

STATE OF LOUISIANA

COURT OF APPEAL, FIRST CIRCUIT

ASHLEY AMBROSE

NO. 2026 CW 0507

VERSUS

COMMAND CONSTRUCTION
INDUSTRIES, LLC, ET AL

JULY 31, 2026

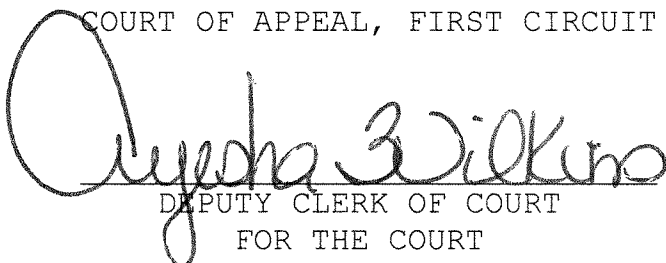
In Re: Ascension Quality Materials, LLC, applying for
supervisory writs, 19th Judicial District Court, Parish
of East Baton Rouge, No. 753870.

BEFORE: THERIOT, PENZATO, AND BALFOUR, JJ.

WRIT GRANTED. We find that third-party defendant, Ascension Quality Materials, LLC, is entitled to summary judgment. The relevant provisions of the contract require Ascension Quality Materials, LLC to defend and indemnify third-party plaintiff, Command Construction Industries, LLC, only for losses arising out of "any claim against [Command Construction Industries, LLC] caused by the act or omission of [Ascension Quality Materials, LLC] ... in the performance of the Purchase Order." Plaintiff, Ashley Ambrose's, petition in the principal demand asserts claims solely against Command Construction Industries, LLC and alleges no act or omission by Ascension Quality Materials, LLC that caused the claims asserted against Command Construction Industries, LLC. Because the contract limited Ascension Quality Materials, LLC's obligation to claims "caused by" its acts or omissions, rather than expressly agreeing to indemnify Command Construction Industries, LLC for its own negligence, we find that the indemnity provisions do not apply. Louisiana courts will not extend indemnity obligations to cover an indemnitee's own negligence absent clear and unequivocal contractual language expressing such intent. See **Barnett v. Am. Const. Hoist, Inc.**, 2011-1261 (La. App. 1st Cir. 2/10/12), 91 So.3d 345; **Bennett v. Demco Energy Services, LLC**, 2023-01358 (La. 5/10/24), 386 So.3d 270. Accordingly, the March 3, 2026 judgment of the trial court is reversed, summary judgment is rendered in favor of third-party defendant, Ascension Quality Materials, LLC, and third-party plaintiff, Command Construction Industries, LLC's, claims against the third-party defendant are dismissed.

**MRT
AHP
KEB**

COURT OF APPEAL, FIRST CIRCUIT



AYISHA WILKINS
DEPUTY CLERK OF COURT
FOR THE COURT