

Fifth Circuit Court of Appeal State of Louisiana

No. 26-C-369

KENSINGTON CAPITAL ADVISORS, LLC, ET AL.

versus

DELOS CAPITAL MANAGEMENT LP, ET AL.

IN RE KENSINGTON CAPITAL ADVISORS, LLC, KENSINGTON REALTY GROUP, LLC, ALLIED TRANSPORTATION OF LOUISIANA, LLC, PELICAN BARGE AND TRANSPORTATION, LLC, AND JOHN OHLE, AND DEFENDANT-IN-RECONVENTION, RIVER PARISHES DIRT & GRAVEL, LLC
APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE JUNE B. DARENSBURG, DIVISION "C", No. 851-721

TRUE COPY

October 01, 2026



LINDA TRAN
DEPUTY CLERK

Panel composed of Judges Fredericka Homberg Wicker,
Marc E. Johnson, and John J. Molaison, Jr.

WRIT GRANTED FOR LIMITED PURPOSE

Relators, Kensington Capital Advisors, LLC, et al., seek review of the trial court's July 10, 2026 judgment awarding sanctions against them for violations of the trial court's discovery orders, and casting them in judgment for attorney's fees and costs in the total amount of \$15,000.00. "A final judgment is appealable in all causes in which appeals are given by law." La. C.C.P. art. 2083(A). "Appellate courts generally will not exercise their supervisory jurisdiction when an adequate remedy exists by appeal. *Douglass v. Alton Ochsner Medical Foundation*, 96-2825 (La. 6/13/97), 695 So.2d 953. The July 10, 2026 judgment imposing sanctions which relators seek to have us review under our supervisory jurisdiction is a final, appealable judgment. See La. C.C.P. art. 1915(A)(6); *Kensington Capital Advisors, LLC, et al. v. Delos Capital Management, LP, et al.*, 26-244 (La. App. 5 Cir. 8/14/26), 2026 WL 2364805; *Capital City Press, LLC v. Louisiana State University*, 13-1994 (La. 8/28/13), 130 So.3d 250; *Perry v. F.H. Myers*

Constr. Corp., 23-64 (La. App. 4 Cir. 11/2/23). Insofar as Relators are aggrieved by the July 10, 2026 judgment they have an adequate remedy by appeal.

While a motion to appeal the trial court’s July 10, 2026 judgment would be untimely at this point, we find that Relators’ notice of intent to seek supervisory writs would have been timely filed as a motion seeking an appeal from that judgment and should have been acted upon as such by the trial court. Therefore, we hereby consider Relators’ timely filed notice of intent to seek supervisory writs as a timely filed motion for appeal. Relators must comply with any statutory provisions and the Uniform Rules of the Louisiana Courts of Appeal (“Uniform Rules”) regarding appeals from final judgments, including all relevant provisions set forth in Rule 2 of the Uniform Rules.

Accordingly, the writ application is granted for the limited purpose of remanding this matter to the district court with instructions to grant an appeal to relators pursuant to their notice of intent to seek supervisory writs. *See In Re Howard*, 541 So.2d 195 (La. 1989) (per curiam); *Toussaint v. Spears*, 25-428 (La. App. 4 Cir. 7/3/25), 417 So.3d 1220. Additionally, a copy of this court’s order is to be included in the appellate record.

Gretna, Louisiana, this 1st day of October, 2026.

FHW
MEJ
JJM

SUSAN M. CHEARDY
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



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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
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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 **10/01/2026** 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:

A handwritten signature in blue ink that reads "Curtis B. Pursell".

CURTIS B. PURSELL
CLERK OF COURT

26-C-369

E-NOTIFIED

24th Judicial District Court (Clerk)	
Honorable June B. Darensburg (DISTRICT JUDGE)	
Mark R. Beebe (Respondent)	Corey E. Dunbar (Relator)
Robert J. Stefani, Jr. (Respondent)	Matthew W. McDade (Respondent)

MAILED

Michael J. Cerniglia (Respondent)	Brandon E. Mary (Respondent)
Jailyn J. Heisser (Respondent)	Attorney at Law
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