

The Supreme Court of the State of Louisiana

JANAE MAGILL

No. 2025-CC-00892

VS.

WERNER ENTERPRISES, INC. OF
NEBRASKA, ET AL.

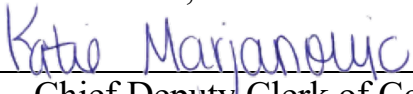
IN RE: Kennon Smith - Applicant Other; Werner Enterprises, Inc - Applicant Defendant; ACE American Insurance Company - Applicant Other; Werner Enterprises, Inc. Of Nebraska, et al. - Applicant Defendant; Applying For Supervisory Writ, Parish of Calcasieu, 14th Judicial District Court Number(s) 2024-3156, Court of Appeal, Third Circuit, Number(s) CW 25-00213;

November 12, 2025

Writ application granted. See per curiam.

- PDG
- JLW
- JDH
- WJC
- JBM
- JMG
- CRC

Supreme Court of Louisiana
November 12, 2025



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

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VS.

WERNER ENTERPRISES, INC. OF NEBRASKA, ET AL.

On Supervisory Writ to the 14th Judicial District Court, Parish of Calcasieu

PER CURIAM

Writ granted. The district court correctly applied this Court's decision in *Martin v. Thomas*, 21-01490 (La. 6/29/22), 346 So.3d 238. Accord *Tardo v. Ferrell*, 25-123 (La. App. 5 Cir. 5/28/25), 2025 WL 1516837 (unpublished). The applicant relies upon *Ferguson v. Swift Transp. Co. of Arizona*, 17-1570, 2023 WL 173143 (W.D. La. Jan. 12, 2023), which we find misapplied Louisiana law.

AFFIRMED.