

**Civil Action Report**  
**(January 1, 2015 - December 31, 2015)**  
 If you have any questions, please contact Michelle Miley at 225-342-1112

**Agency as Party Plaintiff :**

Docket Number	Court	Plaintiffs (At Any Time)	Defendants (At Any Time)	Cause of Action	Relief Sought	Current Status	Counsel Information
State of Louisiana, Dept. of Health and Hospitals vs. Westchester Fire Insurance Company Docket: 632,268	19th JDC / Parish of East Baton Rouge; Suit filed 7/25/14;	DHH	Westchester Fire Insurance Co	Petition for Forfeiture and/or Payment of Performance Bond	After contract was terminated, DHH filed suit against insurance company who issued performance bond on a contract. Amount at Issue: \$6 million.	Case has been consolidated with the CNSI matter; trial pending October 2016	Outside Counsel for DHH: Kantrow, Spaht, Weaver & Blitzler In-house DHH Counsel: Kimberly Humbles
DHH v. Regina Lecompte No. 128072)	17th JDC Lafourche	DHH	Regina Lecompte	Petition to make Compliance Order Executory (onsite wastewater)	make Compliance Order executory	Judgment (in favor of DHH) signed and served, appeal delays expired. Will file Rule for	In House DHH Counsel: David McCay
DHH v. Calvin/Lisa Price No. 128073)	17th JDC Lafourche	DHH	Calvin/Lisa Price	Petition to make Compliance Order Executory (onsite wastewater)	make Compliance Order executory	Judgment (in favor of DHH) signed and served, appeal delays expired. Will file Rule for	In House DHH Counsel: David McCay
DHH v. Darren Sanders No. 128071]	17th JDC Lafourche	DHH	Darren Sanders	Petition to make Compliance Order Executory (onsite wastewater)	make Compliance Order executory	Judgment (in favor of DHH) signed, but no service return regarding judgment yet received	In House DHH Counsel: David McCay
DHH v. Sandra James No. 35406)	23rd JDC Assumption	DHH	Sandra James	Petition to make Compliance Order Executory (onsite wastewater)	make Compliance Order executory	Judgment (in favor of DHH) signed and served, appeal delays expired. Will file Rule for	In House DHH Counsel: David McCay
DHH v. Allen Cuevas No. 127971)	17th JDC Lafourche	DHH	Allen Cuevas	Petition for Injunction (onsite wastewater)	Seeks to enjoin the owner of the facility in question from operating without a required permit from DHH. In other words, seeks an	Hearing scheduled for 10/14/2015 could not proceed due to lack of service on	In House DHH Counsel: David McCay
DHH v. Harry Conner No. 2015-2679)	14th JDC Calcasieu	DHH	Harry Conner	Petition for Injunction (drinking water)	Seeks to enjoin the owner of the facility in question from operating without a required permit from DHH. In other words, seeks an	Defendant is in compliance. Case is effectively settled and can be dismissed or abandoned	In House DHH Counsel: David McCay
DHH v. Sandra/Steven Johnson No. 2015-12875)	22nd JDC St. Tammany	DHH	Sandra/Steven Johnson	Petition for Injunction (drinking water)	Seeks to enjoin the owner of the facility in question from operating without a required permit from DHH. In other words, seeks an	Judgment rendered in favor of DHH. Rule for Contempt set for hearing on 3/09/2016	In House DHH Counsel: David McCay
DHH v Charles Feraci	21st JDC Livingston	DHH	Charles Feraci	Petition to make Compliance Order Executory (onsite wastewater)	make Compliance Order executory	Judgment rendered in favor of DHH. Rule for Contempt set for hearing on 4/11/2016	In House DHH Counsel: David McCay
DHH v Kristi Jennings	14th JDC Calcasieu	DHH	Kristi Jennings	Petition to make Compliance Order Executory (onsite wastewater)	make Compliance Order executory	case filed 9/18/15; Judgment signed 9/21/2015; Judgment served on defendant 9/25/2015;	In House DHH Counsel: David McCay
DHH v. Emelda B. Mills	23rd JDC Assumption	DHH	Emelda B. Mills	Petition to make Compliance Order Executory (onsite wastewater)	make Compliance Order executory	case filed 10/06/2015; DHH has since learned that the defendant is deceased; case will be	In House DHH Counsel: David McCay

