

APPENDIX

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Exhibit 1

IN THE THIRTY-EIGHTH JUDICIAL DISTRICT COURT
IN AND FOR THE PARISH OF CAMERON
STATE OF LOUISIANA

THE PARISH OF CAMERON

VERSUS : DOCKET NO. 10-19582
AUSTER OIL & GAS, INC.,
ET AL

RULING

Evidence adduced and proceedings had in the above-numbered and entitled cause at Cameron, Louisiana, on the 17th day of May, 2023, at 11:18 a.m., before the HONORABLE PENELOPE RICHARD, Judge of the Thirty-Eighth Judicial District Court in and for the Parish of Cameron, State of Louisiana.

APPEARANCES

None.

1 **PROCEEDINGS:**

2 THE COURT:

3 This is the matter of The Parish of Cameron
4 versus Auster Oil & Gas, Inc., et al., Docket
5 Number 10-19582.

6 On April 19, 2023, the Court heard a motion
7 to change venue in the above referenced case
8 filed by the defendants, Shell Oil, BP
9 Production, Hilcorp Energy, Chevron USA, Chevron
10 Pipeline, Honeywell International, and
11 Kerr-McGee Oil and Gas.

12 The defendants assert that they will be
13 unable to receive a fair trial in Cameron Parish
14 because the potential jurors may perceive that
15 they have a pecuniary interest, either direct or
16 indirect, in the outcome of the case and thus
17 would be, quote, incapable of the impartiality
18 required of a juror, end quote. They rely on
19 several cases involving criminal juries with
20 pre-trial publicity, recusal cases of judges,
21 and cases involving the due process clause. The
22 Court is not persuaded by any of the cases cited
23 by the defendants as none of the cases are on
24 point with the facts of this case.

25 After reviewing the memoranda, evidence,
26 jurisprudence, and the law, the Court finds that
27 the defendants have failed to meet their burden
28 of proof to warrant a change in venue in this
29 case. Under Code of Civil Procedure Article 122
30 and the due process clause of the United States
31 and the Louisiana Constitutions, the defendants
32 have not shown that they, quote, cannot obtain a

1 fair and impartial trial because of the undue
2 influence of an adverse party, prejudice
3 existing in the public mind, or some other
4 sufficient cause, closed quotes. Only through
5 the complete process of *voir dire* will one be
6 able to establish whether a fair and impartial
7 jury can be impaneled in Cameron Parish to hear
8 this particular case. The Court is not unaware
9 of the difficulty and the time consuming process
10 that this will take due to the uniqueness of
11 this parish and the allegations made in this
12 case. However, the Court will take every
13 precaution to ensure that the *voir dire* process
14 will be fair to all parties.

15 The Court directs the Clerk of Court to
16 provide certified copies of the minutes to all
17 parties. Counsel for plaintiff is directed to
18 prepare and circulate a judgment consistent with
19 the Court's reasons to all parties and then to
20 submit same to the Court for execution and
21 filing. All costs are assessed to the
22 defendants bringing this motion.

23 Court is adjourned.

24 **[PROCEEDINGS IN THIS MATTER CONCLUDED]**

Exhibit 2

STATE OF LOUISIANA
COURT OF APPEAL, THIRD CIRCUIT

NO: CW 23-00381

**Judgment rendered and mailed to all
parties or counsel of record on August
25, 2023.**

THE PARISH OF CAMERON
VERSUS
AUSTER OIL AND GAS, INC., ET AL.

FILED: 06/20/23

On application of Shell Oil Company; Honeywell International, Inc.; Hilcorp Energy Company; BP America Production Company; Chevron U.S.A. Inc.; Chevron Pipe Line Company; Kerr-McGee Oil, and Gas Onshore LP for Supervisory Writ in No. 10-19582 on the docket of the Thirty-Eighth Judicial District Court, Parish of Cameron, Honorable Penelope Quinn Richard.

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Morgan D. Rogers
Warren B. Bates, Jr.

Counsel for:
State of LA, ex rel, Jeff Landry,
Attorney General

Lake Charles, Louisiana, on August 25, 2023.

WRIT DENIED. We find no abuse of discretion in the trial court's ruling.

EAP
EAP

VHK
VHK

CGP
CGP

Exhibit 3

The Supreme Court of the State of Louisiana

THE PARISH OF CAMERON

No. 2023-CC-01215

VS.

AUSTER OIL AND GAS, INC., ET AL.

IN RE: Shell Oil Company - Applicant Defendant; Chevron U.S.A. Inc. - Applicant Defendant; Chevron Pipe Line Company - Applicant Defendant; Hilcorp Energy Company - Applicant Defendant; BP America Production Company - Applicant Defendant; Honeywell International, Inc. - Applicant Defendant; Kerr-McGee Oil and Gas Onshore LP - Applicant Defendant; Applying For Supervisory Writ, Parish of Cameron, 38th Judicial District Court Number(s) 10-19582, Court of Appeal, Third Circuit, Number(s) CW 23-00381;

October 10, 2023

Writ application denied.

JTG

JLW

JDH

SJC

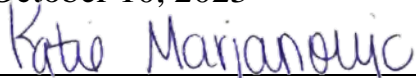
WJC

JBM

PDG

Supreme Court of Louisiana

October 10, 2023



Chief Deputy Clerk of Court
For the Court

Exhibit 4

https://www.theadvocate.com/baton_rouge/news/environment/article_80fba19c-7ee1-11e8-b475-ff4947aa66a1.html

How this Louisiana parish is leveraging new-found funds to finance coastal protection

BY STEVE HARDY | SHARDY@THEADVOCATE.COM JUL 6, 2018 - 6:00 PM



Rollins Place second-grade students plant bitter panicum on Rutherford Beach in Cameron Parish also restoration project with LSU Coastal Roots.

Provided photo

Steve Hardy

Cameron Parish is issuing \$11.9 million in municipal high-risk bonds to replicate a successful breakwater built near the Rockefeller Wildlife Refuge, confident that payments under a new federal program will help it settle the debt over the next three decades.

Under the Gulf of Mexico Energy Security Act, states, parishes and counties are now entitled to a share of the drilling fees that oil and gas exploration companies pay to the federal government. Cameron Parish received its first installment in April — \$1.1 million.



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Because the oil and gas industry is turbulent, next year's payment could be different. Rather than wait to see what it might have to spend

each year, parish officials checked on what kind of rate investors would offer if the parish borrowed money up front to build breakwaters and other protective infrastructure, and if they pledged GOMESA disbursements toward the loan.

"It was very well-received in the market ... and obviously Cameron Parish is ecstatic," said Ty Carlos, executive director of the Louisiana Community Development Authority, a state agency that helps finance environmental projects.

The roughly 6,800 people who live in Cameron Parish now find themselves at the forefront of a new strategy for restoring the coast. It's the first parish or county to pledge to leverage its GOMESA funds into so-called green bonds to be used to fund coastal projects.

"It's great that they're going after it," said Simone Maloz, executive director of the non-profit Restore or Retreat. "I think there are a lot of eyes on Cameron Parish."

**RELATED**

Louisiana gets \$82 million for coastal restoration from Gulf of Mexico oil revenue-sharing

deal

Cameron Parish's \$1.1 million windfall was nice but by itself wouldn't adequately address its plan to spend GOMESA money on coastal projects, Parish Administrator Ryan Bourriague wrote in an email to The Advocate.

"Although this was a significant amount of money, the parish was limited in the types and degrees of projects to construct with a limited budget," he said.

The parish was able to secure \$11.9 million in what's technically known as "municipal high-risk bonds," explained Gordon King of Government Consultants, Inc., which advised the parish on the transaction. Carlos said investors were ready to purchase the bonds because they're confident GOMESA will remain in effect.

Bond purchasers also received a favorable rate. The hedge funds, insurance companies and other investors are lending the money at 5.65 percent interest, rather than the typical 4.5 percent to 5 percent interest for such projects, King said. Still, the rate was lower than Bourriague expected.

He plans to use the \$11.9 million to build rock breakwaters off Rutherford Beach, near where the Mermentau River empties into the Gulf, and at Long Beach Road and Little Florida, each about 10 miles west of Holly Beach. The walls of stone off the coast have shown to be effective in places like the Rockefeller Wildlife Refuge in preventing erosion and encouraging plant growth, Bourriague said.

Authorities believe other parishes are waiting to see how the green bonds shake out. Maloz said that, on the one hand, a parish loses money when it pays interest on a loan, but on the other, how long can it afford to wait to act? A storm might be rebuffed by new infrastructure or destroy it.

"You have to solve this like a math problem," she said.

Cameron will be paying back the bonds through 2037, though the terms could be restructured, Carlos said.

He and others hope more populous parishes like Jefferson and Orleans take note of what's happening in Cameron. Jefferson Parish officials did not respond to requests for comment, and

New Orleans authorities said the parish would not pursue such a financing option until it's thoroughly vetted. Carlos wants to prove green bonds like Cameron's have legs.

Bourriaque is pleased with the arrangement, but the parish still has a lot of work to do. While the bonds are worth about \$12 million, there are \$85 million in projects already identified by the parish police jury, working with the U.S. Army Corps of Engineers.

"With no projects constructed and with 300 linear feet of erosion a year, in 10 years the Gulf of Mexico would be at the Grand Chenier Ridge south of Highway 82. I say this not to cause pandemonium. Rather, this is an attempt for us to wake up and realize what is happening around us," Bourriaque said.

King put it in more personal terms, contemplating his home 30 miles inland.

"If we don't do something," he said. "The Gulf will be lapping at my home in Sulphur."

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Exhibit 5



Coastal Protection and Restoration Authority

150 Terrace Avenue, Baton Rouge, LA 70802 | coastal@la.gov | www.coastal.la.gov

2017 Coastal Master Plan

Attachment A9: Parish Fact Sheets



Report: Final

Date: September 2017

Prepared By: Coastal Protection and Restoration Authority

CAMERON PARISH

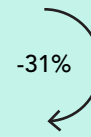


Cameron Parish is located in southwest Louisiana in the Chenier Plain and borders the Gulf of Mexico. While the parish is one of the largest by land area, it has the second smallest population, which decreased by 31% from 2000 to 2010. Cameron is the largest community and parish seat. Petrochemical companies, oil and gas activities, as well as marine support drive the local economy. In addition, national wildlife refuges offer many recreational opportunities including hunting, fishing, birding, and wildlife viewing.

