

04/11/2007 “See News Release 026 for any Concurrences and/or Dissents.”

SUPREME COURT OF LOUISIANA

No. 2007-CC-0693

STEVEN and LYNN PLOTKIN

VERSUS

BROADMOOR, L.L.C., ET AL.

**ON WRIT OF CERTIORARI TO THE COURT OF APPEAL
FOURTH CIRCUIT, PARISH OF ORLEANS**

PER CURIAM

Writ granted. The decision of the court of appeal to grant the plaintiffs’ motion to strike the jury is reversed and the trial court’s ruling denying the motion to strike the jury is reinstated for the reasons explained by the trial court. See Berrigan v. Deutsch, Kerrigan & Stiles, 04-0189 (La. 3/26/04)71 So.2d 332, citing State v. Walker, 95-0185 (La. 6/30/95), 658 So.2d 190 (the right of a litigant to a jury trial is fundamental in character and the courts will indulge every presumption against a waiver, loss, or forfeiture).