

02/01/02 "See News Release 008 for any concurrences and/or dissents."
SUPREME COURT OF LOUISIANA

NO. 01-CC-2908

MARK A. BATES

V.

ERROLL THOMAS, ET AL.

PER CURIAM

Granted. While we find no abuse of discretion in the trial court's judgment sanctioning defendant Erroll Thomas for failure to comply with discovery, the sanction chosen by the trial court (entry of judgment by default on the issue of liability) has an adverse effect on the other defendants under the unique facts of this case. Accordingly, the judgment of the trial court is vacated and the case is remanded to the trial court for a less drastic sanction that does not adversely affect the other defendants.