POPULATION
6,817



POPULATION CHANGE



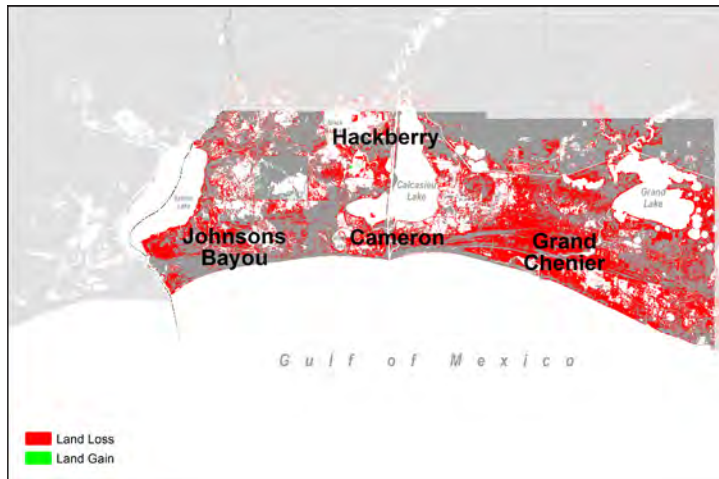
ECONOMIC DRIVERS

OIL & GAS
OUTDOOR RECREATION

Information from: 1) U.S. Census Quick Facts (2015 Estimate) 2) U.S. Census (2000-2010); and 3) Southwest Louisiana Economic Alliance.

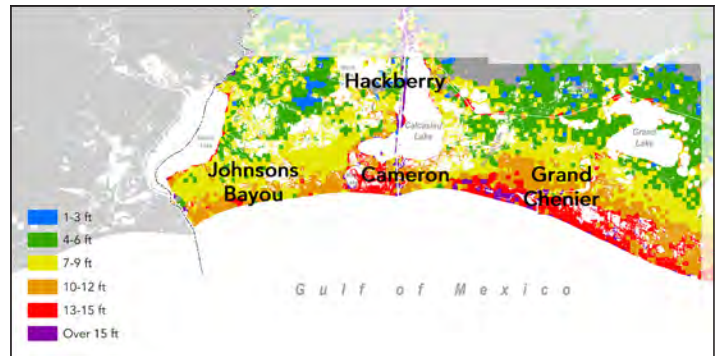
FUTURE WITHOUT ACTION LAND LOSS AND FLOOD RISK

YEAR 50, MEDIUM ENVIRONMENTAL SCENARIO

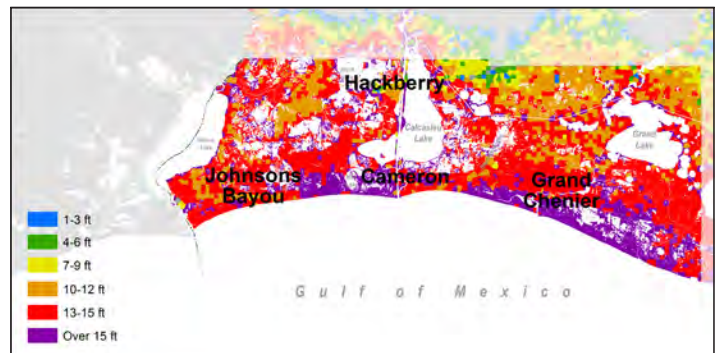


Land change (loss or gain) for year 50 under the medium environmental scenario with no future protection or restoration actions taken.

Cameron Parish faces severely increased wetland loss across most of the parish over the next 50 years, and could experience the highest total amount of total land loss of any coastal parish (under the medium environmental scenario). With no further coastal protection or restoration actions, the parish could lose an additional 444 square miles, or 40% of the parish's land area, with impacts to its coastal towns. Likewise, with no further action, the parish faces severely increased future storm surge based flood risk. Over the next 50 years (under the medium environmental scenario), 100-year flood depths increase to 15 feet across much of the parish, and higher in some areas. All communities are at potentially increased risk including Hackberry, Cameron, Johnson's Bayou, and Grand Chenier.

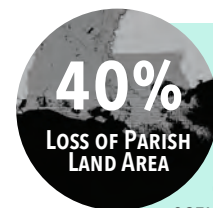
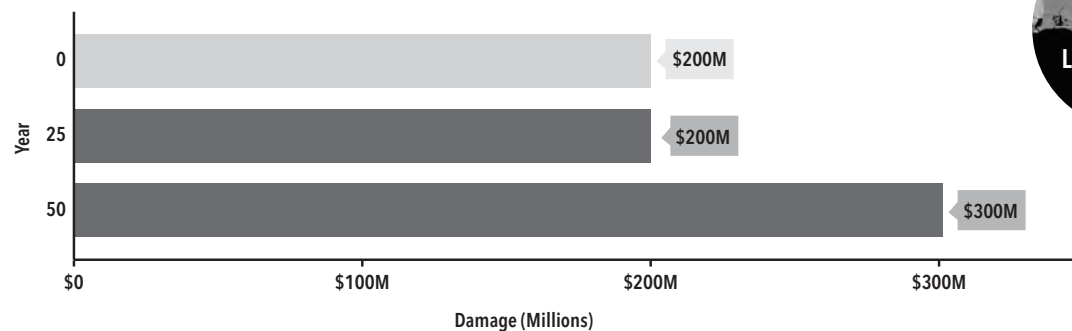


Flood depths from a 100-year storm event for initial conditions (year 0).



Flood depths from a 100-year storm event for year 50 under the medium environmental scenario with no future protection or restoration actions taken.

CURRENT & FUTURE ECONOMIC DAMAGE FROM STORM SURGE BASED FLOODING



40%
LOSS OF PARISH LAND AREA
CAMERON PARISH MAY LOSE 40% OF THE PARISH LAND AREA OVER THE NEXT 50 YEARS (UNDER THE MEDIUM SCENARIO). FOR MORE INFORMATION ON LAND CHANGE, FLOOD RISK, AND RESOURCES TO REDUCE RISK, PLEASE VISIT:

CIMS.COASTAL.LA.GOV/MASTERPLAN

Parish's expected annual damage (EAD) from a 100-year storm event under the medium environmental scenario with no future protection or restoration actions taken. EAD is the average amount of damage projected to occur from storm surge flood events for a community, expressed as dollars of damage per year. While every community will not flood every year, these statistical averages show the expected flood risk and the damage that would be associated with that risk.

WHAT'S IN THE 2017 COASTAL MASTER PLAN FOR CAMERON PARISH?

PROJECT TYPES



2017 MASTER PLAN PROJECTS

RISK REDUCTION PROJECTS: YEAR 1-30

+ **CAM.01N:** Cameron Nonstructural Risk Reduction

RESTORATION PROJECTS: YEAR 1-10

+ **004.HR.06-0:** Calcasieu Ship Channel Salinity Control Measures

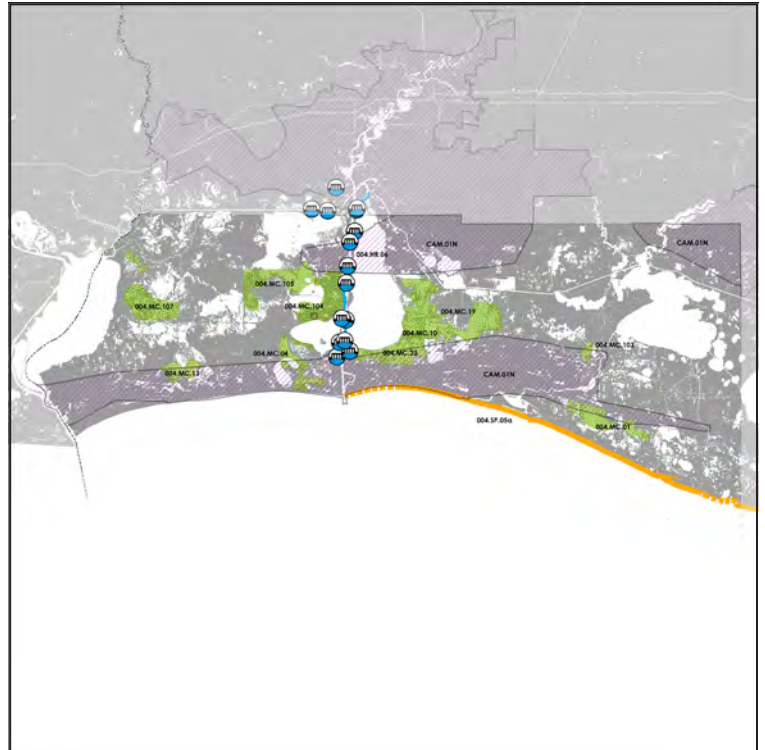
RESTORATION PROJECTS: YEAR 11-20

- + **004.MC.01:** South Grand Chenier Marsh Creation
- + **004.MC.04:** Mud Lake Marsh Creation
- + **004.MC.10:** Southeast Calcasieu Lake Marsh Creation
- + **004.MC.13:** Cameron Meadows Marsh Creation
- + **004.MC.23:** Calcasieu Ship Channel Marsh Creation
- + **004.MC.107:** West Sabine Refuge Marsh Creation*
- + **004.SP.05a:** Gulf Shoreline Protection (Calcasieu River to Rockefeller)

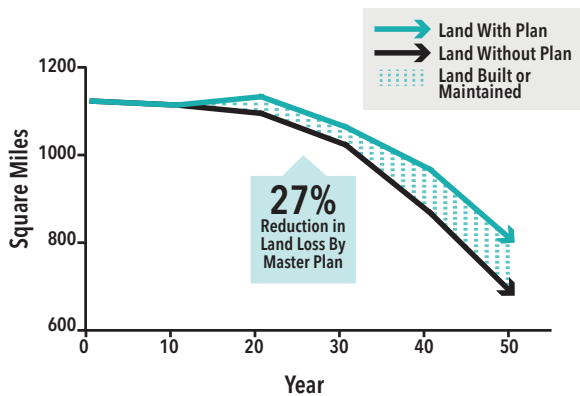
RESTORATION PROJECTS: YEAR 31-50

- + **004.MC.19:** East Calcasieu Lake Marsh Creation
- + **004.MC.103:** Little Chenier Marsh Creation
- + **004.MC.104:** Calcasieu Lake West Bank Marsh Creation
- + **004.MC.105:** West Brown Lake Marsh Creation
- + **004.MC.107:** West Sabine Refuge Marsh Creation*

Note: Projects with a (*) designate the implementation of a portion of a larger marsh creation project.

