

SHARON ARWAY, INDIVIDUALLY AND AS TUTRUX OF HER MINOR CHILDREN, ANDREW ARWAY, JR. TERRA NICOLE ARWAY and JOSHUA ARWAY

NUMBER: 519,214 DIVISION: 8
19TH JUDICIAL DISTRICT COURT

VERSUS

PARISH OF EAST BATON ROUGE

TROOPER PHILLIP TAGLIARINO, THE LOUISIANA OFFICE OF STATE POLICE and THE STATE OF LOUISIANA

STATE OF LOUISIANA

MEMORANDUM IN SUPPORT OF RULE TO SHOW CAUSE WHY JUDGMENT SHOULD NOT BE ENTERED IN ACCORDANCE WITH JURY VERDICT AT PLAINTIFFS' COSTS

NOW INTO COURT, through undersigned counsel, come defendants, Trooper Phillip Tagliarino, the Louisiana Office of State Police and the State of Louisiana, who move, pursuant to Louisiana Civil Code Article 1920 for entry of judgment pursuant to the jury verdict in this matter, with costs to be assessed against the plaintiffs, for the following reasons.

On June 12, 2017, this matter went to trial, ending in a jury verdict in favor of the defendants on June 16, 2017. Thereafter, a judgment was circulated by the undersigned in accordance with the jury's verdict with costs assessed against the plaintiffs, as the defendants were the prevailing parties. Plaintiffs' counsel submitted correspondence indicating that judgment should be in accordance with the jury verdict; however, reflecting that each party would bear its own costs. Counsel for defendants has submitted a judgment in accordance with the jury verdict, but as prevailing parties, believes they are entitled to have this matter dismissed at the cost of plaintiffs.


Louisiana Code of Civil Procedure Article 1920 provides that:

Unless the judgment provides otherwise, costs shall be paid by the party cast and may be taxed by rule to show cause.


For these reasons, it is respectfully requested that judgment be signed by this matter in accordance with the verdict of the jury in favor of the defendants and at plaintiffs' costs.

Respectfully submitted,

JEFF LANDRY
Attorney General

By: 
ANDREW BLANCHFIELD (#16812)
Email: ablanchfield@keoghcox.com
C. REYNOLDS LEBLANC (#33937)
BRENT J. COBB (#34491)
CHELSEA A. PAYNE (#35952)
Special Assistant Attorneys General
701 Main Street (70802)
Post Office Box 1151
Baton Rouge, Louisiana 70821
Telephone: (225) 383-3796
Facsimile: (225) 343-9612



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