

# Supreme Court of Louisiana

## OFFICIAL DOCKET

### IMPORTANT NOTICE

The Rules of court provide that the time period for oral argument will be allotted in the following fashion: Forty minutes divided equally between the opposing parties in lawyer discipline cases and all criminal cases except capital cases; Sixty minutes divided equally between the opposing parties in civil cases and Judiciary Commission matters; Eighty minutes divided equally between the opposing parties in capital cases. Additional time may be allotted, but only for good cause upon request made in advance of argument.

MONDAY, MARCH 18, 2013

2:00 P.M. SESSION

ALL COUNSEL ARE REQUIRED TO REPORT TO THE COURT CRIER FIFTEEN (15)  
MINUTES PRIOR TO THE CONVENING OF COURT

**2011-OB-2325**

IN RE: JESS WOOD

BAR ADMISSIONS PROCEEDING

Jess Wood (In Proper Person);  
SPELL & SPELL,  
Doyle Spell, Jr.;  
For Applicant;

COMMITTEE ON BAR ADMISSIONS,  
Monique Rene Drake;  
SCHEUERMANN & JONES, LLC,  
Lawrence Joseph Centola, Jr.;  
For Respondent.

**2012-OB-1095**

IN RE: KIRK PATRICK ROBERTSON, JR.

BAR ADMISSIONS PROCEEDING

Kirk Patrick Robertson, Jr.(In Proper Person);  
Donald Whitehead North;  
For Applicant;

COMMITTEE ON BAR ADMISSIONS,  
Monique Rene Drake;  
SCHEUERMANN & JONES, LLC,  
Lawrence Joseph Centola, Jr.;  
For Respondent.

POSTED: FEBRUARY 1, 2013

# Supreme Court of Louisiana

MONDAY, MARCH 18, 2013

2:00 P.M. SESSION

**2012-K -1296**

STATE OF LOUISIANA VS. JOE BOB CLARK

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, FIFTH  
CIRCUIT, PARISH OF JEFFERSON

Possible Summary  
Disposition

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General,  
Emma Devillier, Assistant Attorney General,  
Colin Andrew Clark, Assistant Attorney General;  
JEFFERSON PARISH DISTRICT ATTORNEY'S OFFICE,  
Hon. Paul D. Connick, Jr., District Attorney,  
Terry Michael Boudreaux, Assistant District Attorney;  
For Applicant;

LOUISIANA APPELLATE PROJECT,  
Gwendolyn Kay Brown;  
For Respondent.

**2012-C -2292**

CYNTHIA FRY PEIRONNET AND ELIZABETH FRY FRANKLIN VS.  
MATADOR RESOURCES COMPANY

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, SECOND  
CIRCUIT, PARISH OF CADDO

JONES, WALKER, WAECHTER, POITEVENT, CARRERE & DENEGRÉ,  
Michael Beatty Donald;  
LISKOW & LEWIS, PLC,  
Lawrence Paul Simon, Jr.,  
Robert Louis Theriot;  
WIENER, WEISS & MADISON, APC,  
John M. Madison, Jr.;  
PATTON BOGGS, LLP,  
David Patrick Long, Pro Hac Vice;  
For Applicant;

DAVIDSON, JONES & SUMMERS, APLC,  
Randall Stephen Davidson,  
Allison Anne Jones,  
Grant Ernest Summers,  
William Lake Hearne, Jr.;  
PHELPS DUNBAR, LLP,  
Harry Alston Johnson, III,  
Daina Bray;  
PORTER & HEDGES, LLP,  
Eugene M. Nettles, Pro Hac Vice,  
M. Harris Stamey, Pro Hac Vice;  
For Respondent.