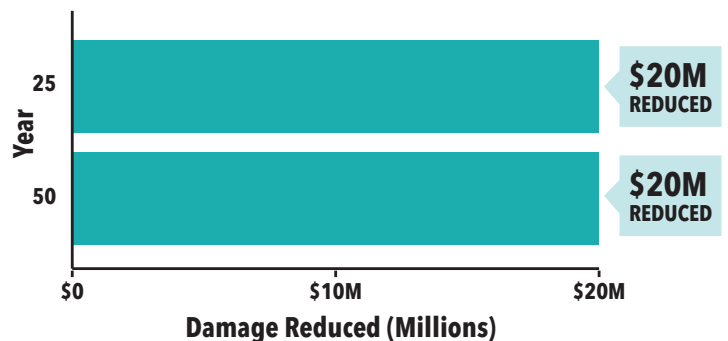


FUTURE LAND CHANGE



Land area (square miles) over time in parish with and without the 2017 Coastal Master Plan projects under the medium environmental scenario.

REDUCTION IN ANNUAL ECONOMIC DAMAGE



Reduction in parish's expected annual damage (EAD) over time with the implementation of the 2017 Coastal Master Plan projects under the medium environmental scenario.

FOR MORE INFORMATION ABOUT THE 2017 COASTAL MASTER PLAN AND PROTECTION AND RESTORATION PROJECTS IN YOUR PARISH, PLEASE VISIT:
COASTAL.LA.GOV/OUR-PLAN/2017-COASTAL-MASTER-PLAN/

Exhibit 6

https://www.theadvocate.com/lake_charles/hurricane-hit-southwest-louisiana-s-population-drop-among-steepest-in-nation/article_44d67698-abb4-11ec-9763-a70b7b6adfc4.html

Hurricane-hit southwest Louisiana's population drop among steepest in nation

Calcasieu Parish had been growing until 2020's Hurricane Laura.



Months after Hurricane Laura, the remains of a house in Creole, Louisiana in Cameron Parish on Thursday, May 13, 2021. (Photo by Chris Granger | The Times-Picayune | The New Orleans Advocate)

PHOTO BY CHRIS GRANGER

BY MIKE SMITH | STAFF WRITER
MAR 25, 2022 - 4:00 AM

New 2021 population estimates released Thursday showed Calcasieu and Cameron parishes with some of the steepest declines of any U.S. counties, illustrating the severe effects of Hurricane Laura and bearing out the warnings of local officials as the Lake Charles area struggles to recover.



Signs of a sharp drop have long been apparent in Louisiana's southwest corner, which not only endured Laura, one of the strongest hurricanes to ever hit the state, but also Hurricane Delta six weeks later.

Those dual 2020 disasters were compounded by a severe winter storm in February 2021 and heavy flooding in May, while the pandemic was a drag on rebuilding efforts.

A drawn-out delay in long-term recovery aid from the federal government has also played a role, since much of that money will be used to address the region's housing shortage.

The numbers released Thursday by the federal Census Bureau estimate the population of each of the roughly 3,100 counties in the nation as of July 1, 2021. They show Calcasieu Parish's population falling to 205,282, a 5.3% drop from 2020 census figures.

That's the fourth-biggest decline among counties of 20,000 or more people, and ninth overall.



CAMERON: Blue tarpaulins cover roof damage to homes in Cameron from Hurricane Laura about six weeks before, with some tarps blown off and some new damage inflicted, seen from the air Saturday, Oct. 10, 2020, after Hurricane Delta passed through the area the day before.

STAFF PHOTO BY TRAVIS SPRADLING

Cameron, meanwhile, continued a precipitous decline that began in the years after 2005's Hurricane Rita. The new figures show the population for the remote, coastal parish south of Calcasieu and bordering Texas down another 9.6% to 5,080. The 2020 decennial census showed an 18% decline from 2010.

Last year, Cameron had the second-biggest rate of decline among counties nationwide, behind only tiny Loving County in Texas, where the population fell from 64 to 57 people.

Calcasieu and Cameron combined had the largest percentage decrease of any metro area nationwide.

While Cameron has been in a long decline, the estimates for Calcasieu mark a sharp reversal from the 2020 census, which gauged population numbers before Laura hit in August of that year.

The 2020 numbers showed the parish had grown by 12% from 2010, for a total population of 216,785. Calcasieu includes six municipalities: Lake Charles, DeQuincy, Sulphur, Iowa, Vinton and Westlake.

Prior to the storms, Calcasieu had benefited from a boom in industrial expansions, which injected capital into the region and brought in a

legion of temporary construction workers.

While the expansions goosed the parish's economy, they also boosted rent prices.

Laura, a Category 4 storm with 150 mph winds, took out swathes of buildings. One study estimated that around half of all homes in Calcasieu Parish were damaged in some way.

Rows of public housing in Lake Charles remain empty and unrepaired, and the stock of available Section 8 units is down significantly. Homeowners have also engaged in epic battles with their insurers.



The shuttered Capital One Bank Tower is pictured Thursday, January 13, 2022, in Lake Charles, La.

STAFF PHOTO BY LESLIE WESTBROOK

It is now becoming apparent that many have given up hope and decided not to return. A significant number of people are believed to have moved to Texas or other regions of Louisiana.

Calcasieu Parish Administrator Bryan Beam, however, said he believes the region has now begun to rebound and he expects the population to begin to climb again soon. He notes that federal aid is finally on the way and points to billions more in planned investments in liquefied natural gas plants, among other economic activity.

“Hurricane Laura was just an extremely hard and painful blow to this area, and it’s just going to take a little longer,” said Beam.

Dan Groft, director of the H.C. Drew Center for Business and Economic Analysis at McNeese State University, noted that of the five parishes that make up Louisiana’s southwestern corner, only Beauregard and Jefferson Davis saw population increases, and they were small.

“This is why recovery funds for housing, infrastructure and economic development are so crucial,” Groft said. “We need to get people back in housing so we don’t continue to lose economic activity in terms of workers, businesses, incomes, production and spending.”

Congress did not approve long-term recovery aid for the region until September, more than a year after Laura. State and local officials said the initial \$600 million was far too low to address the region's vast needs; another \$450 million in aid was approved this week.

But while more than \$1 billion has now been allocated for southwest Louisiana, a series of complex bureaucratic hurdles must be overcome before it can be doled out. The state expects the money to begin to flow around May.

Staff writer Jeff Adelson contributed to this story

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Exhibit 7



NATION

Hurricane Rita flooded his home in 2005. It survived Ike in 2008. Laura took everything.

Nomaan Merchant Associated Press

Published 10:52 a.m. ET Aug. 31, 2020

HACKBERRY, La. – Bradley Beard calls Hurricane Laura his third strike.

In 2005, Rita pushed a foot of floodwaters into his white, wooden home in Hackberry, Louisiana, a tiny Cameron Parish community 15 miles from the Gulf of Mexico.

Next came Ike in 2008, which pushed water up to the floor of the long mobile home where his daughter and two granddaughters live on the same property.

Laura outstripped them both. It tore his house entirely off its foundation and dropped it a few feet away. The trailer where his daughter, Nicole, lives with her two daughters was torn apart, the walls demolished to reveal a mix of clothes, belongings, and wooden planks. About the only things still in their place were a canoe and a garbage can, tied to a steel grill buried in the ground.

A retired welder who worked at many of the refineries that dot the Louisiana coast, the 62-year-old Beard climbed through the debris, laboring with two artificial knees. After several minutes working to turn off the property's water lines, he sat on a fallen log and wiped the sweat from his brow.

“I got no other place,” he said. “This is all I got.”

Across Cameron Parish, the coastal parish where Hurricane Laura crashed ashore early Thursday, residents dug through what was left of their belongings, covered now-stripped roofs with tarps, and took stock of the damage.

'Destruction everywhere': Photos show Hurricane Laura flooded streets, shredded buildings

The Category 4 storm packed 150-mph winds and a storm surge that Louisiana Gov. John Bel Edwards said was as high as 15 feet. Louisiana officials reported two additional deaths on Sunday, bringing the total number of deaths attributed to the storm in Louisiana and Texas to 18; more than half of those were killed by carbon monoxide poisoning.

The deaths reported Sunday include a 57-year-old man in Calcasieu Parish who suffered a head injury after falling from a roof, the Louisiana Department of Health said. Another Calcasieu Parish resident died from carbon monoxide poisoning.

As of Sunday morning, roughly 460,000 customers were still without power, according to the Edison Electric Institute, the association of investor-owned electric companies in the U.S.

President Donald Trump visited Louisiana and Texas on Saturday to show his support and assess the damage.

Edwards called Laura the most powerful hurricane to strike Louisiana, a shocking assessment in a state where Hurricane Katrina made landfall on Aug. 29, 2005. Out in western Louisiana it is the storm that came ashore a month after Katrina — Hurricane Rita — that evokes strong memories.

The damage wrought by Laura reminded many residents of Rita, which made landfall in the parish and wiped out many communities entirely, leading to one of the largest evacuations in American history.

'I don't know how many times you can restart from scratch'

Nicole Beard had her second daughter by cesarean section two weeks before Rita hit.

“I evacuated for Rita with a newborn baby and stitches in my stomach,” she said.

Many people never returned to Cameron Parish, whose population fell 30% in the 2010 census, the first taken after the storm. The Beards' next-door neighbors left for good. But the Beards stayed.

Most people in Cameron Parish said they got out ahead of Laura, a storm that forecasters warned was “unsurvivable.”

Roberta Holmes, 67, was one of the very few who decided to ride out the hurricane on Gulf Breeze Beach, on the Cameron Parish shoreline. Standing on her deck overlooking the Gulf of Mexico on Saturday, Holmes described sitting in a red leather recliner next to a window

facing the water. She was confident that the home rebuilt after Rita was strong enough to withstand this storm.

Her home ended up suffering just minor damage, though the storm did uproot two palm trees she planted in front — which she christened “Rita” and “Ike.”

“I knew what it would take to survive,” she said.

Now that the floodwaters have receded, Highway 27 leading from Lake Charles into Hackberry and the other small towns closer to the Gulf was a bustle of activity as utility workers and people pulling trailers or boats drove back and forth. The shelves were largely bare at Brown’s Grocery Store, across the street from the Beards’ property, and there’s been no electricity to pump the gas.

Not far away is a sprawling liquefied natural gas facility that Trump visited in 2019.

The Beards weren’t sure yet how they would rebuild. Bradley Beard lives on Social Security, and Nicole Beard works at a local alligator farm that ships hides internationally.

She has applied for federal aid and is hopeful that volunteers and faith groups that ordinarily respond to disasters will be able to help them clear the wreckage.

For now, they are sifting through their jumbled belongings for whatever can be salvaged, leaving food for their cat who has so far refused to come out from under the rubble. Nicole’s daughters filled a garbage bag each with clothes. She found her high school graduation tassel inside the trailer, her class year of 1999 shining in gold against the blue thread.

Her daughters insist that they stay in Cameron Parish. But she said: “I don’t know how many times you can restart from scratch.”

