

LAURA M. BADEAUX

NO. 25-C-273

VERSUS

FIFTH CIRCUIT

OCHSNER HEALTH SYSTEMS,
INC./OCHSNER CLINIC FOUNDATION AND
LHC GROUP, INC.

COURT OF APPEAL
STATE OF LOUISIANA



July 25, 2025

Linda Tran
First Deputy Clerk

IN RE LHC GROUP, INC.

APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT,
PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE JACQUELINE F.
MALONEY, DIVISION "D", NUMBER 842-963

Panel composed of Judges Jude G. Gravois,
Marc E. Johnson, and Timothy S. Marcel

WRIT DENIED

Relator, LHC Group, Inc., seeks review of the trial court's May 20, 2025 denial of its motion *in limine* to exclude hearsay evidence that Respondent, Laura M. Badeaux, allegedly fell on a chest tube in her husband's hospital room on October 24, 2022. It specifically contends that the EMS statements within the Ochsner medical records and the testimonies of Kelly Badeaux Phillips and Michelle Badeaux Stall about the chest tube being involved in the fall should be excluded. In its motion, Relator argued that the statements in Mrs. Badeaux's medical record that she fell on a chest tube are attributable to the EMS technicians, and those technicians were not present at the time of the fall. Thus, Relator averred that the declarant of the statement is unknown, and the statement is impermissible hearsay throughout Mrs. Badeaux's medical record. In regard to the testimonies of Mrs. Phillips and Mrs. Stall, Relator argued that they had no personal knowledge of what caused Mrs.

Badeaux’s fall, and any statement about the chest tube causing Mrs. Badeaux’s fall would be hearsay.

At this juncture, we find that the trial court did not abuse its discretion in these evidentiary rulings.¹ The evidence presented at trial by the parties will dictate whether there are any applicable hearsay exceptions. Accordingly, the writ application is denied.

Gretna, Louisiana, this 25th day of July, 2025.

MEJ
JGG
TSM

¹ Although Relator seeks to have any reference to the chest tube excluded from the testimonies of Mrs. Phillips and Mrs. Stall, the trial court only denied Relator’s motion *in limine* for the text messages between Mrs. Phillips and Mrs. Stall on October 25, 2022 from 1:33 a.m. to 1:34 a.m. The court pretermitted a ruling on Mrs. Phillips’ conversation with Ms. Badeaux right after the fall, Mrs. Phillips’ conversation with LTAC personnel, the text messages between Mrs. Phillips and Mrs. Stall on October 25, 2022 at 9:34 p.m., and the collective testimonies of Mrs. Phillips and Mrs. Stall regarding Mrs. Badeaux’s statement about the fall pending evidence submitted at trial.

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 **07/25/2025** 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

25-C-273

E-NOTIFIED

24th Judicial District Court (Clerk)	
Honorable Jacqueline F. Maloney (DISTRICT JUDGE)	
Ann M. LeBlanc (Relator)	Kathryn M. Caraway (Relator)
	Lawrence J. Centola, III (Respondent)
	Peter E. Sperling (Respondent)
	Megan L. LeBlanc (Respondent)

MAILED

Kari D. Fleming (Respondent)	Jason Z. Landry (Respondent)	Erica L. Andrews (Relator)
Attorney at Law	Attorney at Law	Mary Margaret H. Moore (Relator)
1100 Poydras Street	338 Lafayette Street	Lauren B. Papillion (Relator)
Suite 3700	New Orleans, LA 70130	Attorney at Law
New Orelans, LA 70163		3936 Bienville Street
		New Orleans, LA 70119