

SUPREME COURT OF LOUISIANA

NO. 2015-C-0258

CARLA LOUISE PARKER

VERSUS

**STATE OF LOUISIANA, LOUISIANA STATE UNIVERSITY
HEALTH SCIENCES CENTER - NEW ORLEANS, MEDICAL
CENTER OF LOUISIANA AT NEW ORLEANS A/K/A MCLNO
AND BOARD OF SUPERVISORS OF LOUISIANA STATE
UNIVERSITY AND AGRICULTURAL AND MECHANICAL
COLLEGE D/B/A LEONARD J. CHABERT MEDICAL CENTER
AND JOHN LUKE, III, M.D.**

**ON WRIT OF CERTIORARI TO THE COURT OF APPEAL,
FIRST CIRCUIT, PARISH OF TERREBONNE**

Crichton, J., additionally concurring:

I agree with the majority's denial of the writ in this matter. I write separately to emphasize the importance of complying with the rules concerning opposing affidavits and memoranda. La. District Court Rule 9.9 provides the following mandatory instruction: "[a] party who opposes an exception or motion **shall** concurrently furnish the trial judge and serve all other parties an opposition memorandum at least eight calendar days before the scheduled hearing." Furthermore, La. C.C.P. art. 966(B) similarly states that if an opposing party chooses to serve affidavits, those affidavits and supporting memoranda **shall** be served pursuant to Article 1313 "within the time limits provided in District Court Rule 9.9." (emphasis provided).

Non-compliance with District Court Rule 9.9 and La. C.C.P. art. 966(B) is unfortunately frequent, but the consequences, as evidenced in this case, can be fatal.

