

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
LOUISIANA

Patricia Harris v. Executive Affiliates, Inc., et al.

No. 23-00607-BAJ-RLB (M.D. La. Mar. 12, 2026) · No. No. 23-00607-BAJ-RLB · Decided March 12, 2026

SUMMARY

The United States District Court for the Middle District of Louisiana rules on a plaintiff's motion for sanctions based on spoliation of evidence and separate motions for summary judgment by two defendants in a personal-injury case involving a hotel bench. The court grants the spoliation motion in part, denies the hotel management company's motion for summary judgment, and grants the manufacturer's motion for summary judgment under the Louisiana Products Liability Act.

CASE DETAILS

COURT	United States District Court for the Middle District of Louisiana
WRITING FOR THE COURT	Brian A. Jackson
JURISDICTION	United States District Court for the Middle District of Louisiana
DECIDED	March 12, 2026
DOCKET	No. 23-00607-BAJ-RLB
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for sanctions based on spoliation of evidence. Defendants separately moved for summary judgment on Plaintiff's premises-liability, negligence, and Louisiana Products Liability Act claims.
STANDARD OF REVIEW	Summary judgment is appropriate when the movant shows that no genuine dispute of material fact exists and the movant is entitled to judgment as a matter of law. The court views the evidence in the nonmovant's favor and draws all justifiable inferences in that party's favor. Spoliation issues are evaluated under the court's inherent authority, and bad faith is a fact question when supported by a genuine factual dispute.
PRECEDENTIAL VALUE	unpublished district court ruling; persuasive only
PARTIES	Patricia Harris v. Executive Affiliates, Inc. d/b/a Crowne Plaza Executive Center, LLC, Dubois Wood Products, Inc.

TOPICS

summary judgment

sanctions

premises liability

products liability

civil procedure

PRACTICE AREAS

civil procedure

premises liability

products liability

negligence

evidence

QUESTIONS PRESENTED

1. Whether Crowne spoliated the bench and whether Plaintiff should be permitted to present spoliation evidence and seek an adverse inference at trial.
2. Whether Crowne was entitled to summary judgment on Plaintiff's Louisiana premises-liability and negligence claims based on the asserted absence of evidence that Crowne knew or should have known of a defect.
3. Whether expert testimony was required to establish Plaintiff's Louisiana Products Liability Act claims against Dubois.
4. Whether Plaintiff presented evidence of an alternative safer design sufficient to support an LPLA design-defect claim.
5. Whether Plaintiff established that an alleged warning defect proximately caused her injuries.
6. Whether *res ipsa loquitur* could establish that the bench was defective when it left Dubois's control for purposes of an LPLA construction-or-composition claim.

HOLDINGS

1. Plaintiff established the preservation-duty and relevance elements of her spoliation claim and presented sufficient circumstantial evidence to create a genuine factual dispute regarding whether Crowne destroyed the bench in bad faith. Plaintiff may introduce evidence of spoliation at trial, Crowne may rebut that evidence, and the court may give an adverse-inference instruction if the trial evidence warrants it.
2. Crowne was not entitled to summary judgment on Plaintiff's premises-liability and negligence claims.
3. The LPLA does not require expert testimony as a matter of law to establish a design-defect claim, but Plaintiff still had to present evidence sufficient for a reasonable factfinder to find each essential statutory element.
4. Plaintiff's LPLA design-defect claim against Dubois failed because she presented no evidence that a safer alternative design existed when the bench left Dubois's control or that the statutory risk-benefit requirements were satisfied.
5. Plaintiff's LPLA failure-to-warn claim against Dubois failed because she did not present evidence that the alleged lack of a warning was the proximate cause of her injuries.
6. *Res ipsa loquitur* did not apply because Plaintiff failed to exclude other probable explanations for the bench's collapse and the bench was not within Dubois's exclusive control when the incident occurred.

Plaintiff therefore failed to establish that the bench deviated from specifications or identical products when it left Dubois's control.

KEY QUOTATIONS

“bad faith is a question of fact like any other.” (at 10)

“The Court will allow Plaintiff to introduce evidence of spoliation at trial. Crowne will be permitted to rebut it.” (at 12)

“No language or provision of the statute requires that a cause of action alleging a design defect must, as a matter of law, be supported by expert testimony.” (at 19)

“Because the evidence does not exclude all other probable explanations for the alleged bench collapse, and because the bench was not in Dubois’ exclusive control at the time of the collapse, Plaintiff has not satisfied the elements for res ipsa loquitur to apply” (at 23)

FACTUAL BACKGROUND

Patricia Harris alleged that she was injured on June 9, 2022, when a bench in her hotel room at the Crowne Plaza Executive Center collapsed. Dubois manufactured the bench in 2018 and delivered it to Crowne by January 2019; Crowne then controlled and used the bench for more than three and a half years, during which hundreds of guests occupied the room. Harris did not observe a visible defect before the incident, had sat on the bench the previous day without incident, and submitted no expert report. After receiving a preservation notice, Crowne discarded the bench, apparently through an employee's inadvertent disposal.

PROCEDURAL HISTORY

Harris filed suit in the Nineteenth Judicial District Court for the Parish of East Baton Rouge, Louisiana, on June 12, 2023. Defendants removed the action to the Middle District of Louisiana on the basis of diversity jurisdiction. The district court granted Plaintiff's spoliation motion in part, denied Crowne's summary-judgment motion, and granted Dubois's summary-judgment motion, dismissing the claims against Dubois with prejudice.

