

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

STATE OF LOUISIANA

NO. 11-3852

SECTION "16"

DIVISION "D"

BOARD OF SUPERVISORS OF LOUISIANA STATE UNIVERSITY AND
AGRICULTURAL AND MECHANICAL COLLEGE

versus

MICHAEL P. VILLAVASO

FILED: _____

DEPUTY CLERK

JUDGMENT

This matter came for a bench trial on June 24 and 25, 2014. The following parties were present:

Luke Piontek and Shelley Ann McGlathery, Roedel Parsons Koch Blache Balhoff & McCollister, on behalf of Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; and

Randall A. Smith and Mary Nell Bennett, Smith & Fawer, LLC, on behalf of Michael P. Villavaso.

For the reasons set forth in the attached Reasons for Judgment, and after considering the documentary evidence, testimony, post trial submissions, and the law:

IT IS ORDERED, ADJUDGED, AND DECREED that Judgment be and it is hereby rendered in favor of Michael P. Villavaso ("the Landowner") and against the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College ("the Board"), awarding \$250,000.00 to the Landowner for the value of his property taken at 1837 Tulane Avenue and 316 South Roman Street, New Orleans, Louisiana, 70112 ("the Property"), less the \$172,000.00 deposited into the registry of the Court by the Board at the time of the taking, for an award of additional compensation in the amount of \$78,000.00.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Landowner is awarded \$2,820.00 for the improvements on the Property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Landowner is awarded \$144,818.00 in business losses suffered as a result of the taking of the Property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Landowner is awarded \$50,000.00 in damages for mental anguish suffered as a result of the Board's unlawful trespass on the Property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Court's above-mentioned awards of just compensation totaling \$275,638.00, shall bear legal interest of five percent (5%) *per annum* from the date of taking, April 25, 2011, pursuant to La. R.S. 19:155.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that a hearing to determine the amount of attorneys' fees, expert witness fees, and costs due to the Landowner will be set promptly upon filing of a motion following the rendering of this Judgment.

JUDGMENT READ, RENDERED, AND SIGNED in New Orleans, Louisiana on the 14th day of July, 2014.



HONORABLE LLOYD MEDLEY

A TRUE COPY



DEPUTY CLERK, CIVIL DISTRICT COURT
PARISH OF ORLEANS
STATE OF LA

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DEPUTY CLERK

JUDGMENT

This matter was tried to this Court on June 24 and 25, 2014, and on August 27, 2014, this Court heard Defendant Michael P. Villavaso's Motion for Award of Attorney Fees, Expert Fees and Costs.

PRESENT:

Luke Piontek, Shelley Ann McGlathery, Roedel Parsons, on behalf of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; and

Randall A. Smith, Mary Nell Bennett, Smith & Fawer, LLC, on behalf of Michael P. Villavaso.

Upon consideration of the pleadings, memoranda, arguments of counsel, the entire record in this matter, and the applicable law;

IT IS ORDERED, ADJUDGED AND DECREED that the defendant Landowner's Motion for Award of Attorney Fees, Expert Fees and Costs, filed by Michael P. Villavaso, be and it is hereby **GRANTED**.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Court's Judgment of July 14, 2014 be and it is hereby amended and supplemented to award Landowner Michael P. Villavaso attorney fees in the amount of \$165,000.00, plus interest at 5% *per annum* from the date of this Judgment until paid.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Landowner Michael P. Villavaso is awarded expert witness fees and costs taxed against the Board of

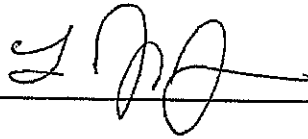
Supervisors of Louisiana State University and Agricultural and Mechanical College as follows:

Orleans Parish – Filing Fees	\$698.00
Orleans Parish Civil Service Fees	\$140.00
Court Runner/Hand Delivery	\$695.00
Federal Express/Postage Charges	\$21.69
Copies	\$1,976.95
Westlaw Research Charges	\$369.23
Deposition Transcript – Richard Stall	\$234.09
Deposition Transcript – Hank W. Tatje, III	\$297.10
Jimmie Thorns - Expert-Appraiser Witness Services	\$19,600.00
Charles C. Theriot - Expert-CPA Witness Services	\$11,207.45
Jeffrey Hamill – Demonstratives Services	\$2,475.00


for a total of \$37,714.51 plus interest at 5% *per annum* from the date of this Judgment until paid.

New Orleans, Louisiana, this 2nd day of September, 2014.

JUDGE



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DEPUTY CLERK, CIVIL DISTRICT COURT
PARISH OF ORLEANS
STATE OF LA