

SUPREME COURT OF LOUISIANA

No. 14-C-2594

KRISTY BAILEY

VERSUS

**DAVID R. LEBLANC, MACRO OIL COMPANY, INC.,
AND GREENWICH INSURANCE COMPANY**

**ON WRIT OF CERTIORARI TO THE COURT OF APPEAL,
THIRD CIRCUIT, PARISH OF LAFAYETTE**

CRICHTON, J., would grant and assigns reasons.

It is my opinion that the jury had a “reasonable factual basis” for its refusal to award damages for continued treatment of the plaintiff’s neck and back, for the reasons explained in Judge Conery’s concurrence. *Bailey v. LeBlanc*, 2014-267 (La. App. 3 Cir. 11/12/14), 151 So. 3d 1004, 1014 (Conery, J., concurring). *See also Stobart v. State Dep’t of Transp. and Dev.*, 617 So. 2d 880, 882 (La. 1993) (appellate court may not set aside a jury’s finding of fact unless it finds that “a reasonable factual basis does not exist for the finding”). Because the jury had a reasonable factual basis for its determination, I believe the Court of Appeal was wrong to reverse on this issue.