

NOT DESIGNATED FOR PUBLICATION

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

2011 CA 1056

JOANN VERCHER

VERSUS

VULCAN CHEMICALS, A DIVISION OF VULCAN MATERIALS
COMPANY

C/W

2011 CA 1057

MARILYN MCLEON AND ALL OTHER SIMILARLY SITUATED
PERSONS

VERSUS

VULCAN CHEMICALS

DATE OF JUDGMENT: APR 18 2012

ON APPEAL FROM THE TWENTY-THIRD JUDICIAL DISTRICT COURT
NUMBER 69418 C/W 69388, PARISH OF ASCENSION
STATE OF LOUISIANA

HONORABLE RALPH TUREAU, JUDGE

Daniel Becnel
Reserve, Louisiana

In Proper Person

Jesse B. Hearin, III
Slidell, Louisiana

Counsel for Appellant-Intervenor
Ike F. Hawkins

BEFORE: WHIPPLE, KUHN, AND GUIDRY, JJ.

Disposition: APPEAL DISMISSED.

JEL
VGW by JEL
JMG by JEL

KUHN, J.

After exposure to a chemical release from the facilities of Vulcan Materials Company (Vulcan) in 2001, numerous claims were filed by various attorneys on behalf of those averring personal injuries. A settlement in July 2006 resulted in the dismissal of all claims asserted except those who were represented by certain attorneys, including Daniel Becnel and Ike F. Hawkins, jointly and individually. Apparently during June 2006, Hawkins was suspended from practicing as an attorney, and in July 2008, he resigned from the practice of law. Between the time of his suspension and his resignation, in February 2007, the remaining claims were settled.

Hawkins perfected his liens in the mortgage and conveyance records and pursued recovery for case-specific costs from the corpus of the February 2003 Settlement Fund; he also averred entitlement to an attorney's fee under the employment contracts by which he acted until the time of his suspension; or alternatively on the basis of *quantum meruit* for the period of time that he lawfully provided his former clients with legal services. The trial court denied recovery based on the recommendation of the special master, who found that in addition to having been untimely asserted, Hawkins' claims were not supported by competent evidence. In his appeal to this court, Hawkins challenged the efficacy of the trial court's dismissal, asserting he had not received timely notice of the procedure put in place after the special master's review of the pleadings filed by the various lien claimants revealed no accurate information of the full extent of those claims.

On April 3, 2012, Hawkins and Becnel, in proper person, filed a joint motion of dismissal of Hawkins' appeal, advising that the matter had been fully compromised and settled with full prejudice. Finding no legal impediment, we grant

the joint motion and dismiss Hawkins' appeal, thereby terminating all claims he may have asserted in the pleadings in this appeal record. Appeal costs are assessed to intervenor-appellant, Ike F. Hawkins, pursuant to the terms of the settlement agreement and as set forth in the parties' joint motion.

APPEAL DISMISSED.