Pulaski - Westchester Fire Insurance Co.
Defendant Applicant - Keith W. McDaniel - Westchester Fire Insurance Co.
Defendant Applicant - Kevin M. Young - Westchester Fire Insurance Co.
Intervenor Respondent - John Hatch Hughes - Bayou Welding Works, LLC
Intervenor Respondent - David J. Ayo - Bayou Welding Works, LLC
Defendant Applicant - Edward Paul Landry - Manitowoc Cranes, LLC
Defendant Applicant - Michael Thomas Pulaski - Manitowoc Cranes, LLC
Defendant Applicant - Keith W. McDaniel - Manitowoc Cranes, LLC
Defendant Applicant - Kevin M. Young - Manitowoc Cranes, LLC
Plaintiff Respondent - Franklin Glen Shaw - Jim Lee Hankins
Plaintiff Respondent - Michael L. Barras - Jim Lee Hankins
Intervenor Respondent - Jake P. Skaggs - Allianz Global Corporate andSpecialty C
Plaintiff Respondent - Franklin Glen Shaw - Matthew M. Walker
Plaintiff Respondent - Michael L. Barras - Matthew M. Walker
Defendant Applicant - Edward Paul Landry - The Manitowoc Company, Inc.

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Defendant Applicant - Michael Thomas Pulaski - The Manitowoc Company, Inc.
Defendant Applicant - Keith W. McDaniel - The Manitowoc Company, Inc.
Defendant Applicant - Kevin M. Young - The Manitowoc Company, Inc.

Case Number 17 16 CA Hearing Date: 08/28/2018
STACEY A. RYAN, ET AL.
VERSUS
CALCASIEU PARISH POLICE JURY, ET AL.

Trial Court - Calcasieu
Fourteenth Judicial District Court

Intervenor Appellee - Russell Joseph Stutes, Jr. - Christopher Meyers
Intervenor Appellee - Russell Joseph Stutes, Jr. - Carla Meyers
Defendant Appellee - Patrick Donavon Gallagher, Jr. - Calcasieu Parish Planning
Defendant Appellant - Marshall Joseph Simien, Jr. - Lake Charles Harbor & Termin
Defendant Appellant - Matthew M. Mize - Lake Charles Harbor & Terminal Dist
Defendant Appellee - Terrence D. McCay - Sasol Chemical (USA), LLC
Defendant Appellee - Sarah W. Anderson - Sasol Chemical (USA), LLC
Defendant Appellee - Patrick Donavon Gallagher, Jr. - Calcasieu Parish Police J

Case Number 17 1014 CA Hearing Date: 08/28/2018
MATTHEW M. WALKER
VERSUS
THE MANITOWOC COMPANY, INC., ET. AL.

Lead Case CA 17 0001014 consolidated with CA 18 0000186
Trial Court - Iberia
Sixteenth Judicial District Court

Intervenor Appellee - Dan Boudreaux - Liberty Mutual Insurance Company
Defendant Appellee - John Asley Moore - H & E Equipment Services, Inc.
Defendant Appellee - Steven Bernard Rabalais - Mike Evans Crane Service LLC
Defendant Appellee - Thomas Reginald Hightower, Jr. - The Sanderson Group Inc
Defendant Appellee - Carl William Robicheaux - Northern Crane Service Inc
Plaintiff Appellant - Franklin Glen Shaw - Jim Lee Hankins
Plaintiff Appellant - Michael L. Barras - Jim Lee Hankins
Defendant Appellee - J. Frederick Kessenich - Starr Indemnity and Liability Insur
Defendant Appellee - Paul J. Politz - Leslie Charles Bordelon
Defendant Appellee - Bordelon Equip Co - Leslie Charles Bordelon
Defendant Appellee - Edward Paul Landry - Manitowoc Cranes, LLC
Defendant Appellee - Michael Thomas Pulaski - Manitowoc Cranes, LLC
Defendant Appellee - Keith W. McDaniel - Manitowoc Cranes, LLC
Defendant Appellee - Stanwood R. Duval, Jr. - Stanwood R. Duval Jr.
Defendant Appellee - Douglas William Truxillo - T & T Truck & Crane Service, Inc
Intervenor Appellant - Jake P. Skaggs - Allianz Global Corporate and Specialty Co

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Court of Appeal, Third Circuit
State of Louisiana
Lake Charles

Court Convenes at 9:30AM - CHECK IN BY 9:15AM

Defendant Appellee - Michael Thomas Pulaski - Westchester Fire Insurance Co.
Defendant Appellee - Keith W. McDaniel - Westchester Fire Insurance Co.
Defendant Appellee - John Asley Moore - Travelers Property and Casualty Co.of Am
Intervenor Appellant - John Hatch Hughes - Bayou Welding Works, LLC
Plaintiff Appellant - Franklin Glen Shaw - Matthew M. Walker
Plaintiff Appellant - Michael L. Barras - Matthew M. Walker
Defendant Appellee - Michael Thomas Pulaski - The Manitowoc Company, Inc.
Defendant Appellee - Keith W. McDaniel - The Manitowoc Company, Inc.

