

22<sup>ND</sup> JUDICIAL DISTRICT COURT FOR THE PARISH OF ST. TAMMANY

STATE OF LOUISIANA

NO.

DIVISION/SECTION:

JACK E. TRUITT AND THE TRUITT LAW FIRM, L.L.C.

VERSUS

DANIEL G. ABEL, TROUT POINT LODGE, LIMITED, VAUGHN PERRET, AND  
CHARLES LEARY

FILED: \_\_\_\_\_

\_\_\_\_\_  
DEPUTY CLERK

**PETITION FOR DAMAGES**

NOW INTO COURT, through undersigned counsel, comes Jack E. Truitt, a person of full age and majority and a resident of the Parish of St. Tammany, State of Louisiana, and The Truitt Law Firm, LLC, being a Louisiana limited liability company, organized in and doing business in the Parish of St. Tammany, State of Louisiana, (hereinafter referred to as (“petitioners”)) who respectfully represent:

1.

That made defendants herein are Daniel G. Abel (“Abel”), a person of the full age of majority and domiciled in Jefferson Parish, State of Louisiana, Trout Point Lodge, Limited, a Canadian limited company (“Trout Point”), Vaughn Perret, (“Perret”) and Charles Leary, (“Leary”), persons of the full age of majority and domiciled in Canada, collectively referred to as (“defendants”), who are subject to the jurisdiction of this Honorable Court in that they have committed tortious acts against your petitioners which have caused damages to petitioners in the Parish of St. Tammany, State of Louisiana.

2.

The defendant, Abel, is a licensed attorney in the State of Louisiana, who is associated with Trout Point, Perret and Leary. Trout Point, Perret and Leary have availed themselves of this State as a forum to seek damages from various litigants in connection with a related matter.

3.

The petitioners represented Douglas Handshoe in the matter entitled *Trout Point Lodge*,

*Limited vs. Doug Handshoe*, in the United States District Court for the Southern District of Mississippi, and in that matter, Douglas Handshoe was awarded attorney's fees in the amount of \$48,000.00, in an Order granting defendant's Motion for Attorney's Fees entered on December 11, 2013, by the Honorable Louis Guirola, Jr. in Cause No. 1:12CV90-LG-JMR (U.S.D.C. for the Southern District of Mississippi), said interest in that judgment awarding attorney's fees in the sum of \$48,000.00, was assigned by Douglas Handshoe to petitioner, Truitt.

4.

In an effort to offset or defeat that claim for attorney's fees and costs against Trout Point, Perret and Leary, Abel and those co-defendants have engaged in a pattern of "litigation terrorism," filing lawsuits against Truitt, his law firm, and Handshoe. All of these lawsuits are completely devoid of any facts or causes of action which would allow for any judgment against petitioners, but which lawsuits were filed solely in an effort to defeat or prevent the execution of the judgment in favor of the petitioners for the sum of \$48,000.00 plus interest and costs.

5.

The defendants have engaged in the abuse of the judicial process for (1) an ulterior purpose and (2) engaged in wilful acts in the use of the judicial process not proper in the regular conduct of the proceedings. The defendants' conduct involves the misuse of a process already legally issued whereby the defendants are attempting to obtain some result not proper under law.

6.

As a result of the defendants' abuse of process, the petitioners have suffered damages, including, but not limited to, mental anguish, loss of profits, loss of business opportunities, embarrassment, humiliation, and other such damages as will be shown at a trial on the merits. In no event, though, do the damages of the petitioners exceed the amount of \$50,000.00, exclusive of judicial interest and costs.

**WHEREFORE**, petitioners pray that the defendants each be served with a copy of this Petition and be duly cited to appear and answer same, that after due and deliberate proceedings had, there be judgment in favor of the petitioners and against the defendants, Daniel G. Abel, Trout Point Lodge, Limited, Vaughn Perret, and Charles Leary, jointly and severally, in an amount to be

determined by this Honorable Court, and for attorney's fees, interest, and costs on any sums recovered in this action, and for all general and equitable relief as allowed by law and in the Judgment of this Honorable Court.

Respectfully submitted,

**THE TRUITT LAW FIRM**

A Limited Liability Company

---

JACK E. TRUITT, BAR NO. 18476, T.A.  
PAMELA SEEBER CHEHARDY, BAR NO. 23562  
ALAINA BRANDHURST, BAR NO. 35057  
149 North New Hampshire Street  
Covington, Louisiana 70433  
Telephone: (985) 327-5266  
Facsimile: (985) 327-5252  
Email: [mail@truittlaw.com](mailto:mail@truittlaw.com)  
Counsel for Petitioners

**PLEASE SERVE:**

Daniel G. Abel, Esq.  
2421 Clearview Parkway  
Metairie, Louisiana 70001

Trout Point, LTD  
Through the Louisiana Long Arm Statute  
189 Trout Point Road  
East Kemptville, NS B0W 1Y0, Canada

Vaughn Perret  
Through the Louisiana Long Arm Statute  
189 Trout Point Road  
East Kemptville, NS B0W 1Y0, Canada

Charles Leary  
Through the Louisiana Long Arm Statute  
189 Trout Point Road  
East Kemptville, NS B0W 1Y0, Canada