Expropriation Ruling Explains Landowner's Burden to Prove Severance Damages to a 'Legal Certainty'

A Louisiana appellate court has added to the relatively sparse body of appellate rulings in pipeline expropriation matters with an unpublished opinion affirming that landowners whose property is expropriated must prove their entitlement to severance damages to a "legal certainty."

Writing in the **Liskow & Lewis** Energy Law Blog, **Laura Springer Brown** discusses the case of *Enterprise Products Operating, LLC, v. Southwood Terminal, L.L.C*.

In its ruling, the court affirmed a two-part test for severance damages: The landowner must prove a diminution in value, "and only then could the jury continue on to the issue of the amount of damages."

Read the article.