STATE OF LOUISIANA, THROUGH DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT	NUMBER_____ DIV.___
	23RD JUDICIAL DISTRICT COURT
VERSUS	PARISH OF ST. JAMES
WESTERN RIVERS BOAT MANAGEMENT, INC. and JOSEPH COLOMB	STATE OF LOUISIANA

PETITION

The petition of the State of Louisiana, through Department of Transportation & Development (hereafter referred to as "the Department"), created under and by virtue of the laws of the State of Louisiana, and domiciled in the City of Baton Rouge, Parish of East Baton Rouge, State of Louisiana, respectfully represents that:

1.

Made defendants herein are:

I. **WESTERN RIVERS BOAT MANAGEMENT, INC.** (hereafter "Western Rivers"), a corporation authorized to do and doing business in the State of Louisiana, and who was the owner of the motor vessel "Miss Dorothy" on December 29, 2013; and

II. **JOSEPH COLOMB** (hereafter "Colomb"), a major person who was the boat captain of the motor vessel "Miss Dorothy" on December 29, 2013.

2.

Petitioner shows that, based on information and belief, the above named defendants are justly and truly indebted, jointly and in solido, to your petitioner for such damages as are reasonable in the premises, together with legal interest thereon from date of judicial demand, until paid, and for all costs of these proceedings.

3.

On or about December 29, 2013, the motor vessel "Miss Dorothy", said vessel being owned by defendant WESTERN RIVERS, and operated and piloted by defendant COLOMB, allided with, and caused damage to, a portion of the Northeast side of Nose of the Bridge Fender System at Pier 4 of the Sunshine Bridge over the Mississippi River located at LA 70 in St. James

Parish. Said bridge is further identified as being structure number 4260200721, with said bridge and its appurtenances being under the jurisdiction of the Department and owned by the State of Louisiana.

4.

Under the laws of the State of Louisiana, the construction, maintenance, and repair of the public state highways of the State of Louisiana, and the maintenance and repair of bridges, including the subject structural damage to the Northeast side of Nose of the Bridge Fender System at Pier 4, at the location referred to above, are functions of your petitioner.

5.

As a result of the accident, the Department was required to repair the Northeast side of Nose of the Bridge Fender System at Pier 4 of the subject bridge.

6.

The accident and resulting damages were caused by the negligence of defendant COLOMB in the following particular, but not necessarily exclusive respects:

1. In failing to keep a proper lookout;
2. In failing to keep proper control of said motor vessel and failing to take the proper evasive action to avoid the resulting collision;
3. In failing to stop or slow the motor vessel in time to avoid the resulting allision;
4. In operating said motor vessel in a generally careless manner without due regard for the property of others; and
5. Any and all other acts and omissions which will be shown at the trial of this matter.

7.

Petitioner alleges on information and belief that at the time of the accident sued upon, defendant COLOMB was employed by, or on a mission for defendant WESTERN RIVERS, or in the alternative, was in charge of piloting the motor vessel involved in said accident with the authorization, permission, and consent of defendant WESTERN RIVERS.

8.

Under the provisions of La. R.S. 13:4521, petitioner herein is entitled to file and

prosecute this suit without the payment of costs of Court in advance or as the same accrue and without the necessity of advancing costs, bond, or surety therefore.

9.

Petitioner alleges amicable demand has been made to no avail.

WHEREFORE, petitioner prays that:

1. A certified copy of the above and foregoing pleading be served upon the defendants and they be cited to appear and defend this lawsuit; and
2. After all legal delays have expired and due proceedings had, there be judgment herein in favor of petitioner, the DEPARTMENT, and against the defendants, WESTERN RIVERS BOAT MANAGEMENT, INC. and JOSEPH COLOMB for such damages as are reasonable in the premises, together with legal interest thereon from date of judicial demand, until paid, for all costs of these proceedings.

RESPECTFULLY SUBMITTED:

LOUISIANA DEPARTMENT OF
TRANSPORTATION & DEVELOPMENT
OFFICE OF THE GENERAL COUNSEL

BY: _____
OF COUNSEL

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PLEASE SERVE:

VIA LONG ARM STATUTE

1. Western Rivers Boat Management, Inc.,
   through its agent for service of process,
   Charles L. Strait
   2308 S. 4th Street
   Paducah, KY 42003

2. Joseph Colomb,
   through his employer of record,
   2308 S. 4th Street
   Paducah, KY 42003