

LOUISIANA COURT OF APPEAL, FIRST CIRCUIT

**The Lathan Company v. State of Louisiana, Department of
Education**

Lathan · No. 2026 CW 0545 · Decided June 17, 2026

OPINION

The Lathan Company v. State of Louisiana, Department of Education

PER CURIAM.

STATE OF LOUISIANA

COURT OF APPEAL, FIRST CIRCUIT

THE LATHAN COMPANY NO. 2026 CW 0545

VERSUS

STATE OF LOUISIANA,

DEPARTMENT OF EDUCATION,

RECOVERY SCHOOL DISTRICT,

AND JOHN WHITE IN HIS

OFFICIAL CAPACITY AS THE

STATE OF LOUISIANA

SUPERINTENDENT OF EDUCATION

CONSOLIDATED WITH

GUARANTEE COMPANY OF NORTH

AMERICA

VERSUS

STATE OF LOUISIANA,

DEPARTMENT OF EDUCATION,

RECOVERY SCHOOL DISTRICT JUNE 17, 2026

In Re: The Lathan Company, Inc., applying for supervisory writs, 19th Judicial District Court, Parish of East Baton Rouge, No. 612067 c/w 635780. BEFORE : WOLFE, HESTER, AND BALFOUR, JJ. WRIT DENIED. EW

CHH

Balfour, J., dissents and would grant the writ. The underlying question in any unfair trade practices case is whether the defendant's acts and conduct were reasonable. *Balthazar v. Hensley R. Lee Contracting, Inc.*, 2016-0920 (La. App 4th Cir. 3/15/17), 214 So.3d 1032, 1043, writ denied, 2017- O777 (La. 9/22/17), 228 So.3d 741. Issues that require the determination of reasonableness of acts and conduct of parties under all facts and circumstances of the case cannot ordinarily be disposed of by summary judgment. *Greater Lafourche Port Comm'n v. James Const.*

Grp., L.L.C., 2011-1548 (La. App. 1st Cir. 9/21/12), 104 So.3d 84, 88. In the instant case, I find that a jury is the proper party to measure the reasonableness of the defendant's acts and conduct under the Louisiana Unfair Trade Practices Act.

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DEPUTY CLERK OF COURT

\) FOR THE COURT

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