Case Number 18 68 CA Hearing Date: 08/28/2018
BRANDON WAYNE OSBORN
VERSUS
JUANITA HOWINGTON

Trial Court - Concordia
Seventh Judicial District Court

Plaintiff Appellant - Richard Tracy Conrad III - Brandon Wayne Osborn
Defendant Appellee - Philip Allan LeTard - Juanita Howington

Case Number 18 108 WCA Hearing Date: 08/28/2018
BEA ANGELLE
VERSUS
CITY OF KAPLAN-KAPLAN POLICE
DEPT.

Trial Court - Lafayette
Office of Workers' Compensation - # 4

Plaintiff Appellant - Theodore Glenn Edwards, IV - Bea Angelle
Defendant Appellee - Christopher Richard Philipp - City of Kaplan-Kaplan Police

Case Number 18 125 CA Hearing Date: 08/28/2018
MITCHELL ROMERO
VERSUS
PRECISION HOLDINGS, LLC, ET AL.

Trial Court - Lafayette
Fifteenth Judicial District Court

Plaintiff Appellee - Jere Jay Bice - Mitchell Romero
Plaintiff Appellee - Chuck David Granger - Mitchell Romero
Plaintiff Appellee - Julia Love Taylor - Mitchell Romero
Defendant Appellant - Paul Joseph Hebert - Precision Holdings, LLC

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Court of Appeal, Third Circuit
State of Louisiana
Lake Charles

Court Convenes at 9:30AM - CHECK IN BY 9:15AM

Defendant Appellant - Michael H. Rubin - Precision Holdings, LLC
Defendant Appellant - Juston M. O'Brien - Precision Holdings, LLC
Defendant Appellant - Michael C. Wynne - Precision Holdings, LLC

Case Number 18 186 CA Hearing Date: 08/28/2018

JIM LEE HANKINS

VERSUS

THE MANITOWOC COMPANY, INC., ET AL.

Lead Case CA 17 0001014 consolidated with CA 18 0000186

Trial Court - Iberia

Sixteenth Judicial District Court

Defendant Appellee - Stanwood R. Duval, Jr. - Stanwood R. Duval Jr.
Intervenor Appellee - Dan Boudreaux - Liberty Mutual Insurance Company
Defendant Appellee - John Asley Moore - H & E Equipment Services, Inc.
Defendant Appellee - John Asley Moore - Travelers Property and Casualty Co.of Am
Defendant Appellee - Michael Thomas Pulaski - Westchester Fire Insurance Co.
Defendant Appellee - Keith W. McDaniel - Westchester Fire Insurance Co.
Defendant Appellee - J. Frederick Kessenich - Starr Indemnity and Liability Insur
Intervenor Appellant - John Hatch Hughes - Bayou Welding Works, LLC
Defendant Appellee - Edward Paul Landry - Manitowoc Cranes, LLC
Defendant Appellee - Michael Thomas Pulaski - Manitowoc Cranes, LLC
Defendant Appellee - Keith W. McDaniel - Manitowoc Cranes, LLC
Plaintiff Appellant - Franklin Glen Shaw - Matthew M. Walker
Plaintiff Appellant - Michael L. Barras - Matthew M. Walker
Intervenor Appellant - Jake P. Skaggs - Allianz Global Corporate and Specialty Co
Defendant Appellee - Steven Bernard Rabalais - Mike Evans Crane Service LLC
Defendant Appellee - Thomas Reginald Hightower, Jr. - The Sanderson Group Inc
Defendant Appellee - Carl William Robicheaux - Northern Crane Service Inc
Defendant Appellee - Paul J. Politz - Leslie Charles Bordelon
Defendant Appellee - Bordelon Equip Co - Leslie Charles Bordelon
Defendant Appellee - Douglas William Truxillo - T & T Truck & Crane Service, Inc
Plaintiff Appellant - Franklin Glen Shaw - Jim Lee Hankins
Plaintiff Appellant - Michael L. Barras - Jim Lee Hankins
Defendant Appellee - Michael Thomas Pulaski - The Manitowoc Company, Inc.
Defendant Appellee - Keith W. McDaniel - The Manitowoc Company, Inc.

Case Number 18 221 CA Hearing Date: 08/28/2018

MATTHEW M. WALKER, ET AL.

VERSUS

THE MANITOWOC COMPANY, INC., ET AL.

