STATE OF LOUISIANA

COURT OF APPEAL, FIRST CIRCUIT

PATRICK GAMBEL AND HIS WIFE,
GRACE GAMBEL

VERSUS

LOUISIANA INSURANCE GUARANTY
ASSOCIATION AND SOUTHERN
FIDELITY INSURANCE COMPANY

NO. 2026 CW 1096

AUGUST 25, 2026

In Re: Louisiana Insurance Guaranty Association, applying for supervisory writs, 21st Judicial District Court, Parish of Tangipahoa, No. 20230000494.

BEFORE: THERIOT, GREENE, AND EDWARDS, JJ.

WRIT GRANTED WITH ORDER. The trial court's August 17, 2026 judgments denying Louisiana Insurance Guaranty Association's ("LIGA") Ex Parte Motion and Order for Jury Trial Without Bond Pursuant to La. R.S. 13:4581 and Motion and Order for Status Conference to Set a New Trial Date are reversed. LIGA timely filed its request for a jury trial within its answer on March 28, 2023, pursuant to La. Code Civ. P. art. 1734. LIGA owed no duty to post a jury bond in accordance with La. R.S. 13:4581. Further, LIGA never filed a written motion to withdraw the jury trial request. See La. Code Civ. P. art. 1733(B). A litigant's right to a jury trial is fundamental in character, and courts will indulge every presumption against waiver, loss, or forfeiture thereof. **Adams v. City of Baton Rouge**, 95-2515 (La. App. 1st Cir. 4/30/96), 673 So.2d 624, writ denied, 96-1491 (La. 9/20/96), 679 So.2d 439, and writ denied, 96-1492 (La. 9/20/96), 679 So.2d 439. We find LIGA has not waived its right to a jury trial. This matter is remanded to the trial court with instructions to schedule this matter for jury trial.

MRT
HG
BDE

COURT OF APPEAL, FIRST CIRCUIT

DEPUTY CLERK OF COURT
FOR THE COURT