Fifth Circuit Court of Appeal
State of Louisiana

No. 26-C-523

THOAI NGUYEN, ET AL.

versus

JEFFERSON PARISH, ET AL.

IN RE THOAI NGUYEN AND VLADIMIR THOMAS
APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE STEPHEN D. ENRIGHT, JR., DIVISION "N", No. 846-996

TRUE COPY
LINDA TRAN
DEPUTY CLERK

November 12, 2026

Panel composed of Judges Marc E. Johnson,
John J. Molaison, Jr., and Scott U. Schlegel

WRIT DENIED

The plaintiffs/relators, Thoai Nguyen and Vladimir Thomas, seek review of the September 25, 2026 judgment of the trial court that denied their motion to compel answers to discovery and motion for leave to serve additional interrogatories. We deny this writ application for the following reasons.

In the original and six amending petitions, the plaintiffs filed suit against numerous individuals and entities stemming from work performed on their property for damage caused by Hurricane Ida on August 29, 2021. The plaintiffs allege that Jefferson Parish and the Jefferson Parish Building Permits Department (collectively referred to as "the Parish") recklessly, fraudulently, and unlawfully issued permits for the repairs to the property. The plaintiffs also

asserted claims against the Parish for violations of the Louisiana Unfair Trade Practices and Consumer Protection Law, constitutional law, and civil rights.

The plaintiffs propounded voluminous discovery requests to the Parish, including six sets of interrogatories, requests for production, and requests for admission. On May 29, 2026, the plaintiffs filed an *ex parte* motion under La. C.C.P. art. 1457(B) for leave to serve fourteen additional interrogatories directed to the Parish. On June 1, 2026, the plaintiffs filed a Motion to Compel seeking complete answers to interrogatories 29-35, answers to, or alternative authorization for interrogatories 36-52, and requesting specific production of certain documents. Alternatively, the plaintiffs requested the Parish provide a privilege log. The Parish opposed both motions arguing they were "substantively the same," that they had fully responded to prior discovery requests, that these discovery requests were repetitive, and excessive.

The trial court held a contradictory hearing on the plaintiffs' motions on September 2, 2026. At the hearing, the plaintiffs argued that the *ex parte* motion to serve additional interrogatories was only a "technical matter" that La. C.C.P. art. 1457(B) required. The plaintiffs' attorney offered to go through the requests one by one, but the trial court suggested they hear the Parish's argument.

The Parish stated that it had produced the entirety of the permitting file for the plaintiffs' property that spanned from 2022 to March of 2023. The Parish pointed out that it had already answered 35 interrogatories—the maximum permitted without leave of court under La. C.C.P. art. 1457(B). In addition, the Parish argued that the additional interrogatories and requests made by the plaintiffs concerned alleged acts that took place in 2025. The Parish contended that nothing had changed in this case since its prior discovery responses, and that the plaintiffs had not shown the additional requested

documents were relevant. The Parish stated that a La. C.C.P. art. 1442 deposition was scheduled for September 30, 2026. The trial court took the motions under advisement. On September 25, 2026, the trial court rendered judgment denying both motions without reasons.

Two distinct rulings are before us, and they call for different standards of review. The denial of the motion to compel is reviewed under the settled standard that the trial court has broad discretion in regulating pretrial discovery, and its decision will not be disturbed on appeal absent a clear abuse of that discretion. *Palowsky v. Campbell*, 21-279 (La. App. 5 Cir. 8/26/21), 327 So.3d 589, 595, *writ denied,* 21-1428 (La. 11/23/21), 328 So.3d 74. The denial of leave to serve additional interrogatories, by contrast, turns on the application of La. C.C.P. art. 1457(B), a question of statutory interpretation that we review *de novo*. *Id.* at 595.

Article 1457(B) establishes a tiered limit on interrogatories. A party may serve up to thirty-five interrogatories, including subparts, without leave of court. A further set, not to exceed thirty-five including subparts, "shall be allowed upon *ex parte* motion of any party." Only thereafter must a party desiring to serve still more interrogatories file a written motion and obtain leave "after contradictory hearing and for good cause shown." La. C.C.P. art. 1457(B). The thirty-five-interrogatory figure is thus the threshold above which leave of court is required, not an absolute cap.

On the showing made, the plaintiffs have not established that the trial court erred in denying either motion. The record before us does not establish the total number of interrogatories, including subparts, that the plaintiffs have propounded; absent that number, the plaintiffs have not demonstrated that their proposed additional interrogatories fell within the tier that Art. 1457(B) requires

be allowed upon *ex parte* motion, rather than the tier requiring a written motion and a showing of good cause. As to the motion to compel, the trial court acted within its broad discretion in declining to order further responses on the record presented.

Accordingly, we deny this writ application.

Gretna, Louisiana, this 12th day of November, 2026.

JJM
MEJ
SUS

SUSAN M. CHEHARDY
CHIEF JUDGE

FREDERICKA H. WICKER
JUDE G. GRAVOIS
MARC E. JOHNSON
STEPHEN J. WINDHORST
JOHN J. MOLAISON, JR.
SCOTT U. SCHLEGEL
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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 **11/12/2026** 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

CURTIS B. PURSELL
CLERK OF COURT

26-C-523

E-NOTIFIED

24th Judicial District Court (Clerk)
Honorable Stephen D. Enright, Jr. (DISTRICT JUDGE)
Timothy W. Hassinger (Respondent)
Jacob K. Best (Respondent)
Vladimir Thomas (Relator)
Jonathan S. Forester (Respondent)
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