CONSOLIDATED WITH NO. 2012-C -2377

# Supreme Court of Louisiana

MONDAY, MARCH 18, 2013

2:00 P.M. SESSION

2012-C -2377 CYNTHIA FRY PEIRONNET AND ELIZABETH FRY FRANKLIN VS.  
MATADOR RESOURCES COMPANY

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, SECOND  
CIRCUIT, PARISH OF CADDO

PHELPS DUNBAR, LLP,  
Harry Alston Johnson, III,  
Daina Bray;  
PORTER & HEDGES, LLP,  
Eugene M. Nettles, Pro Hac Vice,  
M. Harris Stamey, Pro Hac Vice;  
For Applicant;

DAVIDSON, JONES & SUMMERS,  
Randall Stephen Davidson,  
Allison Anne Jones,  
Grant Ernest Summers,  
William Lake Hearne, Jr.;  
JONES, WALKER, WAECHTER, POITEVENT, CARRERE & DENEGRÉ,  
Michael Beatty Donald;  
LISKOW & LEWIS, PLC,  
Lawrence Paul Simon, Jr.,  
Robert Louis Theriot;  
WIENER, WEISS & MADISON, APC,  
John M. Madison, Jr.;  
PATTON BOGGS, LLP,  
David Patrick Long, Pro Hac Vice;  
For Respondent.

# Supreme Court of Louisiana

## OFFICIAL DOCKET

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TUESDAY, MARCH 19, 2013

9:30 A.M. SESSION

ALL COUNSEL ARE REQUIRED TO REPORT TO THE COURT CRIER FIFTEEN (15) MINUTES PRIOR TO THE CONVENING OF COURT

**2012-KA-2243**

STATE OF LOUISIANA VS. TIMOTHY BAZILE

ON APPEAL FROM THE NINETEENTH JUDICIAL DISTRICT COURT FOR THE PARISH OF EAST BATON ROUGE

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General,  
Colin Andrew Clark, Assistant Attorney General,  
James David Caldwell, Jr., Assistant Attorney General;  
EAST BATON ROUGE DISTRICT ATTORNEY'S OFFICE,  
Hon. Hillar Clement Moore, III, District Attorney,  
Dylan Christopher Alge, Assistant District Attorney,  
David Gardner deBlieux, Assistant District Attorney;  
For Appellant;

ANTWINE LAW FIRM, LLC,  
Jarvis Martez Antwine;  
For Appellee.

**2012-C -2369**

JAMES KEYS VS. REPUBLIC SERVICES - AL OF SCOTT

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, THIRD CIRCUIT, OFFICE OF WORKERS' COMPENSATION, DISTRICT 4

Argument Limited to  
Fifteen Minutes  
Each Side

BREAZEALE, SACHSE & WILSON, LLP,  
Trenton John Oubre,  
Nicholas Ryan Bursavich,  
Joseph John Cefalu III;  
For Applicant;

Howard C. Dejean;  
For Respondent.

POSTED: FEBRUARY 1, 2013

# Supreme Court of Louisiana

TUESDAY, MARCH 19, 2013

9:30 A.M. SESSION

2012-C -2447

"BUDDY" CALDWELL, ATTORNEY GENERAL EX REL. STATE OF  
LOUISIANA VS. JANSSEN PHARMACEUTICAL, INC., ET AL.

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, THIRD  
CIRCUIT, PARISH OF ST. LANDRY

Pascal F. Calogero, Jr;  
ADAMS AND REESE, LLP,  
Martin A. Stern,  
Jeffrey Edward Richardson;  
IRWIN FRITCHIE URQUHART & MOORE, LLC,  
James Burke Irwin,  
David O'Quinn;  
James T. Guglielmo;  
For Applicant;

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General,  
Lonnie Christopher Styron, Assistant Attorney General;  
Kenneth Warren DeJean;  
MORROW, MORROW, RYAN & BASSETT,  
Patrick Craig Morrow, Sr.,  
James P. Ryan,  
Jeffrey Michael Bassett;  
SALIM-BEASLEY, LLC,  
Robert Lyle Salim;  
BAILEY, PERRIN, BAILEY, LLP,  
Micheal W. Perrin, Pro Hac Vice;  
For Respondent.

