

Fifth Circuit Court of Appeal
State of Louisiana

NO. 26-C-149

KIMBERLY DWYER-SUTTON, ET AL.

VERSUS

COLONIAL CLUB LEGACY, LLC, ET AL.

ON APPLICATION FOR REHEARING

August 18, 2026

DENIED WITH REASONS

FHW
SJW
JJM

TRUE COPY

SUSAN BUCHHOLZ
DEPUTY CLERK

WICKER, J. DENIED WITH REASONS

On August 12, 2026, Respondent filed an application for rehearing seeking reconsideration of this Court's July 29, 2026 opinion granting Relator's supervisory writ application.

Relator filed an eighty-one-page writ application with attachments, including the petition for damages, motion to compel arbitration, memorandum in support of motion to compel arbitration, memorandum in opposition to motion to compel arbitration, reply memorandum in support of motion to compel arbitration, the trial court's March 17, 2026 minute entry, the judgment signed on March 17, 2026, and Relator's notice of intent to apply for supervisory writs. Relator subsequently filed a fourteen-page supplement containing the transcript of the trial court's March 17, 2026 hearing on the motion to compel arbitration. Respondent did not file an opposition to Relator's writ application.

This Court carefully reviewed Relator's writ application, attachments, and supplementation. Additionally, the Court conducted extensive independent research concerning the legal issues presented. Following that review, this Court issued a ten-page opinion thoroughly addressing the issues raised in the writ application and explaining our reasons for granting the writ application. For the reasons fully set forth in our July 29, 2026 opinion, we find no basis to alter our ruling.

Accordingly, the application for rehearing is denied.

SUSAN M. CHEHARDY
CHIEF JUDGE

FREDERICKA H. WICKER
JUDE G. GRAVOIS
MARC E. JOHNSON
STEPHEN J. WINDHORST
JOHN J. MOLAISSON, JR.
SCOTT U. SCHLEGEL
TIMOTHY S. MARCEL

JUDGES



FIFTH CIRCUIT
101 DERBIGNY STREET (70053)
POST OFFICE BOX 489
GRETNA, LOUISIANA 70054
www.fifthcircuit.org

CURTIS B. PURSELL
CLERK OF COURT

SUSAN S. BUCHHOLZ
CHIEF DEPUTY CLERK

LINDA M. TRAN
FIRST DEPUTY CLERK

MELISSA C. LEDET
DIRECTOR OF CENTRAL STAFF

(504) 376-1400
(504) 376-1498 FAX

NOTICE OF DISPOSITION CERTIFICATE OF DELIVERY

I CERTIFY THAT A COPY OF THE DISPOSITION IN THE FOREGOING MATTER HAS BEEN TRANSMITTED IN ACCORDANCE WITH **UNIFORM RULES - COURT OF APPEAL, RULE 4-6** THIS DAY **08/18/2026** TO THE TRIAL JUDGE, THE TRIAL COURT CLERK OF COURT, AND AT LEAST ONE OF THE COUNSEL OF RECORD FOR EACH PARTY, AND TO EACH PARTY NOT REPRESENTED BY COUNSEL, AS LISTED BELOW:

CURTIS B. PURSELL
CLERK OF COURT

26-C-149

E-NOTIFIED

Chad A. Sullivan (Relator)
Matthew B. Moreland (Respondent)

Jim S. Hall (Respondent)

Sydnee D. Menou (Relator)

MAILED