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William B. Monk

Partner

phone [337-493-7232](tel:337-493-7232)fax [337-312-2919](tel:337-312-2919)email [William B. Monk](mailto:William.B.Monk)

vCard

AREAS OF PRACTICE

- Litigation
- Oil & Gas Transactions and Litigation
- Environmental Litigation, Toxic Tort and Occupational Exposure Defense
- General Business and Commercial Litigation
- Professional Liability Defense

Since he began his practice in 1981, Bill has developed considerable experience in several essential areas of commercial, mineral, environmental and mass tort litigation. His practice in both federal and state courts has involved the quality management of complicated litigation to positive conclusions. For example, over a period of several years, Bill played a leading role in securing a no liability jury verdict defending a local industry against the claims of more than 1700 plaintiffs, who were asking the jury to award more than a billion dollars in actual and punitive damages. That major verdict was listed by the National Law Journal in its May 22, 2000 publication, among the top 15 "major civil-suit verdicts that beat the odds." In addition to his regular practice, Bill served for 14 years as the Firm's Managing Partner, through the end of 2015. He is enjoying resumption of his full-time, very gratifying practice on client work.

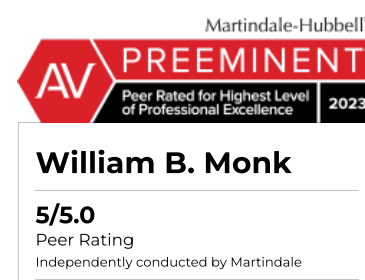
Here are more recent examples of the variety of significant litigated matters Bill has had the privilege of handling. In 2013, Bill secured a complete dismissal of a >\$2 million attorney malpractice claim, based on the former client being estopped from complaining about a joint defense at trial, which the client originally approved, hired its own independent lawyers to monitor the proceedings, then criticized after it did not like the result. In 2015, Bill secured a forced buyout at a reasonable price, for minority shareholders in a family held corporation, who had grounds to establish that the controlling owners were acting in bad faith to oppress the minority shareholders. The buyout was secured to avoid a trial that would have been the first trial of such issues, in either state or federal court, under the new Louisiana Business Corporation Act, created by Act No. 328, effective January 1, 2015. In 2016, Bill completed many years of work on getting a complicated lawsuit dismissed, in which 360 claimants sued in 2003, claiming damages from the remnants of a 1983 railcar spill. All 360 claims were ultimately dismissed, by dispositive motions, based on the pertinent statute of limitations and/or the absence of any proven completed pathways of exposure. To secure that result, it was necessary to obtain reversals of earlier decisions in the case, based on all the additional evidence and expert opinions developed as to the lack of any merit to the claims. A key element was the extent to which the plaintiffs' experts' opinions were impeached, as inconsistent with their own work on other cases.

In 2017, Bill secured a confidential settlement for the owners of valuable land supporting docks on the Calcasieu Ship Channel, after getting the trial court and Court of Appeal to reject arguments by a tenant that it could not be held liable for unfair trade practices arising from its deceptive conduct, concealing years of neglecting the docks, in an effort to avoid or postpone time sensitive dock and bulkhead repairs. In 2020, based on the results of a twenty-day federal court trial, with Bill serving as trial counsel for plaintiff, the client secured a \$124.5 million judgment, finalized in 2022. See the last two entries under Reported Cases, below.

Bill was born in Lake Charles on December 28, 1957. He was valedictorian of the 1975 Class of Lake Charles High School [as were his mother, Mary Ann Maxfield Monk, and three sisters]. He attended LSU as an Alumni Top 100 Scholarship recipient, where he received an undergraduate degree in History in 1978, and his Juris Doctorate in 1981. Bill and his wife, Aimee Judice Monk, have five children. He is a member of the Immaculate Conception Cathedral Church, and his recreational interests include golf, hunting and music.

PRACTICE DETAILS:

Admitted to bar, 1981, Louisiana. Education: Louisiana State University (B.A., 1978; J.D., 1981). Author: "The Admissibility and Weight of Expert Testimony in Toxic Tort Litigation," The Louisiana Environmental Lawyer, Vol. 2, No. 1, 1994. Served as a Special Assistant Attorney General for the State of Louisiana in oil and gas litigation. Recognized member of "Best Lawyers in America" in commercial litigation and mass tort litigation, (2008-) and "Louisiana Super



Office Location

Lake Charles Office

Address
One Lakeside Plaza
4th Floor
Lake Charles, Louisiana
70601

Phone
[337-436-9491](tel:337-436-9491)

Fax
[337-493-7210](tel:337-493-7210)

