

JAMES BIGLANE AND
CHARLOTTE BIGLANE NOBILE

7TH JUDICIAL DISTRICT COURT

VERSUS

DOCKET NO. 44712-B

BOARD OF COMMISSIONERS,
FIFTH LOUISIANA LEVEE DISTRICT,
AND STATE OF LOUISIANA,
DEPARTMENT OF TRANSPORTATION
AND DEVELOPMENT

PARISH OF CONCORDIA

STATE OF LOUISIANA

FINAL JUDGMENT

FILED 4/25/17
BY Suzanne
Deputy Clerk of Court

This matter came before this Court for a bench trial on the merits.

Present: Randall Smith, Tiffany Hawkins, and Mary Nell Bennett as counsel for the Plaintiffs, James Biglane and Charlotte Biglane Nobile; Madeline Gibbs as counsel for the Fifth Louisiana Levee District (FLD); Johnnie Crigler as counsel for the Fifth Louisiana Levee District (FLD); and Patrick McIntire as counsel for the Louisiana Department of Transportation and Development (DOTD).

After hearing the testimony, receiving the evidence, reviewing the record and hearing the argument of Counsel, this Court took the matter under advisement pending the filing of post hearing Memoranda. All Memoranda having now been filed, this Court rules as follows, to wit:

IT IS ORDERED, ADJUDGED AND DECREED that all claims and causes of action asserted by Plaintiffs, James M. Biglane and Charlotte Biglane Nobile, against Defendant, the Louisiana Department of Transportation and Development (DOTD) in the above-entitled and numbered matter, are hereby dismissed, in their entirety, with prejudice.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that judgment be and it is hereby rendered in favor of Plaintiffs, James M. Biglane and Charlotte Biglane Nobile and against the Fifth Louisiana Levee District, awarding just compensation for the land taken by the Fifth Louisiana Levee District in the amount of: \$1,397,500.00 (representing the fair market value of the land taken in 2008), subject to a credit of \$335,287.00, which was paid on June 25, 2013;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the request by Plaintiffs, James M. Biglane and Charlotte Biglane Nobile, for Judgment in favor of Plaintiffs and against the Fifth Louisiana Levee District in the amount of \$78,008.54, (representing legal interest on the \$335,287.00 already paid from July 9, 2008 until payment on June 25, 2013) is

hereby DENIED;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that interest continues to accrue on the remaining \$1,062,213.00 at the applicable Louisiana legal rates from July 2, 2009 (date of filing of suit) until paid; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that at the request of the parties that attorneys' fees, expert fees, and costs will be fixed at a hearing to be set before this Court upon the filing by Plaintiffs or Defendants of an appropriate motion and memorandum in support thereof or upon motion of this Court.

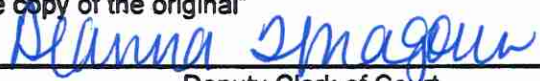
JUDGMENT RENDERED AND SIGNED in Vidalia, Louisiana, this 25th day of April, 2017.


JUDGE JOHN REEVES – DIVISION “B”

STATE OF LOUISIANA
PARISH OF CONCORDIA

This instrument was filed for record on the 25th
day of April 2017 at 1:26 o'clock P m
and was recorded in MOB Book 429 Folio
1641 and _____ Book _____ Folio

_____ of the records of this office
Document No. 304379

“A true copy of the original”

Deputy Clerk of Court
Concordia Parish, Louisiana
Vidalia, Louisiana April 25, 2017

