THE LOUISIANA PURCHASE

A WEEKLY BRIEF ON LOUISIANA LAND-TITLE AND TITLE-INSURANCE DEVELOPMENTS

LEGAL INSIGHTS. PRACTICAL IMPACT. LOUISIANA FOCUS.



OCTOBER 12, 2026

By Hansel M. Harlan

IN THIS ISSUE

1 **Deutsche Bank v. Russell**

2 **Ocwen v. Norris**

3 **Theriot v. FPI Colorado**

4 **Nichols Inter Vivos Trust v. Sumpter**

5 **ALTA Best Practices 5.0**

EXECUTIVE SUMMARY

Four appellate decisions dominated the week, spanning mortgage abandonment, servicing proof, agricultural leases, and immovable-property settlements.

Reporting period: October 5–11, 2026. This issue highlights the practical significance of recent court and industry developments for Louisiana title practice.

MAJOR DEVELOPMENTS

1 Deutsche Bank v. Russell

La. App. 1 Cir. | Oct. 6, 2026 | No. 2025-CA-1306 | So. 3d not verified

The First Circuit addressed abandonment in a mortgage-related proceeding, including the effect of bankruptcy stays and the significance of service activity.

Why it matters

Audit the complete procedural record and applicable stays before asserting abandonment or reviving a foreclosure action.

2 Ocwen v. Norris

La. App. 1 Cir. | Oct. 7, 2026 | No. 2025-CA-1101 | So. 3d not verified

The court considered mortgage enforcement after a debtor's death, distinctions between an heir's personal liability and real security, and successor-servicer business-record proof.

Why it matters

Distinguish in rem enforcement from personal liability and preserve a sound evidentiary foundation for servicing records.

3 Theriot v. FPI Colorado

La. App. 3 Cir. | Oct. 7, 2026 | Docket not verified | So. 3d not verified

A dispute over assumed agricultural leases concerned termination rights and statutory damages reportedly totaling approximately $2.65 million.

Why it matters

Due diligence on agricultural immovables should include leases, assumption language, notice requirements, and potential statutory remedies.

KEY TAKEAWAYS

The practical emphasis this week is on complete primary-source review, defensible recordkeeping, and careful separation of confirmed holdings from emerging industry trends.

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MAJOR DEVELOPMENTS / CONTINUED

4 Nichols Inter Vivos Trust v. Sumpter

Louisiana appellate decision | Oct. 2026 | Citation not verified

The court considered enforcement of a settlement agreement concerning immovable property and its effect on parties' rights.

Why it matters

When a settlement changes property rights, ensure the agreement and resulting instruments satisfy applicable formal and recordation requirements.

5 ALTA Best Practices 5.0

Industry guidance | 2026

Updated best-practices themes included vendor management, cybersecurity, compliance processes, and remote notarization.

Why it matters

Review written policies and audit trails for third-party providers and digital closings.

6 Act 127 / abandonment

La. C.C.P. art. 561 | 2026

The weekly report highlighted Act 127's amendment of the Louisiana abandonment statute, particularly relevant to litigation timing.

Why it matters

Check the amended statutory text and effective date before relying on older abandonment authorities.

EDITOR'S NOTE

This retrospective edition reconstructs the contemporaneous weekly title report. Where a case's complete holding or a Southern Reporter, Third Series citation could not be independently verified, that limitation is stated rather than supplying an unsupported proposition. Confirm signed opinions and subsequent history before citation.