DISPOSITION

other

CASES CITED

- Meadors v. D'Agostino, No. CV 18-01007-BAJ-EWD, 2020 WL 1529367, at *3 (M.D. La. Mar. 30, 2020)
- Erie R.R. v. Tompkins, 304 U.S. 64, 78 (1938)
- Funches v. Progressive Tractor & Implement Co., L.L.C., 905 F.3d 846, 849 (5th Cir. 2018)
- Intl Shortstop, Inc. v. Rally's, Inc., 939 F.2d 1257, 1264-65 (5th Cir. 1991)
- Lujan v. Nat'l Wildlife Federation, 497 U.S. 871, 885 (1990)
- Giles v. Gen. Elec. Co., 245 F.3d 474, 493 (5th Cir. 2001)
- Darden v. City of Fort Worth, 880 F.3d 722, 727 (5th Cir. 2018)

- *Guzman v. Jones*, 804 F.3d 707, 713 (5th Cir. 2015)
- *Rimkus Consulting Grp., Inc. v. Cammarata*, 688 F. Supp. 2d 598, 611-12 (S.D. Tex. 2010)
- *Coastal Bridge Co., L.L.C. v. Heatec, Inc.*, 833 F. App'x 565, 573-75 (5th Cir. 2020)
- *Rogers v. Averitt Express, Inc.*, 215 F. Supp. 3d 510, 515-16 (M.D. La. 2017)
- *Yelton v. PHI, Inc.*, 284 F.R.D. 374, 378 n.2 (E.D. La. 2012)
- *Disedare v. Brumfield*, No. 22-2680, 2023 WL 5671998, at *1, *38 (E.D. La. Sept. 1, 2023)
- *Hodges v. Mosaic Fertilizer L.L.C.*, 289 F. App'x 4, 7 (5th Cir. 2008)
- *Lou v. Lopinto*, No. 21-80, 2022 WL 16685539, at *7 (E.D. La. Nov. 2, 2022)
- *Schafer v. Darr*, No. CV 23-1387, 2024 WL 183587, at *2-3 (E.D. La. Jan. 17, 2024)
- *BCE Emergis Corp. v. Cmty. Health Sols. of Am., Inc.*, 148 F. App'x 204, 219 (5th Cir. 2005)
- *Van Winkle v. Rogers*, 82 F.4th 370, 373, 375-79 (5th Cir. 2023)
- *Bufkin v. Felipe's La., LLC*, 171 So. 3d 851 (La. 2014)
- *Renwick v. PNK Lake Charles, L.L.C.*, 901 F.3d 605, 616 (5th Cir. 2018)
- *Niel v. Purina Mills, LLC*, No. CV 17-972-BAJ-RLB, 2019 WL 24887838, at *2 (M.D. La. June 11, 2019)
- *Jones v. Hancock Holding Co.*, 707 F. Supp. 2d 670, 674-75 (M.D. La. 2010)
- *Charan v. Bowman*, 965 So. 2d 466 (La. App. 1 Cir. 2007), writ denied, 967 So. 2d 505 (La. 2007)
- *Lemann v. Essen Lane Daiquiris, Inc.*, 923 So. 2d 627, 632-33 (La. 2006)
- *Audler v. CBC Innovis, Inc.*, 519 F.3d 239, 249 (5th Cir. 2008)
- *Cormier v. Marriott Int'l*, No. CV 18-11701, 2019 WL 5785001, at *2-3 (E.D. La. Nov. 6, 2019)
- *Bd. of Comm'rs of Se. La. Flood Prot. Auth.-E v. Tenn. Gas Pipeline Co.*, 850 F.3d 714, 729 (5th Cir. 2017)
- *Farrell v. Circle K Stores, Inc.*, 359 So. 3d 467, 473 (La. 2023)
- *Malbrough v. Crown Equip. Corp.*, 392 F.3d 135, 187 (5th Cir. 2004)
- *Lacassin v. Virco, Inc.*, No. 6:11-CV-2104, 2012 WL 6183682, at *5 (W.D. La. Dec. 11, 2012)
- *Morgan v. Gaylord Container Corp.*, 380 F.3d 586 (5th Cir. 2004)
- *Lavespere v. Niagara Mach. & Tool Works, Inc.*, 910 F.2d 167, 181, 183 (5th Cir. 1990)
- *Krummel v. Bombardier Corp.*, 206 F.3d 548, 551, 557 (5th Cir. 2000)
- *Arant v. Wal-Mart Stores, Inc.*, 628 F. App'x 237, 239-40 (5th Cir. 2015)
- *Broussard v. Procter & Gamble Co.*, 463 F. Supp. 2d 596, 609 (W.D. La. 2006), aff'd, 517 F.3d 767 (5th Cir. 2008)
- *Gladney v. Milam*, 911 So. 2d 366, 371 (La. App. 2 Cir. 2005)
- *Love's Travel Stops & Country Stores, Inc. v. Singh*, No. CV 18-00842-BAJ-EWD, 2020 WL 6707550, at *3 (M.D. La. Nov. 13, 2020)
- *Weams v. FCA US L.L.C.*, No. CV 17-4-RLB, 2019 WL 960159, at *19 (M.D. La. Feb. 27, 2019)
- *Centauri Specialty Ins. Co. v. Gen. Motors, LLC*, No. 16-226, 2017 WL 1015311, at *4-5 (M.D. La. Mar. 15, 2017)
- *Patton v. Bos. Sci. Corp.*, No. 15-1976, 2018 WL 4760846, at *4 (W.D. La. Oct. 2, 2018)
- *Manzanares v. El Monte Rents, Inc.*, No. 4:24-CV-191, 2026 WL 59763, at *9 (E.D. Tex. Jan. 7, 2026)

