

NOTICE OF SIGNING

ADRIUM PARKER

Versus

CAJUN OPERATING COMPANY, ET AL



Case: 00001042342

Division: A

18th Judicial District Court

Parish of West Baton Rouge

State of Louisiana

*TO: DOUGLAS K FOSTER
KATHRYN TREW*

*THIS IS TO ADVISE YOU THAT THE HONORABLE J KEVIN KIMBALL, JUDGE OF OUR SAID COURT,
SIGNED ON DECEMBER 19, 2018 AND FILED ON DECEMBER 20, 2018, A RULING IN THE ABOVE
MATTER WITH A CERTIFIED COPY OF SAID RULING BEING ATTACHED HERETO.*

*I HEREBY CERTIFY THAT A COPY OF THE NOTICE OF SIGNING WAS MAILED TO ALL COUNSEL OF
RECORD IN THE ABOVE MATTER, LISTED HEREIN, ON DECEMBER 20, 2018.*

Delisa Helbert
Deputy Clerk of Court
Hon. Mark J. Graffeo, Clerk of Court
18th JDC/West Baton Rouge
PO Box 107
Port Allen, LA 70767

Attorney:

JUDGES ORDER

[RETURN COPY]

18th JUDICIAL DISTRICT COURT
PARISH OF WEST BATON ROUGE
STATE OF LOUISIANA

DOCKET NO.: 42342

DIVISION "A"

ADRIUM PARKER

V.

CAJUN OPERATING COMPANY (OF DELAWARE) d/b/a CHURCH'S CHICKEN and
ABC INSURANCE COMPANY

RULING

Before this Court is a Motion for Summary Judgment filed on behalf of Defendant, Cajun Operating Company, which has been opposed by Plaintiff, Adrium Parker. Following oral arguments on December 5, 2018, this Court ordered post hearing briefs and took the matter under advisement. At the time of the hearing, the Court did not have the benefit of having read the deposition of a witness, Brandy Givens, that was introduced at the hearing. Having carefully considered parties' oral arguments, memoranda, and evidence, this Court makes the following ruling.

Plaintiff seeks damages for a slip and fall that occurred at Church's Chicken in Port Allen, which took place in 2014. This Court recognizes that the burden of proof in a slip and fall case is set forth in LA. R.S. 9:2800.6. Considering the arguments and evidence, this Court does not find that Plaintiff met her burden of proof, as there is no evidence that Church's or any of its employees created or had any type of notice of the condition or that Church's or any of its employees failed to exercise reasonable care. Furthermore, this Court adopts reasons stated in Defendant's memoranda filed in conjunction with this motion as its own reasons for ruling.

Therefore, the Cajun Operating Company's Motion for Summary Judgment is hereby GRANTED. Defendant shall submit judgment accordingly.

JUDGMENT RENDERED, READ AND SIGNED, in chambers, on this this 19th day
of Dec., 2018.


JUDGE J. KEVIN KIMBALL
18th JUDICIAL DISTRICT COURT, DIV "A"

CLERK: PLEASE SEND NOTICE TO ALL COUNSEL AND PRO SE PARTIES OF
RECORD

SEAL OF THE CLERK OF COURT
18th JUDICIAL DISTRICT COURT, DIV "A"
WEST BATON ROUGE, LA
CERTIFIED
TRUE COPY

DEC 20 2018


DEBRA HELBERT
DEPUTY CLERK
WEST BATON ROUGE PARISH