Docket Number	Court	Plaintiff (At Any Time)	Defendants (At Any Time)	Cause of Action	Filed / Sought	Current Status	Counsel Information
DHH v. Tyrone B. Williams	17th JDC Lafourche	DHH	Tyrone B. Williams	Petition for Injunction (retail food)	Sought to enjoin the owner of the facility in question from operating without a required permit from DHH. In other words they all sought	case filed 9/28/2015; defendant has since demonstrated compliance—hearing/case will be	In House DHH Counsel: David McCay
DHH v. Rib Tip Express	1st JDC Caddo	DHH	Rib Tip Express	Petition for Injunction (retail food)	Sought to enjoin the owner of the facility in question from operating without a required permit from DHH. In other words they all sought	case filed 9/21/2015; defendant quickly came into compliance after being served; hearing/case	In House DHH Counsel: David McCay

Agency filed Reconventional Demand:

Docket Number	Court	Plaintiff (At Any Time)	Defendants (At Any Time)	Cause of Action	Filed / Sought	Current Status	Counsel Information
State of Louisiana, Department of Health and Hospitals ("DHH") vs Client Network Services, Inc. (CNSI) Docket: 621,271, Section 22	Filed by DHH 19th JDC Filed December 4, 2013	1. Client Network Services, Inc. 2. Department of Health and Hospitals	1. Department of Health and Hospitals 2. Client Network Services, Inc.	DHH filed a reconventional demand in response to a Petition for Bad Faith Breach of Contract filed by CNSI.	DHH, as plaintiff-in-reconvention, seeks to recover damages, including payments in the amount of \$17,024,979.43 made to CNSI during to the LMMIS agreement, all costs/expenses/legal interest, and other general or equitable relief which may be appropriate.	Discovery, including expert discovery, ongoing by all parties; trial scheduled for October 2016.	Outside Counsel for DHH: - McGlinchey, Stafford, PLLC Juston "Jay" M. O'Brien: \$325.00/hr Brent Hicks: \$325.00/hr Associate Attys \$260.00/hr Paralegal: \$100.00/hr In house DHH counsel: Kimberly Humbles

Docket Number	Court	Plaintiff (s) (At Any Time)	Defendant (s) (At Any Time)	Cause of Action	Relief Sought	Current Status	Counsel Information
NOHI, Inc. v. Kathy Kliebert and Kristy Nichols DOCKET NO. 634638 SEC. 32	19th JDC	1. New Orleans Home for the Incurables, INC. 2. Kathy Kliebert, Secretary of the LA DHH and Kristy Nichols, LA Commissioner of Administration	1. Kathy Kliebert, Secretary of the LA DHH and Kristy Nichols, LA Commissioner of Administration 2. New Orleans Home for the Incurables, INC.	DHH filed a reconventional demand in response to a petition for damages and injunctive relief filed by Russell Stegeman on behalf of the Hainkel Home in NOLA.	Money owed to DHH by Hainkel for past due rents; The Hainkel Home is seeking credits and a reduction in the rental rate. They also claim right to an increased nursing home Medicaid reimbursement rate. In reconvention, DHH is seeking past due rentals in the amount of \$289,000. Suit in this matter was filed October 28, 2014 and was assigned to Judge Morvant. Plaintiff agreed to dismiss its request for a Temporary Restraining Order and also its declaratory judgment claims. A Motion for Summary Judgment was filed on June 30, 2015 and a hearing on that motion was held on November 2, 2015. DHH's motion was granted as to 3 of the four issues presented to the court. As to the 4th issue, the judge held that DHH did not provide sufficient facts and numbers with regard to the amount in question for him to rule on what amount NOHI owes DHH. A status conference is set for April 12, 2016 before Judge Morvant	The reconventional demand was filed for Hainkel and is still pending	In house DHH counsel: Kimberly Sullivan, Rebecca DeLaSalle

This report includes new cases for 2015 plus any cases still pending from 2014.