

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

NO. 2003 CA 1984

CAPITOL HOUSE PRESERVATION COMPANY, L.L.C.

VERSUS

PERRYMAN CONSULTANTS, INCORPORATED,
MR. M. RAY PERRYMAN, XYZ INSURANCE COMPANY AND
TUV INSURANCE COMPANY

JUDGMENT RENDERED ON NOVEMBER 3, 2004

Appealed from the
Nineteenth Judicial District Court
in and for the Parish of East Baton Rouge, State of Louisiana

Trial Court No. 418,525

Honorable William A. Morvant, Judge

KUHN, J CONCURS

* * * * *

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Panel composed of Judges FRANK FOIL,
RANDOLPH H. PARRO and JAMES E. KUHN.

Parro, J., dissents and assigns reasons.

FOIL, JUDGE.

This appeal challenges the trial court's granting of the defendants' exceptions of res judicata. The briefs and issues raised therein are identical to those raised in **Capitol House Preservation Company, L.L.C. v. Perryman Consultants, Inc.**, 03-1983 (La. App. 1 Cir. 11/3/04), also handed down this day. For the reasons stated therein, we affirm the judgment appealed from. All costs of this appeal are assessed to appellant.

AFFIRMED.

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PERRYMAN CONSULTANTS, INCORPORATED, ET AL.

BEFORE: FOIL, PARRO, AND KUHN, JJ.

 **PARRO, J., dissenting.**

I disagree with the majority in this case for the reasons stated in my dissenting opinion in a related case also handed down this day. See Capitol House Preservation Co., L.L.C. v. Perryman Consultants, Inc., 03-1983 (La. App. 1st Cir. 11/3/04), ____ So.2d ____ (Parro, J., dissenting).