

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
LOUISIANA, LAKE CHARLES DIVISION

Our Place Condominiums Inc. v. State Farm Fire & Casualty Co.

Our Place Condominiums · No. 2:22-CV-05121 · Decided January 5, 2026

SUMMARY

The court denied State Farm’s motion to reconsider a prior summary-judgment ruling, motion to stay, and request for certification of an interlocutory appeal. The court held that State Farm had not shown grounds for reconsideration under Federal Rule of Civil Procedure 54(b) or satisfied the requirements for interlocutory appeal under 28 U.S.C. § 1292(b), including a substantial ground for difference of opinion concerning Louisiana insurance bad-faith penalties.

CASE DETAILS

COURT	United States District Court for the Western District of Louisiana, Lake Charles Division
WRITING FOR THE COURT	James D. Cain, Jr.
JURISDICTION	United States District Court for the Western District of Louisiana, Lake Charles Division
DECIDED	January 5, 2026
DOCKET	2:22-CV-05121
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 54(b) for reconsideration of the court's prior summary-judgment ruling, moved to stay the matter, and sought certification for an interlocutory appeal under 28 U.S.C. § 1292(b).
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 54(b), the court found no basis to reconsider its prior ruling. Certification for interlocutory appeal under 28 U.S.C. § 1292(b) requires a controlling question of law, substantial grounds for difference of opinion, and that an immediate appeal would materially advance the ultimate termination of the litigation; the substantial-grounds threshold is high.
PRECEDENTIAL VALUE	unpublished district court memorandum order; nonprecedential
PARTIES	State Farm Fire & Casualty Co. v. Our Place Condominiums Inc.

TOPICS

insurance bad faith

motion for reconsideration

interlocutory appeal

insurance

appellate procedure

PRACTICE AREAS

insurance

insurance bad faith

civil procedure

appellate procedure

QUESTIONS PRESENTED

1. Whether the court should reconsider its prior summary-judgment ruling under Federal Rule of Civil Procedure 54(b) based on State Farm's disagreement with the court's findings concerning notice and whether its delayed payment was arbitrary or capricious.
2. Whether the court should stay the matter and certify the prior ruling for interlocutory appeal under 28 U.S.C. § 1292(b).

HOLDINGS

1. Reconsideration was unwarranted because State Farm identified disagreement with the court's factual and legal determinations, not a sufficient basis to revisit the prior ruling.
2. Interlocutory appeal certification was not justified because State Farm showed only disagreement with the court's application of settled Louisiana bad-faith standards, not substantial grounds for a difference of opinion.

KEY QUOTATIONS

“An interlocutory appeal is only justified under 28 U.S.C. § 1292(b) where the movant shows “(1) a controlling question of law is involved, (2) there is substantial grounds for difference of opinion about the question of law, and (3) immediate appeal will materially advance the ultimate termination of the litigation.”” (Memorandum Order, at 1)

“The legal standards under La. R.S. § 22:1892 are well settled; defendant merely disagrees with the court’s application.” (Memorandum Order, at 2)

FACTUAL BACKGROUND

State Farm did not make payments for more than 30 days after the loss and then issued only low-ball advances while delaying the adjustment process. The court found that plaintiff's undisputed damages were clearly more than one million dollars from the first inspection and had previously determined that State Farm's payment conduct was in bad faith.

PROCEDURAL HISTORY

The court previously granted plaintiff's motion for summary judgment and determined that State Farm acted in bad faith under Louisiana law by delaying payment and issuing only low-ball advances despite clear evidence of substantial damages. State Farm sought reconsideration, a stay, and interlocutory-appeal certification, arguing

that the court had assessed bad-faith penalties on both timely and untimely payments and that a substantial ground for difference of opinion existed. The court rejected those arguments and denied all three motions.

DISPOSITION

other

CASES CITED

- Rico v. Flores, 481 F.3d 234, 238 (5th Cir. 2007)
- S. U.S. Trade Ass'n v. Unidentified Parties, 2011 WL 2790812, at *2 (E.D. La. July 14, 2011)
- Kapossy v. McGraw-Hill, Inc., 942 F. Supp. 996, 1001 (D.N.J. 1996)

OPINION

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA LAKE CHARLES DIVISION OUR PLACE CONDOMINIUMS INC CASE NO. 2:22-CV-05121 VERSUS JUDGE JAMES D. CAIN, JR. STATE FARM FIRE & CASUALTY CO MAGISTRATE JUDGE LEBLANC MEMORANDUM ORDER Before the court is a Motion to Reconsider, Motion to Stay, and Motion for Certificate of Appealability [doc. 70] filed by defendant State Farm Fire & Casualty Company (“State Farm”), in response to this court’s ruling [doc.

59] on plaintiff’s Motion for Summary Judgment [doc. 48]. Plaintiff opposes the motions. Doc. 72. State Farm represents that the court assigned bad faith penalties on both timely and untimely payments, and that a substantial ground for difference of opinion thus exists justifying either reconsideration of the court’s prior ruling or a stay of this matter pending an interlocutory appeal.

But the court determined in its prior ruling that State Farm was in bad faith because it did not make any payments for over 30 days, and then only low-ball advances with a delayed adjustment process, despite the fact that it was clear from the first inspection that plaintiff’s undisputed damages were well over a million dollars. See doc. 59, pp. 7–8. State Farm’s real dispute is with the court’s findings on the sufficiency of notice and whether its failure to issue timely payment was arbitrary or capricious.

The court finds no basis for reconsidering these determinations under Federal Rule of Civil Procedure 54(b). An interlocutory appeal is only justified under 28 U.S.C. § 1292(b) where the movant shows “(1) a controlling question of law is involved, (2) there is substantial grounds for difference of opinion about the question of law, and (3) immediate appeal will materially advance the ultimate termination of the litigation.” Rico v. Flores, 481 F.3d 234, 238 (Sth Cir.

2007). The threshold for establishing “substantial grounds” is a high one and is met when “there is a ‘genuine doubt as to the correct legal standard’ to be applied.” S. U.S. Trade Ass’n v.

Unidentified Parties, 2011 WL 2790812, at *2 (E.D. La. Jul. 14, 2011) (quoting *Kapossy v. McGraw-Hill, Inc.*, 942 F.Supp. 996, 1001 (D.N.J. 1996)).

The legal standards under La. R.S. § 22:1892 are well settled; defendant merely disagrees with the court's application. Accordingly, IT IS ORDERED that the Motion to Reconsider, Motion to Stay, and Motion for Certificate of Appealability [doc. 70] be DENIED. THUS DONE AND SIGNED in Chambers on the 5th day of January, 2026. UNITED STATES DISTRICT JUDGE Page 2 of 2