

Bond Case Briefs

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SCHOOLS - LOUISIANA

Oliver v. Orleans Parish School Bd.

Supreme Court of Louisiana - October 31, 2014 - So.3d - 2014-0329 (La. 10/31/14)

Employees of parish school board who were terminated by reduction in force (RIF) after failing schools in parish were transferred to Recovery School District (RSD) filed putative class action against school board, state, Louisiana Department of Education (LDOE), and State Board of Elementary and Secondary Education for wrongful termination and also asserted claim against LDOE for tortious interference with employment contracts.

The Supreme Court of Louisiana held that:

- Global settlement dismissing with prejudice two actions against school board was valid, final judgment, for res judicata purposes;
- Causes of action arose out of transaction or occurrence that was subject matter of prior lawsuits and arbitrations;
- Causes of action existed at time of final judgment in prior action;
- Identity of parties was the same;
- As a matter of first impression, that former employees only received minimal consideration in settlement in prior action was not “exceptional circumstance” that would have barred application of res judicata;
- As a matter of first impression, that class action was not particularly dismissed in global settlement was not “exceptional circumstance” that would have barred application of res judicata; and
- School board’s method of attempting to rehire teachers following Hurricane Katrina was sufficient to satisfy due process.