'None of this is going to be easy': After Hurricane Laura, residents worry about federal, state help

Exhibit 8

https://www.theadvocate.com/acadiana/news/article_5bec7246-ebc7-11ea-a0b7-77caf120fdda.html

We went to Cameron to see Laura's damage: 10 feet of water crushed homes and washed-up caskets

BY CLAIRE TAYLOR | STAFF WRITER

PUBLISHED AUG 31, 2020 AT 7:00 PM | UPDATED AUG 31, 2020 AT 11:07 PM



A casket, either from an in-ground grave or the damaged mausoleum, lies overturned following Hurr Sea Cemetery Monday, August 31, 2020, in Cameron, La.

STAFF PHOTO BY LESLIE WESTBROOK

Claire Taylor

CAMERON — Water from the 10-foot storm surge Hurricane Laura pushed ashore early Thursday still has part of the main street in the Southwest Louisiana town of Cameron impassible. Downed power lines, trees and other debris, even small boats, block access to other roads five days after Laura's eye passed over the town.

The buildings that remain standing have no power or water. Most cell towers in the town and parish are down.

Just before the anniversary of Hurricane Katrina, which made landfall Aug. 29, 2005, Gov. John Bel Edwards called Laura the most powerful hurricane to ever strike Louisiana. Katrina was followed closely by Rita in 2005.

In 15 years, Cameron has suffered devastating storm surge three times: 12-18 feet of water from Hurricane Rita in 2005, 10 feet of surge from Hurricane Ike, which made landfall about 130 miles away in Galveston, Texas, in 2008; and about 10 feet from Laura, a category 4 hurricane that packed winds of nearly 150 mph.

As bad as Laura's storm surge was, it was well below the 20-foot surge forecasters were predicting.

Rita, Ike and Laura. Each storm crushed homes and businesses in Cameron, lifted buildings off their foundations and dropped them in the marsh, and uprooted decades-old oak trees that provided shade from the summer sun.



RELATED

Lake Charles area could be without power for 3 more weeks, John Bel Edwards says

After the one-two punch of Rita and Ike, some residents moved elsewhere, others replaced their destroyed wooden homes with mobile homes, still others opted to live in RVs that can be driven out when a storm approaches.

About 1,965 people called Cameron home in 2000, according to the census. Ten years and two hurricanes later, the 2010 census showed only 406 residents remained in the parish seat.

"We lost everything for Rita, Ike and this one," Bobby Abshire said Monday, standing in front of the Cameron library, an elevated concrete

fortress built after Rita and Ike pummeled the previous libraries.

"We're coming back," his wife, Tammy Abshire, a native of Cameron, said defiantly. "This is home."

Ryan Mallory doesn't have Tammy Abshire's deep roots in Cameron. He moved to the town five years ago from Florida, working as a commercial fisherman and oyster harvester. He's used to the wind from hurricanes. Not so much the water.

Had Laura hit a week or two later, the home Mallory and his wife shared might have survived the storm surge. He was a week away from having it elevated onto pilings.



RELATED

A Lake Charles family survived Laura's destruction. They died hours later from generator fumes.

The death toll from Hurricane Laura in Louisiana stood at 14 Monday, including eight deaths that are a result of carbon monoxide

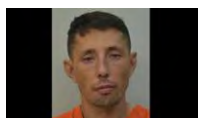
poisoning. However, no storm-related deaths have been reported in Cameron Parish, Coroner Dr. Kevin Dupke said.

Most people in the parish evacuated ahead of Laura, a storm that forecasters warned was "unsurvivable."

"We are extremely, extremely lucky on that," Dupke said. "I think that is a reflection of how the residents of the parish really understood this was going to be a big one."

The coroner's office, however, is busy visiting cemeteries in the parish to identify graves where caskets are missing. It's not uncommon for hurricane flood waters to wash caskets out of mausoleums or cause them to pop out of buried vaults in cemeteries.

For the third time in 15 years, Laura displaced caskets from the mausoleum at Our Lady Star of the Sea graveyard. At another cemetery on Trosclair Road in Cameron Parish, cement vaults were open Monday, filled with water, the caskets washed away.



RELATED

After Hurricane Laura, two elderly people killed in Calcasieu home; deputies seek person of interest

Hurricanes Rita and Ike displaced more than 740 caskets from the ground and mausoleums, in Cameron Parish, Dupke said. Most were recovered and re-interred.

Learning after Rita washed caskets into the marsh, they now are marked with a number and entered into a database so, upon recovery, the caskets can be returned to their previous resting place.

Acadiana Business Today: Zapp's chip brand owner Utz goes public in merger aimed at next 100 years of growth; Former Devin building sold

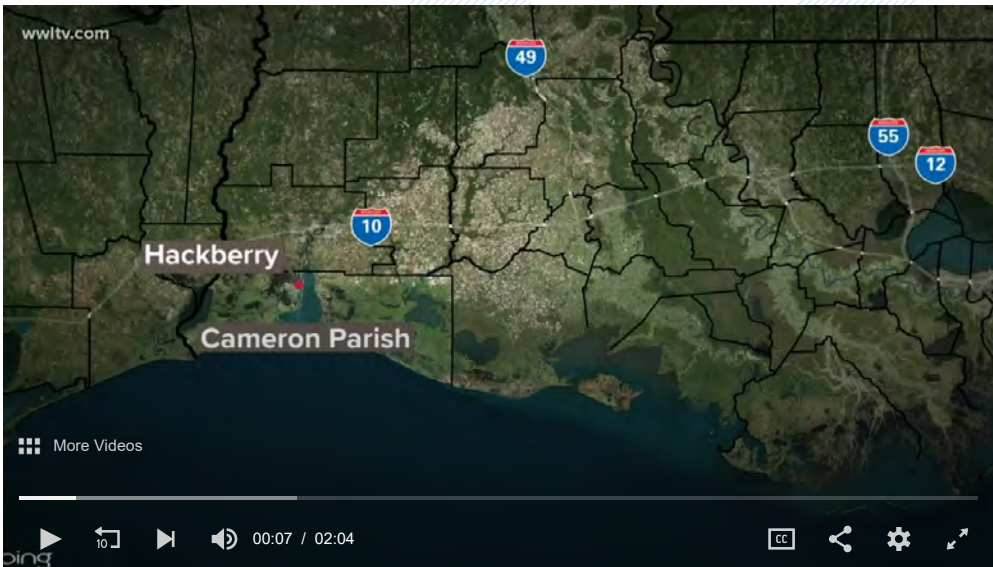


Exhibit 9

HURRICANE

'Rita & Ike had nothing on this — nothing' | Catastrophic damage in Cameron Parish; residents prepare to rebuild again

"I'm afraid a lot of people are going to leave," a Cameron Parish resident said. "I don't blame 'em."



Author: Erika Ferrando (WWL)
Published: 11:38 PM CDT September 3, 2020
Updated: 11:42 PM CDT September 3, 2020



HACKBERRY, La. — One week after Hurricane Laura, the extent of the damage left in its wake continues to bring people to a pause.

In Cameron Parish, many homes and businesses were leveled and debris is scattered along the streets. Residents are slowly starting to cleanup and recover.

David Currie has picked up the pieces before. He lives and works in Hackberry.

"I've seen Rita, I've seen Ike, and I've seen this," Currie said.

This time, he's left without his store, Currie's, which he opened 40 years ago.

"A lot worse, a lot worse," he said. "This wiped it out."

His Hackberry home is also a total loss.

"Tornado got me," Currie said.

Across Cameron Parish, debris is scattered and many homes are unlivable.

"Rita and Ike had nothing on this, nothing," said Sara Augustine who lives down the street from Currie in Hackberry. "Devastation, our kids won't be back in school for months, it's our lives."

"It's not home right now," Augustine said.

"Everywhere you look, somebody has got something tore up, a lot of people don't have homes to live in, trailer houses turned over, it's just a mess," Currie said.

Cleanup has begun. Crews have been working to restore water and power. Many will rebuild.

"Oh yea, oh yea, we can't live anywhere else, this is home," Augustine said.

"I'm afraid a lot of people are going to leave and I don't blame them," Currie said.

Currie himself isn't sure of the future of his business.

"I don't know what I'm going to do yet with it, I really don't," Currie said.




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RELATED: ['Long road' to rebuild southwest Louisiana after Hurricane Laura](#)


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Exhibit 10

Residents get first look at Cameron, La., nearly obliterated in Hurricane Laura

By Ashley Cusick

August 30, 2020 at 8:03 p.m. EDT

CAMERON, La. — As floodwaters from [Hurricane Laura began to subside](#), Highway 27, the lone road leading south into this tiny coastal town, finally became passable Sunday. Many living here were able to see their homes for the first time since Laura crashed through, and the level of destruction made it clear that officials' warnings of the storm's "unsurvivable" nature were accurate.

The houses that remained standing seemed far beyond repair, and most were still surrounded by — or fully submerged in — murky floodwaters. Concrete foundation slabs were all that remained of other homes.

There often was no rubble to sift, as winds strong enough to smash brick coupled with a towering storm surge to wash away structures and their contents as if they had never existed.

On the side of the main road through Cameron, Nancy Miller, 57, was weeping, unable to look at her property. Floodwaters had crushed though her trailer, covering her life's possessions in mud. The yard beneath the trailer's 14-foot elevated platform was still covered in knee-deep water.

"This is our third time with this. I don't know about coming back," Miller said as she cried. "I really don't know this time. I love Cameron. Everyone here went to school together, and our moms and dads went to school together before that. It's a long generation of families that live here.

"But we've had Rita. Then Ike. And now Laura. Three times is really hard."

The unrelenting series of damaging hurricanes in such a short period of time has underscored the notion that this area is a fragile coastal paradise, its slate wiped clean multiple times in one generation.

Bridget Jones-Curtis, 49, also was born and raised in Cameron, and after Laura passed through, she found her home on a satellite image and was pleased to see it was one of the few in town still standing. But when she arrived here and saw it Sunday, she immediately noticed what the satellite couldn't: An entire side of her house was obliterated. Water had poured into the open wall, and wind gusts took most of her things.

A trailer had blown beneath her elevated house, and the two cars her family left parked there before the storm were missing.

"We don't even see them nowhere," she said. "They're gone. Totally gone."

The stairs to Jones-Curtis's home had swept away, so her 28-year-old son, Nathaniel, vaulted up into the open side. His mom's kitchen chairs were still tucked in around the table, he said, but all of the pictures in the house had blown off the walls. The bathroom was untouched, but many irreplaceable items were either missing or drenched beyond repair.

"Babe, the closet is gone!" Jones-Curtis yelled to her husband.