Lawyers" in business litigation, (2008-). Also listed in Chambers USA - America's Leading Lawyers for Business (2012-present), as a Top Ranked attorney for Environmental Litigation in Louisiana. Also recognized in the 2012 Top Rated Lawyers® Annual Guide to Energy, Environmental & Natural Resources Law. Member: Southwest Louisiana Bar Association; Louisiana State Bar Association (Board of Governors, 1990-1991; Mineral Law Section, Chairman, 1991-1992; Young Lawyers Section, Chairman, 1990-1991; CLE Committee, 1992-1995; Associate Bar Examiner, 1990-present; Committee on the Rules of Professional Conduct, 2004-; Bench Bar Committee, 2008-2009); American Bar Association (Natural Resources, Energy and Environmental Law Section Council, 1990-1992; Special Committee on Environmental and Toxic Torts, Vice-Chairman, 1992-1994; Corporate, Banking and Business Law Section); Southwest Louisiana Association of Defense Counsel; Louisiana State Law Institute (Advisory Council Member, 1990-1991; Mineral Code Committee, 1992-1998, Civil Procedure Committee 2010-); LSU Law Center Mineral Law Institute (Advisory Council, 1988-1991; Speakers Committee, 1989-1990); McNeese State University (Adjunct Professor, Administrative Law and Trial Practice and Procedure, 1983-1986); Member, Bench Bar Committee, 2009-2010; and Louisiana Association of Defense Counsel (Board of Directors, 2018-2020).

REPORTED CASES:

- Keene v. Williams, 423 So.2d 1065 (La. 1982)
- Fogal v. Boudreaux, 497 So.2d 366 (La.App. 3 Cir. 1986)
- Taussig v. Goldking Properties Co., 495 So.2d 1008 (La.App. 3 Cir. 1986), 502 So.2d 111 (La. 1987)
- Auster Oil & Gas, Inc. v. Stream, 835 F.2d 597 (5 Cir. 1988) and 891 F.2d 570 (5 Cir. 1990)
- American Casualty Co. v. United Southern Bank, 950 F.2d 250 (5 Cir. 1992)
- First Nat. Bank v. First Financial of La., 921 F.Supp. 1506 (E.D.La. 1996)
- Davis Oil Co. vs. TS, Inc., 962 F.Supp. 872, 877 (E.D.La. 1997)
- State v. McInnis Bros. Constr., 701 So.2d 937 (La. 1997)
- Miller v. Home Depot U.S.A. Inc., LEXIS 24063 (2001) and LEXIS 11298 and 11309 (2002)
- Taita Chem. Co., Ltd. v. Westlake Styrene, 246 F.3d 377 and 351 F.3d 663 (5 Cir. 2003);
- Ardoin v. Stine Lumber Co., 298 F.Supp.2d 422, 2003 WL 23150112, 2003 WL 23145813 and 220 F.R.D. 459 (W.D. La. 2003-04)
- Trent v. PPG Industries, Inc., 865 So.2d 1041 (La.App. 3 Cir. 2004)
- Brookshire Bros. Holding, Inc. v. Total Containment, Inc., 2007 WL 2591224 (W.D.La. 2007)
- Gunderson v. F.A. Richard & Associates, Inc., 977 So.2d 1128, 2007-331 (La.App. 3 Cir. 2/27/08), 44 So.3d 779 and 40 So.3d 418
- Waste Management of Louisiana, LLC v. Penn-America Ins. Co., 110 So. 3d 200 (La. App. 3d Cir. 2013); 111 So. 3d 1009 (La. 2013)
- Ned v. Union Pac. Corp., 14-1310 (La. App. 3 Cir. 04/15/15); 176 So. 3d 1095; writ denied 2015-0953 (La. 09/18/15); 2015 La. LEXIS 2038
- J.A. Davis Properties, LLC v. Martin Operating Partnership, LP, 224 So.3d 39, 2017-449 (La. App. 3d Cir. 2017).
- IFG Port Holdings, LLC v. Lake Charles Harbor & Terminal Dist. No. 16-CV-146, 2020 WL 4437412, at *3 (W.D. La. July 31, 2020). Trial counsel for plaintiff, in a commercial lease dispute including claims under the Louisiana Unfair Trade Practices Act. IFG was awarded \$110 million in actual and treble damages, with judgment entered on March 14, 2022, for a total of \$124.5 million, including prejudgment interest and attorney fees [Docs. 627 and 617-1]. <https://ecf.lawd.uscourts.gov/doc1/08916727973>. 2022 WL 780926. The result is being appealed.

COMMUNITY SERVICE:

- The Chamber/Southwest Louisiana, Chairman (2012); Legal Counsel (2005-2010; and 2015-2019); Nominating Committee (2004, 2008, 2009); Board of Directors (1986-1992; 2005-); Secretary (1987-1990); Governmental Affairs Division Chairman (1988-1991); Legislative Affairs Committee Chairman (1986-1987)
- Council for a Better Louisiana, Leadership Louisiana (1992 Class)
- Young Men's Business Club of Lake Charles, President (1986)
- Immaculate Conception Cathedral School Board (1990-1992), Trust Board (1995-2000)
- Police Jury Solid Waste Disposal Methodology Commission, Advisory Member (1988-1989)
- United Way Campaign, Division Chairman (1990)



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Lake Charles Office

Address
One Lakeside Plaza, 4th Floor
Lake Charles, Louisiana 70601

Contact Information
Email: info@ssvcs.com



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Stockwell, Sievert, Viccellio, Clements & Shaddock, L.L.P. is located in Lake Charles, LA and serves clients in and around Lake Charles, Westlake, Dequincy and Calcasieu County.

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