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PREFACE TO ANNUAL SUPPLEMENT

This is the sixteenth annual supplement to the Fifth Edition of Malone and Johnson. It remains of somewhat modest size but has grown over the intervening years between this Fifth Edition and a future Sixth Edition.

Comprehensive review of the case law contained in this 2026-2027 supplement ended with the Southern 3rd advance sheet dated June 11, 2026 (No. 24). The legislative product of the 2026 Regular Session of the Louisiana Legislature was also considered and is contained in the statutory appendix and footnotes as appropriate.

All relevant judicial opinions have been summarized and placed in their appropriate sections and footnotes. The number of judicial opinions relevant to updating the supplement continues to be somewhat smaller than in some prior years.

As always, comments and suggestions for improvement are welcomed.

H. ALSTON JOHNSON

Baton Rouge, Louisiana
November 15, 2026

ABOUT THE AUTHOR

H. Alston Johnson received his undergraduate degree from Georgetown University in 1967 and his law degree from Louisiana State University in 1970, where he was a senior associate editor of the Louisiana Law Review and a member of the Order of the Coif. He was admitted to practice in Louisiana in 1970 and thereafter participated in a graduate law program at the University of Grenoble. After a brief stint in private practice in Shreveport and military service, he joined the law faculty at Louisiana State University in 1972 and was a full-time member of that faculty until 1984, achieving the rank of full professor in 1978. In his student days, he had the privilege of being the student of the legendary Boyd Professor Wex S. Malone. Then, in his early faculty years, Professor Malone asked him to assist in the writing of the Second Edition of Louisiana Workers' Compensation Law and Practice—a two-year process that established a strong personal and professional bond between them that lasted until Professor Malone's death in 1988.

After 1984, Professor Johnson continued to serve as an adjunct professor at the Hebert Law Center, Louisiana State University, teaching a variety of subjects. In the spring semester of 2012, he returned to full-time status on the faculty for three semesters. On June 1, 2013, he reverted to his prior adjunct status for a few years, and maintains a professional relationship with Phelps Dunbar.

In 1984, he left the full-time faculty to open the Baton Rouge branch office of Phelps Dunbar, the first in its 130-year history at that time. By 2026, the office has grown to over fifty attorneys and remains the largest branch office of Phelps Dunbar. He is a fellow of the American Academy of Appellate Lawyers and received the Louisiana Bar Foundation's Distinguished Attorney Award in 2005 along with the Louisiana State Bar Association's Boisfontaine Trial Advocacy Award in that same year. In 2020, he was selected as a Distinguished Alumnus of the Hebert Law Center at Louisiana State University. He is an emeritus member of the American Law Institute and served two terms on the Council of the Louisiana State Law Institute.

In addition to continuing to author this two-volume work on *Louisiana Workers' Compensation Law and Practice* (5th ed., Thomson West, 2010, with annual pocket parts), he is the author of *Louisiana Civil Jury Instructions* (3rd ed., Thomson West, 2011, with annual pocket parts) and the co-author with his senior

colleague Wm. Shelby McKenzie of *Louisiana Insurance Law and Practice* (4th ed., Thomson West, 2012, with annual pocket parts). He has been a frequent speaker at CLE seminars for a wide variety of groups over the years, and served for more than twenty years on the faculties for the Louisiana State Bar Association's Summer School for Lawyers and the Louisiana Judicial College's Summer School for Judges.

He was the chairman of the Governor's Advisory Committee on Tort and Insurance Reform in 1988, as well as a member of the Legislative Task Force on the Workload of the Louisiana Appellate Courts from 2001-2003. He has served the legal profession as a member of the Selection Committee for the U. S. Bankruptcy Judge for the Middle District of Louisiana in 2001 (by appointment of the Chief Judge of the United States Court of Appeals for the Fifth Circuit) and as a member of the Civil Justice Reform Act Advisory Group for the U. S. District Court for the Middle District of Louisiana from 1991-1995 (by appointment of the Chief Judge of the Middle District). From 2007 to 2009, he was also special counsel to the Judicial Conference of the United States Court of Appeals for the Fifth Circuit (by appointment of its Chief Judge) with regard to the investigation of certain charges of judicial misconduct by a sitting federal district judge.

He has also served his community as a board member and sometimes as board chairman of such entities as the Wex Malone Chapter of the American Inns of Court, Catholic Community Services of the Diocese of Baton Rouge, the Friends of Louisiana Public Broadcasting, Cancer Services of Greater Baton Rouge and the Foundation for Excellence in Louisiana Public Broadcasting.

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