Lead Case CW 16 0000897 consolidated with CA 18 0000221

Trial Court - Iberia

Sixteenth Judicial District Court

Official Docket

Court of Appeal, Third Circuit
State of Louisiana
Lake Charles

Court Convenes at 9:30AM - CHECK IN BY 9:15AM

Defendant Appellee - Stanwood R. Duval, Jr. - Stanwood R. Duval Jr.
Intervenor Appellee - Dan Boudreaux - Liberty Mutual Insurance Company
Defendant Appellee - John Asley Moore - H & E Equipment Services, Inc.
Defendant Appellee - John Asley Moore - Travelers Property and Casualty Co.of Am
Defendant Appellant - Michael Thomas Pulaski - Westchester Fire Insurance Co.
Defendant Appellant - Keith W. McDaniel - Westchester Fire Insurance Co.
Defendant Appellee - J. Frederick Kessenich - Starr Indemnity and Liability Insur
Intervenor Appellee - John Hatch Hughes - Bayou Welding Works, LLC
Defendant Appellant - Edward Paul Landry - Manitowoc Cranes, LLC
Defendant Appellant - Michael Thomas Pulaski - Manitowoc Cranes, LLC
Defendant Appellant - Keith W. McDaniel - Manitowoc Cranes, LLC
Plaintiff Appellee - Franklin Glen Shaw - Jim Lee Hankins
Plaintiff Appellee - Michael L. Barras - Jim Lee Hankins
Intervenor Appellee - Jake P. Skaggs - Allianz Global Corporate and Specialty Com
Defendant Appellee - Steven Bernard Rabalais - Mike Evans Crane Service LLC
Defendant Appellee - Thomas Reginald Hightower, Jr. - The Sanderson Group Inc
Defendant Appellee - Carl William Robicheaux - Northern Crane Service Inc
Defendant Appellee - Paul J. Politz - Leslie Charles Bordelon
Defendant Appellee - Bordelon Equip Co - Leslie Charles Bordelon
Defendant Appellee - Douglas William Truxillo - T & T Truck & Crane Service, Inc
Plaintiff Appellee - Franklin Glen Shaw - Matthew M. Walker
Plaintiff Appellee - Michael L. Barras - Matthew M. Walker
Defendant Appellant - Michael Thomas Pulaski - The Manitowoc Company, Inc.
Defendant Appellant - Keith W. McDaniel - The Manitowoc Company, Inc.

Case Number 18 223 CA Hearing Date: 08/28/2018
JIM LEE HANKINS, ET AL.
VERSUS
THE MANITOWOC COMPANY, INC., ET AL.

Lead Case CW 16 0000897 consolidated with CA 18 0000223
Trial Court - Iberia
Sixteenth Judicial District Court

Defendant Appellee - Stanwood R. Duval, Jr. - Stanwood R. Duval Jr.
Intervenor Appellee - Dan Boudreaux - Liberty Mutual Insurance Company
Defendant Appellee - John Asley Moore - H & E Equipment Services, Inc.
Defendant Appellee - John Asley Moore - Travelers Property and Casualty Co.of Am
Defendant Appellant - Michael Thomas Pulaski - Westchester Fire Insurance Co.
Defendant Appellant - Keith W. McDaniel - Westchester Fire Insurance Co.
Defendant Appellee - J. Frederick Kessenich - Starr Indemnity and Liability Insur
Intervenor Appellee - John Hatch Hughes - Bayou Welding Works, LLC
Defendant Appellant - Edward Paul Landry - Manitowoc Cranes, LLC
Defendant Appellant - Michael Thomas Pulaski - Manitowoc Cranes, LLC
Defendant Appellant - Keith W. McDaniel - Manitowoc Cranes, LLC
Intervenor Appellee - Jake P. Skaggs - Allianz Global Corporate and Specialty Com
Defendant Appellee - Steven Bernard Rabalais - Mike Evans Crane Service LLC

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Court of Appeal, Third Circuit
State of Louisiana
Lake Charles

Court Convenes at 9:30AM - CHECK IN BY 9:15AM

Defendant Appellee - Thomas Reginald Hightower, Jr. - The Sanderson Group Inc
Defendant Appellee - Carl William Robicheaux - Northern Crane Service Inc
Defendant Appellee - Paul J. Politz - Leslie Charles Bordelon
Defendant Appellee - Bordelon Equip Co - Leslie Charles Bordelon
Defendant Appellee - Douglas William Truxillo - T & T Truck & Crane Service, Inc
Plaintiff Appellee - Franklin Glen Shaw - Matthew M. Walker
Plaintiff Appellee - Michael L. Barras - Matthew M. Walker
Plaintiff Appellee - Franklin Glen Shaw - Jim Lee Hankins
Plaintiff Appellee - Michael L. Barras - Jim Lee Hankins
Defendant Appellant - Michael Thomas Pulaski - The Manitowoc Company, Inc.
Defendant Appellant - Keith W. McDaniel - The Manitowoc Company, Inc.