C/W:

2012-C -2466

"BUDDY" CALDWELL, ATTORNEY GENERAL EX REL. STATE OF  
LOUISIANA VS. JANSSEN PHARMACEUTICAL, INC., ET AL

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, THIRD  
CIRCUIT, PARISH OF ST. LANDRY

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General,  
Lonnie Christopher Styron, Assistant Attorney General;  
Kenneth Warren DeJean;  
MORROW, MORROW, RYAN & BASSETT,  
Patrick Craig Morrow, Sr.,  
James P. Ryan,  
Jeffrey Michael Bassett;  
SALIM-BEASLEY, LLC,  
Robert Lyle Salim;  
BAILEY, PERRIN, BAILEY, LLP,  
Micheal W. Perrin, Pro Hac Vice;  
For Applicant;

Pascal F. Calogero, Jr;  
ADAMS AND REESE, LLP,  
Martin A. Stern,  
Jeffrey Edward Richardson;  
IRWIN FRITCHIE URQUHART & MOORE, LLC,  
James Burke Irwin,  
David O'Quinn;  
James T. Guglielmo;  
For Respondent;

# Supreme Court of Louisiana

TUESDAY, MARCH 19, 2013

2:00 P.M. SESSION

ALL COUNSEL ARE REQUIRED TO REPORT TO THE COURT CRIER FIFTEEN (15)  
MINUTES PRIOR TO THE CONVENING OF COURT

**2012-CJ-2709** PHILLIP RAY MULKEY VS. VICKI JUANITA HARRIS MULKEY

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, SECOND  
CIRCUIT, PARISH OF FRANKLIN

John Scott Sartin;  
For Applicant;

THE LAW OFFICES OF CHRIS L. BOWMAN,  
Chris Lane Bowman;  
For Respondent.

**2013-CA-0120** LOUISIANA FEDERATION OF TEACHERS, EAST BATON ROUGE  
FEDERATION OF TEACHERS, JEFFERSON FEDERATION OF  
TEACHERS, JILLIAN E. ALEXANDER & BILLIE J. SMITH VS.  
STATE OF LOUISIANA & THE BOARD OF ELEMENTARY AND  
SECONDARY EDUCATION

ON APPEAL FROM THE NINETEENTH JUDICIAL DISTRICT COURT  
FOR THE PARISH OF EAST BATON ROUGE

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General;  
FAIRCLOTH LAW GROUP, LLC,  
Jimmy Roy Faircloth, Jr.,  
Barbara Bell Melton;  
For Appellant;

BLACKWELL & ASSOCIATES,  
Brian Francis Blackwell;  
FUNDERBURK & HERPIN,  
James Isaac Funderburk;  
ROBEIN, URANN, SPENCER, PICARD & CANGEMI, APLC,  
Louis L. Robein;  
RITTENBERG, SAMUEL & PHILLIPS, LLC,  
Charles Mayer Samuel, III;  
HAMMONDS & SILLS,  
Robert Lloyd Hammonds;  
THE LAW OFFICES OF PATRICK AMEDEE,  
Patrick Michael Amedee;  
For Appellee.

CONSOLIDATED WITH NO. 2013-CA-0232 AND 2013-CA-0350

POSTED: FEBRUARY 1, 2013; REVISED: MARCH 5, 2013;  
REVISED: MARCH 14, 2013

# Supreme Court of Louisiana

TUESDAY, MARCH 19, 2013

2:00 P.M. SESSION

**2013-CA-0232** LOUISIANA FEDERATION OF TEACHERS, EAST BATON ROUGE  
FEDERATION OF TEACHERS, JEFFERSON FEDERATION OF  
TEACHERS, JILLIAN E. ALEXANDER & BILLIE J. SMITH VS.  
STATE OF LOUISIANA & THE BOARD OF ELEMENTARY AND  
SECONDARY EDUCATION

ON APPEAL FROM THE NINETEENTH JUDICIAL DISTRICT COURT  
FOR THE PARISH OF EAST BATON ROUGE

Arif Panju, Pro Hac Vice;  
William R. Maurer, Pro Hac Vice;  
William H. Mellor, Pro Hac Vice;  
Richard D. Komer, Pro Hac Vice;  
GORDON, ARATA, MCCOLLAM, DUPLANTIS & EAGAN, LLC,  
Arthur Gregory Grimsal,  
Frank P. Simoneaux,  
Elizabeth A. Spurgeon;  
For Appellant;

BLACKWELL & ASSOCIATES,  
Brian Francis Blackwell;  
FUNDERBURK & HERPIN,  
James Isaac Funderburk;  
ROBEIN, URANN, SPENCER, PICARD & CANGEMI, APLC,  
Louis L. Robein;  
RITTENBERG, SAMUEL & PHILLIPS, LLC,  
Charles Mayer Samuel, III;  
HAMMONDS & SILLS,  
Robert Lloyd Hammonds;  
THE LAW OFFICES OF PATRICK AMEDEE,  
Patrick Michael Amedee;  
For Appellee.

