

09/29/2006 "See News Release 055 for any Concurrences and/or Dissents."

SUPREME COURT OF LOUISIANA

NO. 2006-C-1017

KENDRITH NICHOLS AND ONNIE NICHOLS

versus

STATE FARM FIRE & CASUALTY CO.

ON REHEARING

PER CURIAM

REHEARING GRANTED; CASE REMANDED TO TRIAL COURT. On original hearing this Court affirmed that portion of the appellate court's opinion which set aside the \$95,000.00 judgment the trial court granted in favor of Kendrith Nichols and Onnie Nichols. However, we reversed that portion of the judgment that remanded the case to the trial court for the taking of additional evidence. Upon further consideration of this matter, we grant rehearing, vacate our judgment of July 10, 2006, and deny the writ application of State Farm Fire & Casualty Co. Accordingly, we reinstate the appellate court decision styled Kendrith Nichols and Onnie Nichols v. State Farm Fire & Cas. Co., 05-1349 (La. App. 3 Cir. 4/5/06), 926 So. 2d 165, and remand this matter to the trial court in accordance with the appellate court decision.