

The Supreme Court of the State of Louisiana

MICHAEL MUNSON, INDIVIDUALLY AND
ON BEHALF OF HIS MINOR CHILD, ETHAN
MUNSON, AND KELLY MUNSON

No. 2025-C-00857

VS.

HENIFF TRANSPORTATION SYSTEMS, LLC,
MILLER TRANSPORTERS, INC.,
ZSCHIMMER & SCHWARTZ, INC., AND
EXPRESS CONTAINER SERVICES OF
ATLANTA, LLC

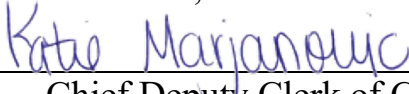
IN RE: Nautilus Insurance Company - Applicant Other; Applying For Writ Of
Certiorari, Parish of Iberville, 18th Judicial District Court Number(s) 81,558, Court
of Appeal, First Circuit, Number(s) 2025 CA 0022 and 2025 CW 0085;

December 23, 2025

Writ application granted. See per curiam.

JLW
JBM
JMG
CRC

Hughes, J., dissents and would deny.
Crain, J., concurs.
Griffin, J., dissents and would deny.

Supreme Court of Louisiana
December 23, 2025


Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 2025-C-00855

c/w

No. 2025-C-00857

**MICHAEL MUNSON, INDIVIDUALLY AND ON BEHALF OF HIS
MINOR CHILD, ETHAN MUNSON, AND KELLY MUNSON**

VS.

**HENIFF TRANSPORTATION SYSTEMS, LLC, MILLER
TRANSPORTERS, INC., ZSCHIMMER & SCHWARTZ, INC., AND
EXPRESS CONTAINER SERVICES OF ATLANTA, LLC**

**On Writ of Certiorari to the Court of Appeal,
First Circuit, Parish of Iberville**

PER CURIAM

The sole issue in this case is whether the trial court correctly granted defendant Express Container Services of Atlanta, LLC’s exception of lack of personal jurisdiction (“Express-Atlanta”). The trial court found that plaintiffs did not establish the requisite minimum contacts with Louisiana and further found that despite some corporate overlap between Express-Atlanta and four Louisiana limited liability companies, plaintiffs failed to establish a “single business enterprise” that would establish personal jurisdiction over Express-Atlanta. The court of appeal reversed, conducting a review of 18 various fact-specific questions and finding that Express-Atlanta is a “single business enterprise” with the Louisiana entities. *Munson v. Heniff Transp. Sys., LLC*, 25-0022 (La. App. 1 Cir. 6/3/25), 417 So. 3d 915.

The court of appeal applied a de novo standard of review to its analysis and then considered the same facts and evidence the district court analyzed. *Id.*, 25-0022 p.7-8, 417 So. 3d at 921. This was error. While the de novo standard applies to the *legal* issue of personal jurisdiction over a nonresident, the trial court’s *factual*

finding that there was no single business enterprise between Express-Atlanta and the Louisiana entities was subject to the manifest error standard of review. *Hall v. Folger Coffee Co.*, 2003-1734 (La. 4/14/04), 874 So. 2d 90, 99 (“[T]he manifest error standard of review applies to all factual findings.”). *See also, e.g., Grayson v. R.B. Ammon & Assocs., Inc.*, 99-2597 (La. App. 1 Cir. 11/3/00), 778 So. 2d 1, 15, *writ denied*, 00-3270 (La. 1/26/01), 782 So. 2d 1026, and *writ denied*, 00-3311 (La. 1/26/01), 782 So. 2d 1027 (“Whether an affiliated group of entities constitutes a ‘single business enterprise’ is a question of fact to be decided by the trial court.”); *Sarpy v. ESAD, Inc.*, 2007-0347 (La. App. 4 Cir. 9/19/07), 968 So. 2d 736, 739, *writ denied*, 07-2056 (La. 1/11/08), 972 So. 2d 1170 (same).

For these reasons, the court of appeal judgment is reversed. The matter is remanded to the court of appeal to consider the case under the proper standard of review to determine whether a court of this state may exercise personal jurisdiction over Express-Atlanta based on the single business enterprise theory.¹ If the court of appeal does not find personal jurisdiction on that basis, the court of appeal shall consider whether personal jurisdiction over Express-Atlanta exists under the Louisiana Long Arm Statute, La. R.S. 13:3201(B). *See de Reyes v. Marine Mgmt. & Consulting, Ltd.*, 586 So. 2d 103, 105 (La. 1991), *citing Int’l Shoe Co. v. Washington*, 326 U.S. 310, 320 (1945).

REVERSED AND REMANDED

¹ This Court has never ruled on the viability of this theory, and this remand is not an implied adoption of it. This case arose before the enactment of La. R.S. 12:1705, which went into effect on August 1, 2024, and applies prospectively only.