

**Fifth Circuit Court of Appeal
State of Louisiana**

No. 26-C-121

GERALDINE OUBRE, ET AL.

versus

LOUISIANA CITIZENS FAIR PLAN

IN RE LOUISIANA CITIZENS PROPERTY INSURANCE CORPORATION
APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT
COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE
JUDGE MARTIN E. COADY, AD HOC, DIVISION "M," No. 625-567

TRUE COPY

June 30, 2026



LINDA TRAN
DEPUTY CLERK

Panel composed of Judges Fredericka Homberg Wicker,
Jude G. Gravois, and Stephen J. Windhorst

WRIT DENIED

Defendant-Relator, Louisiana Citizens Property Insurance Corporation (“Citizens”), seeks supervisory review of the district court’s February 27, 2026 ruling in open court denying Citizens’ objections to the Special Master’s claim-validity determinations and its alternative request for guidance to the Special Master. For the following reasons, we deny the writ application.

BACKGROUND

For more than twenty years, this class action has unfolded in the wake of Hurricanes Katrina and Rita, as insured property owners sought to recover penalties under former La. R.S. 22:658 and La. R.S. 22:1220 for Citizens’ alleged failure to timely adjust their property damage claims following the two storms. Over those decades, the claims process has proceeded, distributing payments to affected

individuals in a long-delayed effort to provide relief. The instant writ application concerns the *final* set of claims.

On October 30, 2013, the district court approved the Stipulation of Settlement agreed to and signed by the parties' representatives, which established a claims-made settlement process to be administered by a Special Master. Under the agreed upon process, Class Counsel would submit a then-current database of "Eligible Claims" to the Special Master, after which Citizens would have thirty days to object, and then the Special Master would determine which claims qualify as "Valid Claims."¹ Class members with claims deemed valid by the Special Master then receive a \$4,500 payment from Citizens. Under § II(D)(3)(c) of the Stipulation, "Determinations by the Special Master on which claims presented by Class Counsel represent Valid Claims . . . shall be final and binding upon the Parties with no right of appeal by the Parties[.]"²

At issue in this writ application is Submission "R," which is the eighteenth and final submission of claims in this litigation. Class Counsel submitted Submission "R" to the Special Master in late August 2025. According to Citizens, it raised objections of "standing" and "staleness" to some of the claims at a September 5, 2025 status conference before the district court. Citizens asserted that some claims lacked standing because the supporting affidavits were not executed by insureds and that other claims were stale because they should have been included in earlier submissions. According to Citizens, it again raised these objections at in-person conferences with the Special Master and in multiple emails sent to the Special

¹ A "Valid Claim" is defined in the Stipulation as "an Eligible Claim the Special Master has determined is to receive the Gross Settlement Payment."

² The same provision concludes that only "Individual claimants will retain the right to appeal a finding of ineligibility by the Special Master."

Master in October 2025. Citizens submitted additional objections to the Special Master in November 2025.

The Special Master considered Citizens' October objections to be timely, and therefore considered them, but rejected Citizens' November objections as either duplicative or untimely and therefore not reviewable. On December 18, 2025, the Special Master issued Report No. 22 identifying the claims he deemed valid. On January 21, 2026, the Special Master issued a Supplemental Report, concluding that, as to Citizens' standing objection, the challenged affidavits were executed by appropriate affiants and that, as to Citizens' staleness objection, only three claims were postmarked after the deadline.

According to Citizens, it again raised its objections before the district court in a status conference and hearing on January 23, 2026. After additional briefing on the matter, the district court held another hearing on February 27, 2026, after which it denied Citizens' objections and its alternative request for guidance to the Special Master, finding no basis to disturb the Special Master's claim-validity determinations in Submission "R."

This timely writ application followed.

DISCUSSION

Citizens argues that the district court erred in denying its objections and its request for guidance to the Special Master. Citizens argues that the §§ IV(G) and (L) of the Stipulation requires the district court to resolve disputes that the Special Master could not. It further argues that prior interlocutory rulings and writ denials in this case by this Court and the Louisiana Supreme Court do not have preclusive effect and therefore do not bar judicial review.

The Settled Class argues that Citizens' writ application should be denied because the Stipulation expressly bars judicial review of the Special Master's claim-validity determinations. It relies on § II(D)(3)(c), which states that such

determinations “shall be final and binding upon the Parties with no right of appeal[,]” as well as this Court’s prior decision in this matter in which we held that this provision precludes trial court review of those determinations. We agree.

The Stipulation of Settlement governs the claims-administration process. Under § II(D)(3)(c), “Determinations by the Special Master on which Claims presented by Class Counsel represent Valid Claims . . . shall be final and binding upon the Parties with no right of appeal by the Parties.” In *In re Louisiana Citizens Fair Plan*, 18-279, at p. 4 (La. App. 5 Cir. 8/10/18), this Court interpreted this language as “clear and unequivocal,” holding that it “precluded Citizens from seeking review by the trial court of the special master’s determinations regarding the validity of the class claims pursuant to La. R.S. 13:4165.” We adhere to our prior interpretation of this language.

Citizens seeks review of the district court’s refusal to disturb the Special Master’s determinations regarding the validity of claims in Submission “R.” Although Citizens frames its objections as raising issues of standing and staleness, the relief it seeks would require judicial review of the Special Master’s determinations that those claims are valid under the Stipulation—review that the Stipulation expressly prohibits. Citizens contends that §§ IV(G) and IV(L) of the Stipulation obligated the district court to resolve its objections, but those provisions—which address the parties’ duty to effectuate the Stipulation and the district court’s retention of jurisdiction to enforce the Stipulation—do not override the specific language of § II(D)(3)(c), which expressly removes the Special Master’s claim-validity determinations from judicial review. The parties contractually waived any right to such review in the Stipulation, and the Stipulation is the law between them. *See* La. C.C. art. 1983; *Hearst Inv., LLC v. Bosse*, 25-170, 2025 WL 3778645, at *2 (La. App. 5 Cir. 12/30/25).

Further, the record reflects that the Special Master considered Citizens’ timely October 2025 objections and addressed them in his Supplemental Report, while rejecting Citizens’ November 2025 objections as duplicative or untimely. The district court found no basis to disturb those determinations, and nothing in the Stipulation requires it to revisit objections already resolved or deemed untimely by the Special Master. Because the Stipulation expressly bars judicial review of the Special Master’s claim-validity determinations—rendering those determinations final and binding on the parties, with no right of appeal—and because this Court has previously held that such language precludes the relief Citizens seeks, we find no error in the district court’s denial of Citizens’ objections to Submission “R” or its alternative request for guidance to the Special Master.

CONCLUSION

For the foregoing reasons, we deny the writ application.

Gretna, Louisiana, this 30th day of June, 2026.

FHW
JGG
SJW

SUSAN M. CHEARDY
CHIEF JUDGE

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

JUDGES



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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 **06/30/2026** 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-121

E-NOTIFIED

24th Judicial District Court (Clerk)
Honorable Martin E. Coady (DISTRICT JUDGE)
Honorable Shayna Beevers Morvant (DISTRICT JUDGE)
Sidney W. Degan, III (Relator) Fred L. Herman (Respondent)
Keith A. Kornman (Relator)
Travis L. Bourgeois (Relator)
Martha Y. Curtis (Relator)

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