

19<sup>TH</sup> JUDICIAL DISTRICT COURT  
EAST BATON ROUGE PARISH  
STATE OF LOUISIANA

NUMBER: \_\_\_\_\_

DIVISION: \_\_\_\_

STATE OF LOUISIANA, DEPARTMENT OF  
TRANSPORTATION & DEVELOPMENT  
VS

BARRETT L. BROWNING, SAFECO  
INSURANCE COMPANY OF AMERICA

FILED: \_\_\_\_\_ DY CLERK

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PETITION

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The Louisiana, Department of Transportation and Development respectfully represents:

**1.**

Made defendants herein are:

- A. **Barrett L. Browning**, (“Browning”) a natural person of the full age of majority that can be served at 1125 Lakemont Dr., Baton Rouge, LA 70816; and,
- B. **Safeco Insurance Company of America**, (“Safeco”) a foreign insurer conducting business in Louisiana that can be served through the Louisiana Secretary of State at 8585 Archives Avenue, Baton Rouge, Louisiana 70809,

who are justly and truly indebted unto the plaintiff for the following:

**2.**

Plaintiff is responsible for the administration, construction, improvement, maintenance, and repair of public transportation systems, traffic control devices, bridges, overpasses traffic barriers and guardrails under La. R. S. 48:11, and 36:501 et seq.

**3.**

Plaintiff is entitled to file and prosecute this suit without the payment of court costs in advance or as the same accrue under La. RS. 13:4521.

**4.**

Plaintiff owns a guardrail that was damaged in a single vehicle accident on December 30, 2022, while Browning was operating a 2010, GMC Yukon, VIN #:1GKUCCE00AR276067 on Interstate 10 in East Baton Rouge Parish, Louisiana.

**5.**

The accident and resulting damages were caused by the sole fault of Browning which

included:

- a) failing to keep a proper lookout;
- b) failing to keep proper control of said motor vehicle
- c) failing to take the proper evasive action to avoid the resulting collision;
- d) failing to maintain the vehicle as required for safe operation;
- e) failing to slow or stop the motor vehicle in time to avoid the resulting collision;
- f) operating the motor vehicle in a careless manner; and,
- g) all other acts and omissions shown at the trial of this matter.

**6.**

Browning was insured under a policy of liability insurance issued by Safeco, Policy Number F3268244, that provides coverage for plaintiff's damages.

**7.**

Venue is proper under Louisiana Code of Civil Procedure article 42(7), La. R. S. 13:3203 & 22:1269(B) (1).

**8.**

Satisfactory proof of loss was provided to Safeco on August 17, 2023.

**9.**

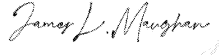
Safeco has not initiated loss adjustment or made an offer to settle this claim, under La. R. S. 22:1892.

**WHEREFORE**, The State of Louisiana, Department of Transportation and Development prays that after due proceedings are had, for entry of the judgment in its favor and against defendants, Barrett L. Browning and Safeco Insurance Company of America finding them jointly and solidarily liable unto the Plaintiff for all damages allowed by law.

Plaintiff further prays for all other relief that is appropriate under the premises considered.

Respectfully Submitted,

**STATE OF LOUISIANA  
DEPARTMENT OF TRANSPORTATION  
AND DEVELOPMENT**

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Date: 2023.10.26 08:30:59  
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**James L. Maughan (Bar No. 24841)**

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**PLEASE SERVE:**

**Barrett L. Browning  
1125 Lakemont Dr.  
Baton Rouge, LA 70816**

**Safeco Insurance Company of America  
Through the Louisiana Secretary of State  
8585 Archives Avenue  
Baton Rouge, Louisiana 70809**

**LOUISIANA CIVIL CASE REPORTING**  
**Civil Case Cover Sheet - LA. R.S. 13:4688 and**  
**Part G, §13, Louisiana Supreme Court General Administrative Rules**

This civil case cover sheet shall be completed by counsel for the petitioner, counsel's authorized representative, or by the self-represented litigant (if not represented by counsel) and submitted with the original petition filed with the court. The information should be the best available at the time of filing. This information does not constitute a discovery request, response or supplementation, and is not admissible at trial.

|  |                              |
|--|------------------------------|
| EAST BATON ROUGE PARISH<br>Filed Oct 27, 2023 9:21 AM<br>Deputy Clerk of Court<br>E-File Received Oct 26, 2023 9:37 AM | <b>C-739972</b><br><b>22</b> |
|--|------------------------------|

**Suit Caption:**

St. of La. DOTD

vs. Barrett Browning & Safeco Ins. Co.

**Court:** 19TH JDC

**Docket Number:** \_\_\_\_\_

**Parish of Filing:** East Baton Rouge

**Filing Date:** \_\_\_\_\_

**Name of Lead Petitioner's Attorney:** James L. Maughan

**Name of Self-Represented Litigant:** N/A

**Number of named petitioners:** 1

**Number of named defendants:** 2

**Type of Lawsuit: Please check the categories which most appropriately apply to this suit (no more than 3 categories should be checked):**

- |   |   |
|---|---|
| <input type="checkbox"/> Auto: Personal Injury          | <input checked="" type="checkbox"/> Auto: Property Damage |
| <input type="checkbox"/> Auto: Wrongful Death           | <input type="checkbox"/> Auto: Uninsured Motorist         |
| <input type="checkbox"/> Asbestos: Property Damage      | <input type="checkbox"/> Asbestos: Personal Injury/Death  |
| <input type="checkbox"/> Product Liability              | <input type="checkbox"/> Premise Liability                |
| <input type="checkbox"/> Intentional Bodily Injury      | <input type="checkbox"/> Intentional Property Damage      |
| <input type="checkbox"/> Intentional Wrongful Death     | <input type="checkbox"/> Unfair Business Practice         |
| <input type="checkbox"/> Business Tort                  | <input type="checkbox"/> Fraud                            |
| <input type="checkbox"/> Defamation                     | <input type="checkbox"/> Professional Negligence          |
| <input type="checkbox"/> Environmental Tort             | <input type="checkbox"/> Medical Malpractice              |
| <input type="checkbox"/> Intellectual Property          | <input type="checkbox"/> Toxic Tort                       |
| <input type="checkbox"/> Legal Malpractice              | <input type="checkbox"/> Other Tort (describe below)      |
| <input type="checkbox"/> Other Professional Malpractice | <input type="checkbox"/> Redhibition                      |
| <input type="checkbox"/> Maritime                       | <input type="checkbox"/> Class action (nature of case)    |
| <input type="checkbox"/> Wrongful Death                 |   |
| <input type="checkbox"/> General Negligence             |   |

**Please briefly describe the nature of the litigation in one sentence of additional detail:**

Auto accident property damage claim

Following the completion of this form by counsel, counsel's representative, or by the self-represented litigant, this document will be submitted to the Office of the Judicial Administrator, Supreme Court of Louisiana, by the Clerk of Court.

Name, address and contact information of person completing form:

Name James L. Maughan Signature 

Digitally signed by 00347831  
DN: cn=00347831  
Date: 2023.10.26 08:32:30 -05'00'

Address 1201 Capitol Access Road, Baton Rouge, LA 70802

Phone number: 225-242-4611 E-mail address: james.maughan@la.gov