

STATE OF LOUISIANA

COURT OF APPEAL

06-545 consolidated with 06-544

SPENCER BERTRAND, ET AL.

VERSUS

ROBERT MOORE, ET AL.

APPEAL FROM THE
NINTH JUDICIAL DISTRICT COURT
PARISH OF RAPIDES, NO. 207,105
HONORABLE HARRY F. RANDOW, DISTRICT JUDGE

SYLVIA R. COOKS
JUDGE

Court composed of Ulysses Gene Thibodeaux, Chief Judge, Sylvia R. Cooks, John D. Saunders, Marc T. Amy and James T. Genovese, Judges.

Amy, J., concurs in part and dissents in part and assigns reasons.

**AFFIRMED, IN PART;
REVERSED, IN PART.**

Gary A. Bezet
Kean Miller Hawthorne
D'Armond McCowan & Jarman, LLP
Post Office Box 3513
Baton Rouge, Louisiana 70821-3513
(225) 387-0999
COUNSEL FOR DEFENDANT/APPELLANT:
Constructors, Inc.

Joseph Richard Kutch
1010 Main Street
Pineville, Louisiana 71360
(318) 448-6155
COUNSEL FOR SECONDARY PLAINTIFF/APPELLANT:
Spencer Bertrand

Howard N. Nugent, Jr.
Post Office Box 1309
Alexandria, Louisiana 71301-1309
(318) 445-3696

COUNSEL FOR SECONDARY PLAINTIFFS/APPELLANTS:

Jimmy Vidrine
Deborah Vidrine

Joseph J. Bailey
Provosty, Sadler, Delaunay
Fiorenza and Sobel
Post Office Drawer 1791
Alexandria, Louisiana 71309-1791
(318) 445-3631

COUNSEL FOR SECONDARY DEFENDANTS/APPELLANTS:

Cleco Midstream Resources, LLC
Cleco Evangeline, Inc.

Robert Michael Kallam
Jennifer A. Wells
Preis, Kraft, & Roy
Post Office Drawer 94-C
Lafayette, Louisiana 70509
(337) 237-6062

COUNSEL FOR DEFENDANT/APPELLANT:

Constructors, Inc.

Henry H. LeBas
201 Rue Iberville, Suite 600
Lafayette, Louisiana 70508
(337) 236-5500

COUNSEL FOR INTERVENOR/APPELLEE:

Eagle Pacific Insurance Company

COOKS, Judge.

For disposition, see companion case of *Jimmy Vidrine, et al. v. Constructors, Inc., et al.*, 06-544 (La.App. 3 Cir __/__/06), __ So.2d __.