Tuesday, August 28, 2018

THE FOLLOWING CASES WILL BE SUBMITTED WITHOUT ORAL ARGUMENT

Case Number 17 959 KA Hearing Date: 08/28/2018
STATE OF LOUISIANA
VERSUS
DIRK DOUGLAS THOMAS
AKA DIRK THOMAS

Trial Court - Iberia
Sixteenth Judicial District Court

Plaintiff Appellee - Hon. M. Bofill Duhe - State of Louisiana
Defendant Appellant - Dirk Douglas Thomas
Defendant Appellant - Chad M. Ikerd - Dirk Douglas Thomas
Defendant Appellant - Dirk Douglas Thomas - Dirk Douglas Thomas
Defendant Appellant - Dirk Thomas - Dirk Douglas Thomas

Case Number 17 970 KA Hearing Date: 08/28/2018
STATE OF LOUISIANA
VERSUS
RUFFIN STOKES

Trial Court - Iberia
Sixteenth Judicial District Court

Plaintiff Appellee - Hon. M. Bofill Duhe - State of Louisiana
Plaintiff Appellee - Robert Clauson Vines - State of Louisiana
Defendant Appellant - Richard Allen Spears - Ruffin Stokes

Case Number 17 1109 KA Hearing Date: 08/28/2018
STATE OF LOUISIANA

Official Docket

Court of Appeal, Third Circuit
State of Louisiana
Lake Charles

Court Convenes at 9:30AM - CHECK IN BY 9:15AM

VERSUS
NICHOLAS JAMES FACIANE
-AKA- NICHOLAS FACIANE

Trial Court - Vermilion
Fifteenth Judicial District Court

Plaintiff Appellee - Hon. Keith A. Stutes - State of Louisiana
Plaintiff Appellee - John V. Ghio - State of Louisiana
Defendant Appellant - Martin Edward Regan Jr. - Nicholas James Faciane
Defendant Appellant - Nicholas Faciane - Nicholas James Faciane

Case Number 17 1110 KA Hearing Date: 08/28/2018
STATE OF LOUISIANA
VERSUS
NICHOLAS JAMES FACIANE
-AKA- NICHOLAS FACIANE

Trial Court - Vermilion
Fifteenth Judicial District Court

Plaintiff Appellee - Hon. Keith A. Stutes - State of Louisiana
Plaintiff Appellee - John V. Ghio - State of Louisiana
Defendant Appellant - Martin Edward Regan Jr. - Nicholas James Faciane
Defendant Appellant - Nicholas Faciane - Nicholas James Faciane

Case Number 17 1111 KA Hearing Date: 08/28/2018
STATE OF LOUISIANA
VERSUS
NICHOLAS JAMES FACIANE
-AKA- NICHOLAS FACIANE

Trial Court - Vermilion
Fifteenth Judicial District Court

Plaintiff Appellee - Hon. Keith A. Stutes - State of Louisiana
Plaintiff Appellee - John V. Ghio - State of Louisiana
Defendant Appellant - Martin Edward Regan Jr. - Nicholas James Faciane
Defendant Appellant - Nicholas Faciane - Nicholas James Faciane

Case Number 17 1112 KA Hearing Date: 08/28/2018
STATE OF LOUISIANA
VERSUS
NICHOLAS FACIANE

Official Docket

Court of Appeal, Third Circuit
State of Louisiana
Lake Charles

Court Convenes at 9:30AM - CHECK IN BY 9:15AM

-AKA- NICHOLAS JAMES FACIANE

Trial Court - Vermilion
Fifteenth Judicial District Court

Plaintiff Appellee - Hon. Keith A. Stutes - State of Louisiana
Plaintiff Appellee - John V. Ghio - State of Louisiana
Defendant Appellant - Martin Edward Regan Jr. - Nicholas Faciane
Defendant Appellant - Nicholas James Faciane - Nicholas Faciane

Case Number 18 58 JAC Hearing Date: 08/28/2018
STATE IN THE INTEREST OF
B. R.
T. L.

Trial Court - St. Martin
Sixteenth Judicial District Court

Other Appellee - Shentell Brown - State of La., Department of Children & Fam. Ser
Other Appellee - Denise Henderson - B. R.
Other Appellee - Denise Henderson - T. L.
Other Appellant - S. Marie Johnson - G. S. (mother)

Case Number 18 96 CA Hearing Date: 08/28/2018
RANDY LEBLANC
VERSUS
FRED ALAN THIBODEAUX, ET AL.

Trial Court - St. Martin
Sixteenth Judicial District Court

Defendant Appellee - Jacques P. Soileau - Virginia Thibodeaux
Plaintiff Appellant - Harold D. Register, III - Randy LeBlanc
Defendant Appellee - Jacques P. Soileau - Fred Alan Thibodeaux
