

06/21/02 “See News Release 052 for any concurrences and/or dissents.”

SUPREME COURT OF LOUISIANA

NO. 01-C-2297

J. Jude QUEBEDEAUX and Wendy Quebedeaux

versus

**The DOW CHEMICAL COMPANY and John Dandridge, Reliance
Insurance Co. and Dorinco Reinsurance Co.**

CALOGERO, Chief Justice concurs and assigns reasons:

I concur in the result for the basic reason that Louisiana Civil Code article 2320 holds employers liable “for the damage occasioned by their servants” and here, Mr. Quebedaux was fired for his own involvement in a fight, not solely because of the actions of Mr. Dandridge. I find no need, nor do I think it to be correct to hold as the majority has, that “the primary policies supporting vicarious liability, must give way to the employment-at-will doctrine.” For the foregoing reasons, I respectfully concur.