Hurricane Laura left many without power and water on Aug. 27. When one woman in Orange, Tex., offered to help anyone who needed supplies, hundreds showed up. (Video: The Washington Post)

She and her family don't have insurance, and they had to scrape together gas money just to drive here. Jones-Curtis lost her job at a hospital when the covid-19 pandemic hit. Her husband, Claude Curtis, a certified pipe fitter, was set to start an offshore refinery job in two weeks. But when the family got to Cameron on Sunday, Curtis, 43, realized the tools he needs for that job had all disappeared.

"Lord, I don't know what we gonna do," he said. "We're in bad shape, I tell ya."

They're not going to leave Cameron, that much was certain.

"I have eight children. My two youngest got to be raised up where I was raised up at," Jones-Curtis said. "I'm coming back here. This is home."

It appears most people in Cameron and surrounding areas heeded dire evacuation warnings, and the death count in Louisiana has held relative steady — 12 statewide, with seven of those deaths coming after the storm and due to the use of generators during power outages. Nearly 400,000 customers in Louisiana remained without power on Sunday, including 99 percent of those in Cameron Parish and 98 percent of those in neighboring Calcasieu Parish, which includes Lake Charles, according to a senior leadership briefing compiled Sunday by the Federal Emergency Management Agency and obtained by The Washington Post.

Despite the obvious devastation, Kevin Dupke, the Cameron Parish coroner, said no storm-related deaths had been reported in Cameron as of Sunday. But with many coming back for the first time, that number remained uncertain, and authorities warned that there could be storm victims who have yet to be discovered.

"We're just penetrating the parish now," he said. "And I haven't gotten any calls."

Dupke spent Sunday touring the town's graveyards, looking for coffins swept away by the storm. In a local Catholic cemetery, he had already counted five. This was significantly better than in Hurricanes Ike and Rita, he said, when 750 coffins were displaced.

Adley Dyson, 70, walked along a flooded Cameron street with his son, Adley Dyson, Jr. Both men lost their Cameron homes. The elder Dyson said he plans to rebuild, but not here.

"That's four houses since 2003," he said. "That's too many."

His son agreed.

"There ain't nothing to come back to," he said. "I'm 47 years old. I had to start over in my late 20s. I had to start over in my 30s. This is my fourth time starting over. I don't want to have to start over again."

If they leave as planned, the men — the elder is an oysterman and the younger fishes shrimp — will break a long tradition of Dysons living here in Cameron.

At age 7, Dyson Sr. survived Hurricane Audrey, the 1957 storm that killed approximately 800 people, by taking refuge in a boat with his father.

Dyson Jr. said he had "no clue" where he will move after this, but he is sure it will be far from the path of hurricanes. "If I'm making the exodus," he said, "I'm staying far away from here."

Much of the land sits at sea level, where wetlands stretch out for miles in every direction, and where homes are exposed to the open Gulf of Mexico. In nearby Holly Beach, residents vowed not to let Laura push them out.

"My plan is to rebuild," said Craig Broussard, 67.

Broussard's family has resided in Holly Beach, directly on the gulf in the south of Cameron Parish, since the 1940s. Broussard has lived there since he retired. He is one of about 35 full-time residents in the 70-home weekend community, affectionately nicknamed the "Cajun Riviera."

Holly Beach was decimated by Hurricane Rita in 2005, but it seems to have fared better this time around. Houses here are built at great elevation — Broussard's home is 21 feet above sea level — and they are mostly constructed of materials meant to withstand hurricane-force winds.

The damage in Holly Beach appeared less than in towns to the north, where winds ripped out trees and tore down buildings. Almost every home in Holly Beach suffered damage from Laura, but even amid the obvious debris, it seemed no one had lost a house completely.

Bobby DeDear, 39, Broussard's son-in-law, joined him in returning to Holly Beach the morning after Thursday's storm.

"It looked like a bomb went off," DeDear said.

On Saturday afternoon, Holly Beach's streets were still littered with the hallmarks of life in this gulfside community: fishing line, beach chairs, umbrellas. Laura had also blown stranger items into the streets: two microwaves, strings of Mardi Gras beads, a dead sheep.

Storm surge waters had receded, but sand still covered roads half a mile inland.

Laura's winds tore off much of Broussard's roof, and whipping power lines wrapped around his house, punching a three-foot hole in his walls.

Broussard spent the weekend beginning repairs with the help of family and friends. Heirloom furniture that survived the storm was brought downstairs to dry off outside. Broussard's first cousin, a general contractor, already had workers up on the roof.

"I have to get a roof on to dry everything in," Broussard said. "Once it's dried in, I can slow down. All I want is my house back whole. That's it."

This cycle of destruction and renewal is one Broussard said he is willing to accept for the trade-offs of life in Holly Beach.

"It's beautiful here. Another day in paradise," he said. "I will never leave."

Lena H. Sun in Washington contributed to this report.

Exhibit 11

To Fight Coastal Damage, Louisiana Parishes Pushed To Sue Energy Industry

January 23, 2017 4:31 PM ET

Heard on [All Things Considered](#)

Tegan Wendland

From **WWNO**



Wetlands and marshlands that once protected New Orleans and the surrounding areas from storm surge have been depleted over the years. Here, the \$1.1 billion Lake Borgne Surge Barrier outside New Orleans in 2015.

Mario Tama/Getty Images

For a man with a mural of an oil refinery in his office, deciding to sue the oil and gas industry wasn't an easy choice.

But it was a necessary one for Guy McInnis, the president of Louisiana's St. Bernard Parish, just south of New Orleans.

On a recent day, McInnis stands overlooking Lake Borgne. Now an open lake, the area was once prime wetlands and marshlands that protected St. Bernard from storm surge. It took a big hit during Hurricane Katrina.

Oil companies would dig through the marshy area to get to their shallow water wells.

"They would dig a ditch to get their boat to the oil well, and that ditch was not replaced or filled in at the end of the time that they used that oil well," McInnis says.

These small channels created mazes through the marshes that eventually eroded into open water.

New projections say Louisiana is losing land much faster than officials thought. Each mile of land that washes into the Gulf of Mexico costs the state; industry, infrastructure and populations are all disrupted.

Now, it has a plan to fight coastal land loss, but needs an estimated \$90 billion to do it.

An oil and gas state, Louisiana has long relied on money from offshore sales to fund part of its budget. But the \$90 billion price tag will require support from Congress. That's why the state's new Democratic governor, John Bel Edwards, is urging officials like McInnis to sue oil and gas companies for that damage.

"Before we can ever have any hope of asking taxpayers around the country to come to Louisiana and help us restore our coast, we have to be able to show them that we did everything that we could, reasonably, that is within our power," Edwards says. "And certainly, you can't do that if you don't hold those people accountable who damaged the coast to begin with."

Edwards has said all the coastal parishes should file suits, or he'll do it for them.

But the governor's controversial idea is facing roadblocks.

Some parishes are resistant to suing the companies, which include powerhouses like ExxonMobil and Shell. On top of this, the state attorney general is attempting to stop the process.

Gifford Briggs, the acting president of the Louisiana Oil and Gas Association, an industry lobbying group, says he doesn't think the lawsuits are necessary.

"We believe these lawsuits are driving investment out of Louisiana into other states and other communities [and] that it's harmful to Louisiana," he says.

Briggs says the state should do its job by enforcing its own coastal-use permit requirements, rather than turning to the courts. It's bad for business, he says.

Gov. Edwards' top lawyer, Matthew Block, disagrees.

"This is not about demonizing the oil and gas industry," he says.

Although oil and gas is the most important industry in the state, "that does not mean that we cannot hold the oil and gas industry responsible for destruction of the coast," Block says.

By some estimates, oil companies cause 60 percent of Louisiana's land loss. If one or more of the suits succeeds, the industry could owe billions of dollars.

Rob Verchick, an environmental law professor at Loyola University, says these suits could set an example. Many other states face problems like land loss and erosion.

"And they are struggling right now to address these issues," he says. "And so these lawsuits are going to occur whether our lawsuits in Louisiana go forward or not."

<http://www.npr.org/2017/01/23/511216472/to-fight-coastal-damage-louisiana-parishes-pushed-to-sue-energy-industry>

Exhibit 12

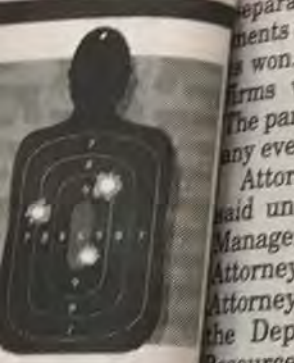
figure on Since the 19th century, valentines written largely given way to produced greeting cards.

Pruning
Early February is also time to prune repeat-flowering roses. Landscape roses like Knock Out roses, are generally cut back about one-third to one-half their length. This also works well with garden roses. Cut back hybrid tea roses and grandiflora roses to about 2 feet from ground. Be sure to prune any dead canes while you are pruning. Fertilize in March.

More than a Thank You



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...of the night was
...very strong
...who was ranked
...in the state."

Hornets are 9-3 in District play.
Sevoie is the son of Kevin and Kempa Sevoie.

"Time for Cameron Parish to control its own destiny"

By CYNDI SELLERS

On Thursday, Feb. 4, the Cameron Parish Police Jury filed 11 lawsuits involving a total of nearly 200 oil and gas companies (some were named more than one suit), claiming violations of the parish's Coastal Zone Management and drilling permits. The plan has been in effect since 1978, created under Louisiana Revised Statute 49:214.21 et seq., the State and Local Coastal Resources Management Act.

The parish is represented by the firms Talbot, Carmouche and Marcello and Mudd and Bruchhaus, who were retained on Feb. 4, 2014 to represent the Police Jury in matters relating to coastal zone violation. A resolution adopted Oct. 7, 2014 states they were retained to file suit solely for Cameron Parish under the La. R.S. 49:214.36. Under the terms of their contract, the law firms will be paid reasonable legal fees and costs as allowed by statute, to be assessed to the defendants separately from any settlements or judgments if the case is won. If the case is lost, the firms will absorb the costs. The parish will pay nothing in any event.

Attorney John Carmouche said under the Coastal Zone Management statute the state Attorney General, the District Attorney, or the Secretary of the Department of Natural Resources are responsible for pursuing violations of the statute or permits, but is they do not it is up to the parish to do so.

If the state had taken the claims and settled them, the proceeds would have been divided between several funds, with Cameron Parish receiving 25%. With Cameron Parish pursuing the claims, every dollar goes to the parish for coastal restoration, Carmouche said. Cameron is one of only a few parishes that have CZM programs, and it is the parish's fiduciary duty to

enforce the rules, he said.

Reaction from the oil and gas industry was swift. Don Briggs, president of the Louisiana Oil and Gas Association released this statement: "This has become a pattern in our state. File large-scale egregious lawsuits and try to strain as many dollars as possible off the backs of hardworking men and women of the oil and gas industry. At a time when our industry is facing historic low rig counts, record low permitting, and oil prices are \$27, suing the very industry that is providing the majority of high paying jobs in this state makes absolutely no sense whatsoever."

