DAVID MELDER, ET AL : NUMBER: 552,338-B

VERSUS : FIRST JUDICIAL DISTRICT COURT

CHRISTUS HEALTH : CADDO PARISH, LOUISIANA

NORTHERN LOUISIANA, D/B/A

CHRISTUS SCHUMPERT

HEALTH SYSTEM, ET AL

**JUDGMENT ON MOTION FOR PARTIAL SUMMARY**

**JUDGMENT AND MOTION TO COMPEL**

The Court has thoroughly considered the Motion for Partial Summary Judgment and Motion to Compel, filed May 23, 2013 by David and Carrie Melder on behalf of their minor daughter, Norah Melder, its exhibits and memoranda, the opposition filed August 9, 2013 by the Louisiana Patient’s Compensation Fund Oversight Board (“PCF”), the Melders’ response to the PCF opposition, filed August 15, 2013, oral arguments of counsel held August 19, 2013, the entire record and applicable law. Concluding that there is a significant jurisdictional issue regarding the plaintiffs’ request that the 1st Judicial District Court modify or expand the Judgment of the 10th Judicial District Court (Docket Number 83762) and, further, noting that there is an administrative hearing as to plaintiffs’ claims set for January 23, 2014, that the request is premature and not ripe for judicial consideration, the Court concludes that the motion for partial summary judgment should be denied. The compel portion of the motion is unclear and ambiguous and it is, therefore, also denied. Accordingly:

**IT IS ORDERED, ADJUDGED AND DECREED that the Motion for Partial Summary Judgment and Motion to Compel are denied at plaintiffs’ costs.**

Signed this 28th day of October, 2013 in Shreveport, Caddo Parish, Louisiana.

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SCOTT J. CRICHTON

DISTRICT JUDGE

DISTRIBUTION:

Luke Edwards, Counsel for David Melder and Carrie Melder

Patrick Jackson, Counsel for David Melder and Carrie Melder

Stephanie Laborde, Counsel for Louisiana Patient’s Compensation Fund Oversight Board

Mark Goodwin, Counsel for Christus Health North Louisiana