

SUPREME COURT OF LOUISIANA

No. 96-C-2913

c/w

96-C-2917

c/w

96-C-2929

KENNETH E. FORD, et al.

Versus

MURPHY OIL USA, INC., et al.

**ON WRIT OF CERTIORARI
FOURTH CIRCUIT COURT OF APPEAL**

JOHNSON, Justice

I respectfully dissent. Plaintiffs filed suit against Mobil Oil, Murphy Oil, ChemCat Corp. and Calciner Industries for property damages and personal injuries allegedly caused by various noxious emissions from these four plants in St. Bernard Parish. There probably would be further hearings needed to properly define the class, but I believe that this case should be able to proceed as a class action. Without adequate discovery, this court has concluded that there is no commonality between the emissions, and the injuries plaintiffs complain of.