"The filing of these suits today is really about a bigger issue than Cameron Parish and their alleged complaints. This is about Louisiana having a legal climate that deters jobs. The oil and gas industry has already lost 10,000 jobs in Louisiana and over 250,000 globally during this current downturn. The idea that these oil and gas companies in Cameron Parish will now have to pay ridiculous legal fees to defend yet more frivolous lawsuits is downright absurd. This is the same story with a different verse. A small group of trial lawyers lining their own pockets off the backs of the oil and gas industry."

Chris John, president of the Louisiana Mid-continent Oil and Gas Association, added, "Cameron Parish has been thriving the last few years, mainly thanks to the oil and gas industry who is responsible for over \$18 million in wages of residents and 30% of as valorem taxes paid. But now the industry is facing extraordinary odds in these unstable times. Oil is trading around \$30 a barrel and historic lows are being reached in terms of production. It is getting to the point where oil and gas companies will have to spend more on legal fees than drilling budgets in Louisiana."

Cont. on Page 2

Seminars planned for LNG projects in Cameron Parish

The Cameron Parish Police Jury and Lafayette Economic Development Authority (LEDA) will host a seminar: Business Opportunities: LNG Projects in Cameron Parish, on Thursday, Feb. 18 at the Cameron Parish School Board Educational Conference Center in Cameron and on Friday, Feb. 19 at Louisiana Immersive Technologies Enterprise (LITE) in Lafayette.

The Cameron meeting is from 1-5 p.m. and the Lafayette meeting is from 8 a.m.-12 p.m.

In these informational sessions, contractors, construction companies and support operations will learn about opportunities available during the construction phase of the five announced liquefied natural gas (LNG) projects in Cameron Parish.

Representatives from Commonwealth LNG, Delfin USA, G2 LNG, SCT&E LNG and Venture Global LNG will share information about each company's project, timeline, and vendor/contractor needs and requirements.

"The goal of these sessions is to educate local contractors on the timeline and processes involved in the construction of the liquefied natural gas export projects in Cameron Parish," says Clair Hebert Marceaux, Director of Economic Development for Cameron Parish Police Jury. "Partnering with LEDA to educate local businesses and contractors is an excellent way to help ensure that our residents see the benefits of these multi-billion dollar facilities being built in Cameron Parish" said Marceaux about the event.

"The petrochemical projects locating in southwest Louisiana offer numerous opportunities for the community in a time when many companies and individuals are facing economic uncertainty in the wake of the energy downturn," says Gregg Gothreaux, LEDA President and CEO. "LEDA will continue to work with our allies in the region and the companies through the planning, construction and operation phases to maximize the local economic impact of these projects."

There is no cost to attend but seating is limited. Pre-register for Cameron event only at ledaeducationevent.eventbrite.com. Pre-register for Lafayette event at litesession-lafayette.eventbrite.com.

The same information will be presented at meetings.

As construction begins on these projects, the Cameron Parish Police Jury will work with companies to coordinate for individuals employment at the sites.

For more information contact Clair Hebert at clairH@camtel.net or 337-775-5718. Mouton, LEDA, 1409 or markm@lafayette

March Close

The upcoming Presidential Primary is Primary by Democrat parties in Louisiana. That n Democrats dates on the Ballot and will vote for dates on the Ballot.

If you Party, Green, party m eligible Preside Primar You rent in record 5493

IN Ea Feb. Satu Regi 8:30

Exhibit 13

LA SENATE NRC HEARING

TRANSCRIPT OF
LOUISIANA SENATE NATURAL RESOURCES COMMITTEE HEARING

Thursday, May 7, 2020

REPORTED BY: DIXIE B. VAUGHAN, CCR

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LA SENATE NRC HEARING

1 30,000 Superdomes of waste discharged,
2 killing land in the marsh, destroying towns,
3 making citizens move. We're going to let
4 them off? We're going to let them off. And
5 make the State take them over and have that
6 financial burden that we can't withstand. I
7 ask why.

8 I read that the parishes were doing
9 nothing but not moving the case, nothing's
10 really happening. Well, let's look at the
11 truth. The only reason we haven't gotten a
12 trial is because the oil companies are afraid
13 to go to trial. We've been removed twice to
14 federal court. We have 32 hearings in state
15 court a month. State's there every time.
16 Thirteen hearings in federal court, won them
17 all. Six trial dates. Six trial dates.
18 Ready for the people of Louisiana, the locals
19 who are suffering, judgment day, for what?
20 30,000 Superdomes of waste and destruction to
21 these towns. Every time we have a trial
22 date, they delay. They remove us. Why?
23 Because there's no defense. You don't
24 hear -- you hadn't heard one word tonight
25 that we did nothing wrong. You have not

LA SENATE NRC HEARING

1 heard one word that we didn't violate the
2 law. We're not pursuing the claims? No.
3 They're afraid to face judgment day. So what
4 do they do? They run to you. They run to
5 you, the legislature, for a bailout. I asked
6 the question and I think one of you asked the
7 questions. Why hasn't the state or local
8 concerns ever enforced? This is why. This
9 is why. When they do try to enforce and they
10 get six trial dates and they can't win one
11 thing in court, they come to this bill. Why?
12 I don't know. Maybe the public knows. But
13 why? Why do they come here to get bailouts?
14 Why did you tell these parishes in 2014 when
15 the courts were pending to proceed, go
16 forward, parishes, and let them go eight
17 years and win every motion and now you're
18 going to take their rights away and get these
19 lawsuits dismissed?

20 Did it do anything? \$100 million
21 settlement that you are about to throw down
22 the drain. This state needs money. This
23 state needs coastal restoration. If the
24 federal government was going to write you a
25 check for \$100 million for coastal

LA SENATE NRC HEARING

1 restoration, you would say, I don't want it?
2 Yet when an oil company who comes to the
3 table after eight years of litigation and
4 negotiation and says, I want to give the
5 state money, you're going to say, I don't
6 want it? Because that stuff is over.

7 I want to make very clear. This is not
8 a legacy lawsuit. Don't confuse this with
9 legacy lawsuits. You can be against legacy
10 lawsuits all day long. Don't care. This is
11 not that. This is to protect the state.
12 This is not a contingency fee lawsuit.
13 How -- I'm very confused. All I've heard for
14 the last eight years, more than that, was
15 contingency lawyers, they're terrible,
16 contingency fees from the state are terrible,
17 we need to get rid of them. Attorney general
18 come in and wipe them out. It's wrong the
19 state shouldn't be able to hire lawyers on
20 coverage fees. Did I just hear Mr. Briggs
21 tell you that he wants contingency fees back?
22 The parishes didn't sign a contingency fee.
23 The statute doesn't allow contingency fees.
24 It allows for reasonable attorneys' fees that
25 can be awarded by a court. We're at the

LA SENATE NRC HEARING

1 Terrebonne, will benefit. Millions and
2 millions and millions and millions of dollars
3 will go to Terrebonne to restore their coast
4 so the taxpayers don't have to pay for it.
5 That's a company that admitted and the
6 companies that lost every motion because you
7 don't want it, because you can't -- we can't
8 stand up and fight for the rights of the
9 state of Louisiana? I understand that. I
10 understand Terrebonne. I don't blame them,
11 nor do I think they ought to file a lawsuit.
12 But when the other parishes want to and are
13 flipping the bill and are willing to share,
14 you're going to say I don't want it, I want
15 the lawsuits to die, I want my citizens to
16 pay? I want the state to pay 40 to
17 \$100 million to pursue the claim and have the
18 taxpayers pay for it?

19 What does the \$100 million mean in
20 economic impact? That should be thought of.
21 Kind of like a fiscal note. What are you
22 throwing away today in this dire straight of
23 this industry, just \$100 million -- I had a
24 forensic economist who's been qualified in
25 state and federal court. I don't think

LA SENATE NRC HEARING

1 anybody would dispute this. \$100 million
2 would create 1200 new jobs, 57 million in
3 wages paid, 16 million in tax revenue,
4 174 million in additional spending in coastal
5 parishes. I think they owe a lot more.

6 For an example, I took \$1 billion. BP's
7 settlement was 20 billion, eight Superdomes
8 compared to 30,000 Superdomes of waste
9 discharged. 1 billion. 12,000 new jobs,
10 570 million in wages paid, 160 million in tax
11 revenue, \$1.7 billion in additional spending.
12 That's what the parishes have been fighting
13 for, for the last eight years. On the verge
14 of a resolution. We are in federal court.
15 There's a decision about to be made. If we
16 go back to state court or federal court.
17 Doesn't really matter. We get to get trial
18 dates and try the case. We're about to come
19 to a monumental time where these cases are
20 coming to an end and bringing hundreds and
21 billions of dollars to the state and
22 thousands and thousands of jobs and local
23 contractors get preference. That, tonight,
24 is about to be all thrown out the window and
25 we're going to let the State pay for it.

LA SENATE NRC HEARING

1 Really, who are we helping tonight?
2 That's really what you've got to look at. So
3 I did a little research. Currently, there
4 are 849 oil companies operating 52,000 wells
5 in Louisiana. Of those 841, only 5 percent
6 are defendants. Of 841 people, companies.
7 Good companies. Family companies operating
8 in the state. Less than 5 percent are
9 defendants. You want to bring back the
10 industry and bring back economic development
11 in these parishes? I know from experience:
12 They don't come when there's liability. If
13 we can get rid of the liability on
14 thousands -- on the entire coast, the entire
15 coast area, there won't be no more liability,
16 all of these companies get to drill. The
17 people that are really in Louisiana get to
18 drill with no liability. They can never be
19 held liable for anything that's happened in
20 the past. And last -- I know for a fact,
21 fields have been decimated and there's
22 been -- there's been \$40 million plants built
23 on cases that have settled. So what you're
24 doing tonight with this bill is telling
25 these -- these oil companies that if they

Exhibit 14

Local lawsuits are more to Gov. Jindal's liking

Grand Lake Jr. 4-H C meeting

By CALLIE FON

There is a good reason why Gov. Bobby Jindal responded so calmly to Jefferson and Plaquemines parishes suing dozens of oil companies for coastal damage, compared to his ballistic reaction to a similar suit filed earlier by the Southeast Louisiana Flood Protection Authority-East.

Yes, the parishes' suits are brought by elected local officials instead of an appointed board. And yes, the parishes don't have eye-popping contingency-fee contracts with their attorneys as the flood authority does.

But the most compelling reason why the governor does not repudiate the parishes' legal action against Big Oil is that it's what he has been waiting for.

