

# **Bond Case Briefs**

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## **LIABILITY - LOUISIANA**

### **Gorman v. City Of Opelousas**

**Supreme Court of Louisiana - July 1, 2014 - So.3d - 2013-1734 (La. 7/1/14)**

After suing city for wrongful death, mother of inmate, who was fatally beaten by other inmates in city jail, brought direct action against city's liability insurer, which had not been informed by the city of the claim prior to expiration of the claims-made policy. Insurer filed motion for summary judgment. The Circuit Parish granted motion, and mother and city appealed. The Court of Appeal affirmed in part, reversed in part, and remanded. Insurer filed application for writ of certiorari, which was granted.

The Supreme Court of Louisiana held that:

- Policy provision requiring making and reporting of claims within period specified by policy was not impermissible as against public policy, abrogating *Williams v. Lemaire*, 655 So.2d 765, and *Murray v. City of Bunkie*, 686 So.2d 45, and
- Existence of subsequently-issued policy did not extend defined policy period.