

**STATE OF LOUISIANA
COURT OF APPEAL, THIRD CIRCUIT**

**04-154
consolidated with
04-152 & 04-153**

ALLSTATE INSURANCE COMPANY

VERSUS

**DAN GABUS D/B/A MARTIAL ARTS ACADEMY AND/OR BAYOU
CRANE PRODUCTIONS AND ABC INSURANCE COMPANY**

APPEAL FROM THE
FIFTEENTH JUDICIAL DISTRICT COURT
PARISH OF LAFAYETTE, NUMBER 20025076
HONORABLE BYRON HEBERT, DISTRICT JUDGE

**BILLIE COLOMBARO WOODARD
JUDGE**

Court composed of Ulysses Gene Thibodeaux, Chief Judge, Billie Colombaro Woodard, and Marc T. Amy, Judges.

REVERSED AND REMANDED.

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For the reasons assigned this day in *Northern Ins. Co. of New York v. Dan Gabus, et al.*, 04-153 (La.App. 3 Cir. __/__/04), ___ So.2d ___, we reverse the trial court's dismissal of Assurance Company of America on an exception of prescription. We remand the matter for further proceedings and cast the costs of this appeal on Defendant/Appellee, Gabus and its insurers.

REVERSED AND REMANDED.