The governor has been heavily criticized by environmental and civic groups for his offensive against the SLFPA-E board, including effectively removing its vice chairman, author John Barry, the eloquent and credible public voice for the legal cause. Jindal was seen to be protecting the interests of the oil companies, when, actually, the interests he was protecting were his own. The unilateral action by the appointed state board, out of line with state policy toward the coast and the industry, was an intolerable affront to the power of the governor. Not to mention that, if the suit succeeded, Barry, not Jindal, would get the credit.

While the governor may seek to quash the flood authority's lawsuit, his action should not be mistaken for siding with the oil companies. There are aha! moments and there are uh-oh moments. The latter came for oil firm attorneys and executives during the 2012 legislative session when they grew alarmed that Jindal did not back their legislation to rein in the league of so-called oilfield legacy lawsuits. The governor seemed to be siding with big landowners and, by extension, their environmental attorneys, whom oil execs loath as the most rapacious of trial lawyers. The leader of the lawyers, whose firm has filed the most oilfield damages suits, is Don Carmouche of



John Maginnis

Talbot, Carmouche and Marcello, which happens to be the lead attorneys on the lawsuits by Jefferson and Plaquemines parishes.

The parishes' suits have been likened to the dozens of legacy lawsuits that Carmouche's firm has brought on behalf of landowners in southwest and central Louisiana. (They are called "legacy" because the claims for damages often go back for decades to ensnare the major oil companies as defendants.)

But the new suits differ in two important ways. Because they are filed in the Coastal Zone, the potential damages, considering coastal erosion, are much greater. Also, instead of the parishes suing as landowners, they are bringing action as the government regulators of development in the Coastal Zone. Sharing that regulatory authority is the state Department of Natural Resources.

The governor could have the state intervene and supplant the parishes as plaintiff. But there is no need to do so. The administration can monitor the lawsuits as it nudges the parties toward a negotiated settlement. At that point, the two coastal parishes won't be alone, for it is likely that negotiations would lead to a global settlement to include the flood protection authority and the potential claims of other parishes, levee boards and the state itself. There is

only one person who can sit at the head of that bargaining table. And it's not John Barry.

The governor does not necessarily want to be seen as the one who starts this fight, but he is bound to be there when it is resolved.

Such a settlement could go a long way toward funding the state's master plan for the coast, projected to cost \$50 billion over 50 years. Not only would that secure Jindal's reputation as a coastal protector, but it would also, nationally, establish his independence from and his power over the mighty oil industry.

The late great Russell Long once said that he could never be president because he was an oil state senator. There are other reasons why Bobby Jindal won't be president, but he can see to it that a cozy relationship with Big Oil won't be one of them.

The November 1st meeting of the Grand Lake Jr. 4-H Club was called to order by Maleigh Conner. The meeting was led by Smith and the 4-H Annaston Picou.

Minutes of the last meeting were read by Emily. A Treasurer's Report was given by Austin. Reporter Callie talked about Cam Up A Storm.

Those attending were Sydney Pierce, Mickey Adam, McFatter, Davis and Maleigh. Mallory talked about Seniors and Club meeting. There was also a meeting about Arts Day on Dec. 7.

Club Leader, Mrs. F. stressed the importance of the Community Service project. She can Community Chairmen, Adara and Seth Trahan, members that continue bringing through November.

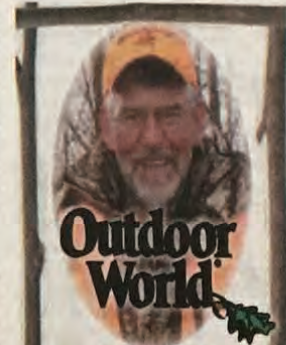
Agent, Mrs. F. talked about Challenge Day, Portfolios, a Club Meeting. She program on R encouraged every everyone with Re away with Bully.

Vice President Pierce led a game with balancing on a washer with members walking it a Meeting was adj.

November by Grand

By ALEXIS

The November Meeting of the Grand Lake Jr. 4-H Club was called to order by President Lisa. The Pledges were read by Alanah Theriot. A reading of last month's meeting was given by Kelsey Duhon. Christian Dotson, Treasurer's Report was given by Reeves. Report of the Focus, discussed by Day. She...



Outdoor World

BUCK TIPS

Big bucks will almost always be the last deer to move into a field to feed. Watch the feeding does already in the field. They often raise their heads while feeding to scan the area for predators. But, if one keeps staring intently into the same patch of cover, there's probably a big buck getting ready to come out.

If your stand is set where you can see as much terrain as possible, how many big bucks do you think you will see? Maybe some, but you are a whole lot better off in the thick stuff in a stand where you may be able to see only 15 to 20 yards but bucks tend to feel safer.

As hunting pressure gets heavier, bucks tend to retreat to thick cover with lots of vines, an area with young pines or cedars, a weed-choked creek bottom and even a hard-to-reach swamp area.

ary of John Fred "T-Boy" celebrated Saturday, Nov. Church in Creole after the wedding. The couple, David Boudreaux, Mary x; 11 grandchildren, and on will follow the mass at Through this means, to attend.

Restricted supervision

al classroom course that consists of 10 hours of instruction, usually taught over 2-3 days. Alternatively, students may take the home study version available on CD or by CD-Rom. Hunters may choose the home study version must also attend a mandatory six-hour field day. The Louisiana Hunter Education certification is required and accepted in all 50 states.

There is no charge for the room course or CD-ROM version of the home study course. There is a \$15 charge for the on-line version of the home study course. Home study courses are available from the F Education Program. The home study version is generally not recommended for students younger than 14 years old.

Exhibit 15

Bellwether Plaquemines lawsuit against oil, gas companies again returned to state court



Oilfield and navigation canals are shown May 18, 2018, on the the West Bank of Plaquemines Parish. An environmental damage lawsuit filed by Plaquemines Parish against several oil and gas companies has again been ordered to be tried in a state court in the parish by the U.S. 5th Circuit Court of Appeals, which could result in another 42 damage suits against oil companies also being returned to state courts.

STAFF PHOTO BY MARK SCHLEIFSTEIN

BY MARK SCHLEIFSTEIN | STAFF WRITER
DEC 13, 2022 - 4:00 AM

Five major oil and gas companies have again been blocked in their efforts to keep a potentially consequential, nearly 10-year-old natural resource damages lawsuit filed against them by

Plaquemines Parish from being heard in a state court in the parish.

A three-judge panel of the U.S. 5th Circuit Court of Appeals last week refused to stay its October ruling sending the damages suit back to the 25th Judicial District Court in Plaquemines Parish to be heard, even though the energy firms are attempting to appeal that ruling to the U.S. Supreme Court. In a separate ruling, all the judges on the appeals court also refused to rehear the October ruling by the three-judge panel.

The defendant firms are Chevron USA, Exxon Mobil Corp., ConocoPhillips Co., BP America, and Shell.

The appellate decisions seem to clear the way for the Plaquemines court to resume a trial that was abruptly recessed in 2018. The delay occurred when the companies, using historical drilling activity documents filed by the parish in court, argued they were acting as agents of the federal government in producing oil in the parish during World War II, and thus should have the suit tried in federal court.

The decisions could also clear the way for 41 similar lawsuits filed in Plaquemines, Jefferson, St. Bernard, St. John the Baptist, Vermilion and Cameron parishes between 2012 and 2017 against a total of about 200 oil and gas companies to be returned to state courts in those parishes. If successful, those suits could result in billions of dollars in either restoration projects or financial damages being awarded to the parishes or the states.

All of those suits were filed on behalf of the individual parishes by the Talbot, Carmouche and Marcello law firm of Baton Rouge. The state and Attorney General Jeff Landry have intervened in all the suits to protect the state's rights.

A 43rd suit, filed on behalf of Orleans Parish, also was removed to federal court and also could eventually be returned to state court.

U.S. Circuit Judge Jennifer Elrod issued the Wednesday decision blocking the request for a stay while the case was appealed to the Supreme Court. Her decision followed a Nov. 29 decision by a three-judge panel that included Elrod, appointed by President George W. Bush; Carl Stewart, appointed by President Bill Clinton; and James Graves Jr., appointed by President Barack Obama, to deny a request for the full 5th Circuit Court of Appeals to rehear the case.

Attorneys representing the oil companies in the Plaquemines case outlined their plan to appeal to the Supreme Court in their request for a rehearing. The U.S. Chamber of Commerce

submitted an “amicus” brief supporting the companies’ arguments.

In October, the three-judge panel upheld a ruling by the late U.S. District Judge Martin Feldman, an appointee of President Ronald Reagan, who found that just because oil and gas exploration and production operations were part of the war effort, the suit did not need to be heard in federal court.

In their appeal filing, the companies repeated their claims that they should have been treated as “acting under” the orders of a federal officer in producing oil and gas for the war. They argued that similar cases involving business disputes dating back to the war had been allowed to be tried in federal courts by other appeals courts, and that the dueling rulings should be considered by the Supreme Court.

“The companies are disappointed by the decision,” said Jason Harbison, in a statement on behalf of the energy companies. “Like other similar parish lawsuits against oil and gas companies, the allegations in this case challenge decades-old oil production practices, including those used during World War II... As Congress recognized, lawsuits like this one, which implicates distinctive federal interests, deserve to be heard in a federal forum.”

“Further, the U.S. Supreme Court explained that access to a federal forum is warranted when a lawsuit involves a private entity that, under government direction, provided the

government with an item needed to prosecute a war, as the oil and gas companies did here,” he said.

“The energy industry has lawfully and responsibly operated in Louisiana for decades, employing thousands, investing millions in our local communities, and contributing billions to national, state and local economies. But even as our industry here in Louisiana continues to support our allies abroad while simultaneously partnering with the state and other stakeholders to rebuild our coast back home - companies continue to be attacked by these frivolous lawsuits,” said Tommy Faucheux, president of the Louisiana Mid-Continent Oil and Gas Association.

The decision to turn down the appeal reconsideration was praised by attorney John Carmouche, who represents the parish in the suit.

“The fight to have real and provable damages restored by big oil and gas companies who created the damages has been a long 10-year fight for these parishes and people.” Carmouche said in a statement. “Consistently, courts have ruled that juries composed of Louisiana citizens in Louisiana courts should make the final decisions about these various damages.”

Carmouche said the potential for state courts to order the energy companies to mitigate damage done to wetlands or to compensate parishes and the state for damages is likely to result in new jobs or infrastructure improvements, such as flood

protection, “without making Louisiana taxpayers pay for damages they did not cause. Those who created the damages should pay, not the taxpayers of Louisiana.”

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Corey Sideboard - BRAUN

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Swirling mappa burl wood is book matched across all four panels to create stunning visual interest and texture. Sop...

