

11/05/2019 "See News Release 046 for any Concurrences and/or Dissents."

SUPREME COURT OF LOUISIANA

No. 2019-CC-01419

TRAYNOR FREEMAN

VS.

**WESTLAKE VINYL COMPANY, LP, WESTLAKE VINYL, INC.
(LOUISIANA), WESTLAKE VINYL CORPORATION AND STAR
SERVICE, INC. OF BATON ROUGE**

**ON SUPERVISORY WRIT TO THE 23RD JUDICIAL DISTRICT COURT,
PARISH OF ASCENSION**

CRICHTON, J., would grant and assigns reasons:

I would grant to determine the correctness of the trial court's denial of defendant's motion for summary judgment. The issue presented is whether defendant's alleged contribution to an explosion is a cause-in-fact and legal cause of plaintiff's slip and fall where plaintiff admittedly did not witness the explosion. I therefore believe the question of whether the explosion is the legal cause of plaintiff's injuries is particularly worthy of this Court's attention. *See Todd v. State, Dep't of Soc. Services, Office of Cmty Services*, 96-3090, p. 6–7 (La. 9/9/97), 699 So. 2d 35, 39 (“[W]hereas the question of cause-in-fact involves a factual determination, the determination of legal cause involves a purely legal question.”) (internal citations omitted). Thus, I would grant this application, assign the case for briefing, and allow the parties to request oral argument pursuant to La. C.C.P. art. 966(H).