ALBERT LAFITTE : NUMBER: 550,825, “B”

VERSUS : FIRST JUDICIAL DISTRICT COURT

POWERTRAIN OF SHREVEPORT, L.L.C. : CADDO PARISH, LOUISIANA

**JUDGMENT ON DEFENDANT’S DILATORY**

**EXCEPTION OF VAGUENESS AND AMBIGUITY**

**AND PEREMPTORY EXCEPTION OF NO CAUSE OF ACTION**

 In one document titled Defendant’s Dilatory Exception of Vagueness and Ambiguity and Peremptory Exception of No Cause of Action, filed June 30, 2011, Powertrain of Shreveport, L.L.C. (Powertrain) has asserted that Albert Lafitte’s petition is vague and, as drafted, the petition fails to state a cause of action under Louisiana law. The Court has carefully considered the exceptions and its attached memorandum of law; the opposition memorandum filed December 2, 2011 by Mr. Lafitte; the reply memorandum filed by Powertrain on December 8, 2011 as well as oral arguments of counsel on December 12, 2011. While the petition could certainly provide more detailed allegations as to its three causes of action, the Court concludes that it is sufficient for Powertrain to file an answer, including applicable affirmative defenses. Vigorous discovery will provide the defendant with additional information that it deems necessary. The Court also believes that the plaintiff has sufficiently asserted viable causes of action under Louisiana law. Following adequate discovery, defense counsel may deem it appropriate to file a motion for summary judgment or partial summary judgment. The exceptions lack merit and are overruled. Accordingly:

 **IT IS ORDERED, ADJUDGED AND DECREED that the Defendant’s Dilatory Exception of Vagueness and Ambiguity and Peremptory Exception of No Cause of Action are overruled at Powertrain’s costs.**

 Signed this 19th day of January, 2012 in Shreveport, Caddo Parish, Louisiana.

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 SCOTT J. CRICHTON

 DISTRICT JUDGE

DISTRIBUTION:

Jerald R. Harper, Counsel for Albert Lafitte

Amber H. Watt, Counsel for Albert Lafitte

Michael A. Marino, Counsel for Powertrain of Shreveport, L.L.C.