

KAREN HALL : NUMBER: 535,648-B
VERSUS : FIRST JUDICIAL DISTRICT COURT
ELDORADO CASINO : CADDO PARISH, LOUISIANA
SHREVEPORT JOINT VENTURE
D/B/A ELDORADO RESORT
CASINO SHREVEPORT

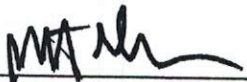
**JUDGMENT ON PEREMPTORY
EXCEPTION OF PRESCRIPTION**

The Court has thoroughly considered the Peremptory Exception of Prescription, filed June 6, 2011 by Eldorado Casino Shreveport Joint Venture d/b/a Eldorado Resort Casino Shreveport ("Eldorado"), its memoranda, the opposition filed by Charles Hall, the evidence presented on February 5, 2013 and applicable law. The alleged tortious event occurred on November 11, 2008; Plaintiff Karen Hall filed a petition on October 28, 2009; Charles Hall filed a supplemental and amending petition on May 27, 2011 (2½ years after the event) alleging a "loss of consortium and monetary losses for the medical expenses of (wife) Karen Hall". In accordance with *Musgrove v. Glenwood Regional Medical Center*, 37,575 (La. App. 2 Cir. 9/26/03) 855 So. 2d 984, a spouse's loss of consortium claim, raised by amended petition after the prescriptive period has run will not – and does not – relate back to an original petition that fails to name the spouse. Therefore, the peremptory exception of prescription is sustained at Charles Hall's costs. Accordingly:

IT IS ORDERED, ADJUDGED AND DECREED that the Peremptory Exception of Prescription , as to Charles Hall's claims, is sustained.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the claims of Charles Hall are dismissed with prejudice at his costs.

Signed this 8th day of February, 2013, in Shreveport, Caddo Parish, Louisiana.



SCOTT J. CRICHTON
DISTRICT JUDGE

DISTRIBUTION:

William E. "Skip" Willard, Counsel for Karen Hall
Joey Greenwald, Counsel for Eldorado Casino Shreveport Joint Venture d/b/a
Eldorado Casino Shreveport

FILED

FEB 08 2012

MIKE SPENCE
CHIEF DEPUTY CLERK OF COURT
CADDO PARISH