

SUPREME COURT OF LOUISIANA

19-C-1136

CHAD LANGLINAIS AND WENDY LEJEUNE

V.

DERRICK LEBLANC, ET AL.

**ON WRIT OF CERTIORARI TO THE COURT OF APPEAL,
THIRD CIRCUIT, PARISH OF CALCASIEU**

Crichton, J., would grant and assigns reasons:

I would grant the application of defendants Derrick LeBlanc and the Calcasieu Parish Police Jury. This Court has consistently found JNOVs to have been improperly granted where witnesses exhibit substantial credibility issues that are properly resolved by a jury. *See, e.g., Davis v. Wal-Mart Stores, Inc.*, 2000-0445 (La. 11/28/00), 774 So. 2d 84 (reinstating jury verdict, noting inconsistencies in testimony and the “serious credibility issues” the jury had to resolve); *VaSalle v. Wal-Mart Stores, Inc.*, 2001-642 (La. 11/28/01), 801 So. 2d 331 (reinstating jury verdict, observing that plaintiff’s “credibility was seriously challenged and called into question”); *Trunk v. Med. Center of La.*, 2004-181 (La. 10/19/04), 885 So. 2d 534 (reinstating jury verdict, citing “conflicting” evidence and challenges to the plaintiff’s credibility); *Pitts v La. Med. Mut. Ins. Co.*, 2016-1232 (La. 3/15/17) 218 So. 3d 58 (affirming court of appeal’s reinstatement of jury verdict, noting the “considerable disagreement” among experts). Given the rampant inconsistencies in the plaintiffs’ testimony, raising significant credibility issues, as well as the conflicting medical evidence presented, I would grant this writ and reinstate the jury verdict.