

SUPREME COURT OF LOUISIANA

No. 2010-C-2463

**PATRICK RUSSO, JANICE RUSSO, INDIVIDUALLY AND ON BEHALF
OF THEIR MINOR CHILD PATRICK R. RUSSO AND ASHLEY RUSSO
AND RUSSELL RUSSO**

VERSUS

DR. STEVEN KRAUS

**ON WRIT OF CERTIORARI TO THE COURT OF APPEAL,
FOURTH CIRCUIT, PARISH OF ORLEANS**

ORDER

Writ granted. In light of the defendants' stipulation to the latency of Janice Russo's disease and this Court's prior findings concerning the existence of a medical malpractice insurance crisis in the 1970s, the Court of Appeal erred in reversing the District Court's judgment and remanding this matter for a *Sibley v. Board of Supervisors of Louisiana State University*, 477 So.2d 1094 (La. 1985), hearing on these issues. *See Crier v. Whitecloud*, 496 So.2d 305, 308-09 (La. 1986); *see also, Branch v. Willis-Knighton Medical Center*, 92-3086, pp. 9-10 (La. 4/28/94), 636 So.2d 211, 215, overruled on other grounds in *David v. Our Lady of the Lake Hospital*, 02-2675 (La. 07/02/03), 849 So.2d 38. Accordingly, the judgment of the Court of Appeal is hereby reversed, and the judgment of the District Court is hereby reinstated.