

**MINUTES OF  
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST  
LEGAL COMMITTEE MEETING  
HELD ON JUNE 4, 2009**

PRESENT: Thomas Jackson, Committee Member  
Stradford Goins, Committee Member  
Timothy Doody, President

ABSENT: Abril Sutherland, Chairman  
George Losonsky, Committee Member

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The Legal Committee met on June 4, 2009, in the Second Floor Hall, Lake Vista Community Center, 6500 Spanish Fort Boulevard, New Orleans, Louisiana. Mr. Goins, acting as Chair, called the meeting to order at 10:25 a.m.

**Opening Comments:** None.

**Adoption of Agenda:** The agenda was adopted as presented.

**Approval of Minutes:** The minutes of the Legal Committee meeting held on May 14, 2009 were approved.

**Public Comments:** None.

**New Business:**

**A. Approval of Legal Invoices (Authority – East, OLD, EJLD and LBBLD).**

A spreadsheet dated June 4, 2009 listing legal invoices for approval was distributed. The Committee reviewed and approved the invoices listed on the spreadsheet.

Mr. Goins requested that invoices be submitted on a timely basis.

**B. Report on Bohemia Cases – Poydras Homes and Eusan Plaintiffs.**

Robert Lacour, General Counsel, reported that two plaintiffs, Poydras Homes and Eusan, filed suit in Federal Court in an attempt to seize assets on a summary judgment on their taking claims. The Authority filed a motion to dismiss. The judge granted the motion to dismiss based on the fact that the plaintiffs did not first exhaust their State remedies.

Mr. Doody advised that an agreement was reached relative to House Bill 61. The Authority will participate in a study to determine the current landowners and the amount

of money to which each may be entitled based on the advice by the Department of Natural Resources and in accordance with the current law. This determination should be accomplished within ten months. A funding source would have to be found. The parties would submit documentation to back up their claims.

### **C. Discussion of renewal of legal contracts.**

Mr. Lacour explained that the Board selected six new law firms to supplement the eight to ten law firms presently under contract. The Attorney General's Office was consulted and Mr. Lacour was advised that the legal contracts could have a maximum term of three years. Therefore, the contracts with the newly selected firms and the contracts being renewed with those firms currently under contract will have a three year term. The contracts would have a thirty day cancellation clause. In addition, the Authority would not have to assign work to a firm if it is not satisfied with the firm's services.

### **Executive Session:**

#### **A. 17<sup>th</sup> Street Canal Coalition, et al, vs. Orleans Levee District No. 08-6979 CDC.**

A motion was offered by Mr. Doody, seconded by Mr. Jackson and unanimously adopted, for the Committee to meet in executive session to discuss the item listed on the agenda.

The Committee returned from Executive Session and reconvened in regular session.

There was no further business; therefore, the meeting was adjourned at 11:00 a.m.