CONSOLIDATED WITH NO. 2013-CA-0120 AND 2013-CA-0350

# Supreme Court of Louisiana

TUESDAY, MARCH 19, 2013

2:00 P.M. SESSION

**2013-CA-0350** LOUISIANA FEDERATION OF TEACHERS, EAST BATON ROUGE  
FEDERATION OF TEACHERS, JEFFERSON FEDERATION OF  
TEACHERS, JILLIAN E. ALEXANDER & BILLIE J. SMITH VS.  
STATE OF LOUISIANA & THE BOARD OF ELEMENTARY AND  
SECONDARY EDUCATION

ON APPEAL FROM THE NINETEENTH JUDICIAL DISTRICT COURT  
FOR THE PARISH OF EAST BATON ROUGE

BLACKWELL & ASSOCIATES,  
Brian Francis Blackwell;  
FUNDERBURK & HERPIN,  
James Isaac Funderburk;  
ROBEIN, URANN, SPENCER, PICARD & CANGEMI, APLC,  
Louis L. Robein;  
RITTENBERG, SAMUEL & PHILLIPS, LLC,  
Charles Mayer Samuel, III;  
HAMMONDS & SILLS,  
Robert Lloyd Hammonds;  
THE LAW OFFICES OF PATRICK AMEDEE,  
Patrick Michael Amedee;  
For Appellant;

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General;  
FAIRCLOTH LAW GROUP, LLC,  
Jimmy Roy Faircloth, Jr.,  
Barbara Bell Melton;  
Arif Panju, Pro Hac Vice;  
William R. Maurer, Pro Hac Vice;  
William H. Mellor, Pro Hac Vice;  
Richard D. Komer, Pro Hac Vice;  
GORDON, ARATA, MCCOLLAM, DUPLANTIS & EAGAN, LLC,  
Arthur Gregory Grimsal,  
Frank P. Simoneaux,  
Elizabeth A. Spurgeon;  
For Appellee.

CONSOLIDATED WITH NO. 2013-CA-0120 AND 2013-CA-0232



# Supreme Court of Louisiana

TUESDAY, MARCH 19, 2013

2:00 P.M. SESSION

2013-CA-0499

THE RETIRED STATE EMPLOYEES ASSOCIATION, FRANK LUCIEN JOBERT, JR., DUDLEY ANTHONY GAUTREAUX, BENNY GLYNN HARRIS, FRANCES DIANNE LANDREAUX GUILLOT AND LORRAINE SIMMONS TROTTER VS. THE STATE OF LOUISIANA, HONORABLE BOBBY JINDAL, IN HIS OFFICIAL CAPACITY AS GOVERNOR OF THE STATE OF LOUISIANA; AND HONORABLE JOHN NEELY KENNEDY, IN HIS OFFICIAL CAPACITY AS TREASURER OF THE STATE OF LOUISIANA

ON APPEAL FROM THE NINETEENTH JUDICIAL DISTRICT COURT FOR THE PARISH OF EAST BATON ROUGE

TAYLOR, PORTER, BROOKS & PHILLIPS, LLP,  
Harry Joseph Philips, Jr.;  
BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, PC,  
Gregory E. Bodin,  
John B. Davis,  
Andrew C. Kolb,  
Mackenzie Smith Ledet;  
James Harold Napper, II;  
For Appellant;

TARCZA & ASSOCIATES, LLC,  
Robert Emmett Tarcza,  
James Edmund Thompson, III;  
Robert D. Klausner, Pro Hac Vice;  
For Appellee.