

The Supreme Court of the State of Louisiana

HENRY PETE

No. 2023-C-00170

VS.

**BOLAND MARINE AND MANUFACTURING
COMPANY, LLC, ET AL.**

IN RE: Ports America Gulfport, Inc. - Applicant Defendant; Applying For Writ Of
Certiorari, Parish of Orleans Civil, Orleans Civil District Court Number(s) 2019-
10545, Court of Appeal, Fourth Circuit, Number(s) 2021-CA-0626;

April 18, 2023

Writ application granted - see briefing notice and Order.

JDH

JLW

SJC

JTG

WJC

JBM

PDG

Supreme Court of Louisiana

April 18, 2023



Chief Deputy Clerk of Court
For the Court



Supreme Court
STATE OF LOUISIANA
New Orleans

CHIEF JUSTICE

JOHN L. WEIMER

JUSTICES

WILLIAM J. CRAIN

SCOTT J. CRICHTON

JAMES T. GENOVESE

JAY B. MCCALLUM

JEFFERSON D. HUGHES III

PIPER D. GRIFFIN

Sixth District

First District

Second District

Third District

Fourth District

Fifth District

Seventh District

VERONICA O. KOCLANES
CLERK OF COURT

400 Royal St., Suite 4200
NEW ORLEANS, LA 70130-8102

TELEPHONE (504) 310-2300
HOME PAGE <http://www.lasc.org>

April 18, 2023

2023-C-00170

HENRY PETE VS. BOLAND MARINE AND
MANUFACTURING COMPANY, LLC, ET AL.

NOTE: FOR BRIEFING PURPOSES WRIT GRANTED April 18, 2023

Please be advised that the above-captioned matter will be set for oral argument on this Court's next available docket. A copy of the official docket with the specific date and time of oral argument will be provided.

Please note, Section 8 of Rule VII of the Rules of this Court provides that the applicant or relator, as the case may be, must file their briefs on or before **May 15, 2023**; and the respondent on or before **June 2, 2023**.

Briefing in this matter shall be limited to the issue of quantum.

Oral argument will be waived if brief is untimely filed. Briefs submitted on legal sized paper should be fastened at the top. All briefs should be backed with the customary "Blueback" or other flexible material. In criminal proceedings, the court directs that counsel must file a brief. Failure to do so may subject counsel to a penalty of contempt of Court.

It is further provided in Rule VII, Section 9 that briefs sent through the mail shall be deemed timely filed if mailed on or before the due date. If the brief is received by mail on the first legal day following the expiration of the delay, there shall be a rebuttable presumption that it was timely filed. In all cases where the presumption does not apply, the timeliness of the mailing shall be shown only by an official United States postmark or by official receipt or certificate from the United States Postal Service, or bona fide commercial mail services such as Federal Express or United Parcel Service, made at the time of mailing which indicates the date thereof. Any other date stamp, such as a private commercial mail meter stamp, or label from an Automated Postal Center, shall not be used to establish timeliness.

Briefs forwarded by private delivery or courier service shall be deemed timely filed only if received by the clerk on or before the last day of the delay for filing.

With kindest regards, I remain,

Very truly yours,

Katie Marjanovic
Katie Marjanovic
Chief Deputy Clerk

KM: RC

ccs: All Counsel

Hon. Ethel Simms Julien

Hon. Chelsey Richard Napoleon

Hon. Justin I. Woods, Clerk

Orleans Civil District Court: 2019-10545

Court of Appeal, Fourth Circuit: 2021-CA-0626

SUPREME COURT OF LOUISIANA

No. 2023-C-00170

HENRY PETE

VERSUS

**BOLAND MARINE AND MANUFACTURING
COMPANY, LLC, ET AL.**

On Writ of Certiorari and/or Review;
Civil District Court, Parish of Orleans, No. 2019-10545;
Court of Appeal, Fourth Circuit, No. 2021-CA-0626.

And, whereas, the Court has this date, pursuant to Article 5, Section 5, of the Constitution of Louisiana, made and issued the following order, to wit— “It is ordered that the writ of review issue; that the District Court and the Court of Appeal send up the record in Duplicate of the case; and that counsel for all parties be notified.”

Now, therefore, the said District Court and the Court of Appeal is hereby commanded, in the name of the State of Louisiana and of this Honorable Court, to send up forthwith to this Court, in accordance with Supreme Court Rule 1, at the City of New Orleans, the record in duplicate of the above-entitled case.

Witness the Honorable Justices of the
Supreme Court of the State of Louisiana, on
this 18th day of April, in the year of our
Lord, Two Thousand Twenty-Three.

Veronica O. Koclanes
Clerk of Court

Katie Marjanovic
Chief Deputy Clerk of Court