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Exhibit 16

CAMERON PARISH POLICE JURY
ANNUAL FINANCIAL REPORT
AND INDEPENDENT AUDITORS' REPORTS
Year Ended December 31, 2021

CAMERON PARISH POLICE JURY

Statement of Activities

Year Ended December 31, 2021

<u>Activities</u>	<u>Expenses</u>	<u>Program Revenues</u>		<u>Net Revenues (Expenses) and</u>
		<u>Operating</u>	<u>Capital</u>	<u>Changes in Net Position</u>
		<u>Grants and</u>	<u>Grants and</u>	<u>Governmental</u>
		<u>Contributions</u>	<u>Contributions</u>	<u>Activities</u>
Governmental Activities:				
General government:				
Legislative	\$ (321,957)	\$ -	\$ -	\$ (321,957)
Judicial	(2,807,811)	1,277	-	(2,806,534)
Elections	(7,940)	-	-	(7,940)
Finance and administrative	(3,219,242)	-	-	(3,219,242)
Other general government	(392,316)	-	-	(392,316)
Interest on long-term debt	(689,216)	-	-	(689,216)
Public safety	(3,657,336)	3,604	-	(3,653,732)
Public works	(6,552,279)	8,118	-	(6,544,161)
Culture and recreation	(1,494,102)	2,553	-	(1,491,549)
Health and welfare	(379,655)	677,212	-	297,557
Disaster recovery	(31,912,586)	22,258,793	-	(9,653,793)
Economic development	(864,078)	1,616,854	5,481,278	6,234,054
Total Governmental				
Activities	<u>\$ (52,298,518)</u>	<u>\$ 24,568,411</u>	<u>\$ 5,481,278</u>	(22,248,829)
General Revenues:				
Taxes:				
Property taxes, levied for general purposes				12,729,750
Other taxes for general purposes				297,713
Licenses and permits				311,491
Fines, forfeitures, and court costs				236,895
Intergovernmental:				
State				2,110,910
Local				108,840
Gain/(Loss) on disposal of capital assets				(329,163)
Interest earnings				19,263
Insurance proceeds				3,467,770
Other				18,185
Total general revenues				<u>18,971,654</u>
Change in net position				(3,277,175)
Net position - Beginning - Restated				<u>160,631,258</u>
Net position - Ending				<u>\$ 157,354,083</u>

The accompanying notes are an integral part of the basic financial statements.

Exhibit 17



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'Overlooked And Forgotten' But Resolute, 10 Years After Hurricane Rita


By [JASON SAUL \(/PEOPLE/JASON-SAUL\)](/PEOPLE/JASON-SAUL) • AUG 28, 2015

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 [Share \(http://facebook.com/sharer.php?\)](http://facebook.com/sharer.php?)

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 [Google+ \(https://plus.google.com/share?url=http%3A%2F%2Fwww.tinyurl.com%2Fy9h6zsd6\)](https://plus.google.com/share?url=http%3A%2F%2Fwww.tinyurl.com%2Fy9h6zsd6)

 [Email \(mailto:?\)](mailto:)

[subject=%27Overlooked%20And%20Forgotten%27%20But%20Resolute%2C%2010%20Years%20After%20Hurrica](mailto:)



(https://www.wwno.org/sites/wwno/files/styles/x_large/public/201508/20150828Rita.jpg)

Cypress trees in Lacassine National Wildlife Refuge, stretching across Cameron and Evangeline Parishes in southwestern Louisiana.

STEVE HILLEBRAND / U.S. FISH AND WILDLIFE SERVICE

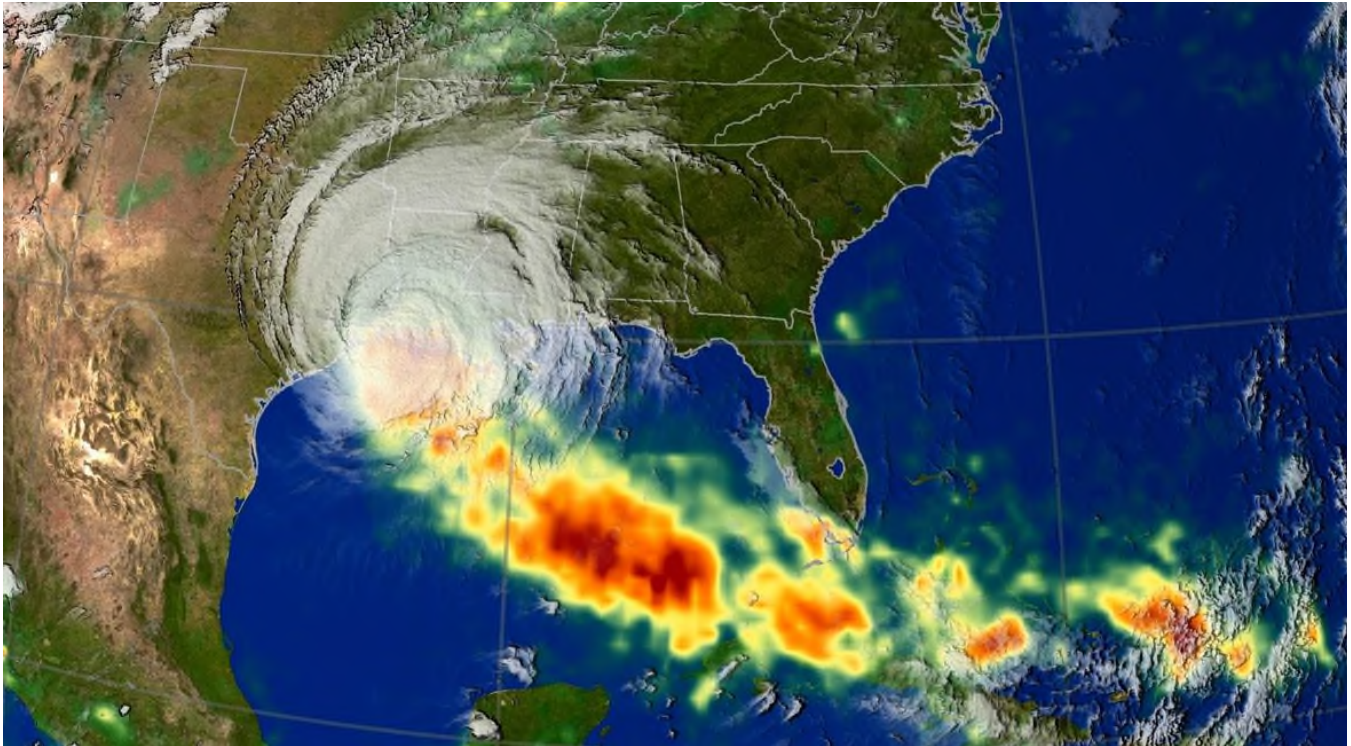
Hurricane Rita (http://www.srh.noaa.gov/lch/?n=rita_main) came ashore just three weeks after Hurricane Katrina, killing seven people directly and over a hundred more in the evacuation and in the storm's aftermath.

Ten years later, many residents of southwest Louisiana are feeling forgotten as the international media spotlight stays focused on New Orleans.

Rita reflooded New Orleans' 9th Ward

(<http://www.nola.com/katrina/pages/092405/0924PAGEA01.pdf>) and parts of neighboring St. Bernard Parish. Low-lying Cameron Parish, directly in the path of the storm, took on over 16 feet of storm surge.

The strongest hurricane ever recorded in the Gulf of Mexico, Rita peaked as a Category 5 storm with 180 mph winds in the central Gulf before weakening slightly to a Category 3. The storm made landfall around 2:40 a.m. on September 24, 2005, tearing through the Cajun parishes of southwestern Louisiana (<http://house.louisiana.gov/acadiana/>) and the counties of Eastern Texas with sustained winds of over 115 mph.



(http://mediad.publicbroadcasting.net/p/wwno/files/styles/x_large/public/201508/20150828Ri

Rain accumulation from Hurricane Rita from September 18 through 25, 2005.

CREDIT NASA

Hurricane Rita was a grim echo of another disastrous storm – Hurricane Audrey (<http://www.srh.noaa.gov/lch/?n=audrey>), which wiped out a wide swath of Acadiana when it came ashore on June 27, 1957.

“Audrey washed away in an instant most of what people had built in Cameron Parish,” says Andy Horowitz (<http://history.tulane.edu/web/people.asp?id=AndyHorowitz.txt>), an assistant professor of history at Tulane University who has done extensive research on disaster response and recovery in south Louisiana. “More than half the homes in the parish were totally destroyed, and another 30 percent were damaged beyond repair.”

The official death count from Audrey, according to the Cameron Parish Sheriff’s Office, goes as high as 362 confirmed dead, and another 182 missing.

“What is interesting in the perspective of the 2005 storms is how quickly recovery efforts proceeded in 1957,” says Horowitz. “One of the things they did in Cameron that seemed important at the time was they got people back on their properties very quickly. They were intent on not building tent cities elsewhere.”

Horowitz says the federal government provided families with 14x15-foot tents with windows and screen doors, erecting 400 tents by mid-September. Over 200 SBA loans (<https://www.sba.gov/category/navigation-structure/loans-grants/small-business-loans/disaster-loans>) totaling \$1.5 million were awarded by the end of September.

“They were not totally happy being in debt to the federal government, but the money got there,” Horowitz says.

By March of 1958 the Red Cross estimated 70 percent of Cameron had been rebuilt, and by 1960 there were more homes in Cameron than before the hurricane.

“One of the biggest lies that we have been lead to believe about these hurricanes is that rebuilding has to be slow and difficult,” Horowitz says. “And when nearly 10 percent of your population dies – everyone knows lots of people who died from drowning and snakes, cottonmouths crawled out everywhere – this was a horrifically tragic event, and these markers of economic recovery should not mask the fact that this is a horror story.”



HOLLY BEACH, LA, BEFORE HURRICANE RITA



HOLLY BEACH, LA, AFTER HURRICANE RITA

http://mediad.publicbroadcasting.net/p/wwno/files/styles/x_large/public/201508/20150828

Holly Beach, the 'Cajun Riviera,' before and after Hurricane Rita.

CREDIT NOOA

Ryan Bourriaque is the Cameron Parish (<http://www.parishofcameron.net/>) Administrator. We spoke about the struggles of rebuilding in the shadow of the Hurricane Katrina recovery effort, and what the people of southwestern Louisiana are doing to protect their homes.

This interview has been condensed and edited.

Can you explain a little bit about the history of Cameron Parish and Cajun culture, and your attachment to the unique landscape and way of life?

Cameron Parish, the largest Parish in Louisiana land-wise, is tucked away in the southwest corner of Louisiana, and many times the values and people of Cameron are overlooked and forgotten. Many of our residents welcome this way of life. Seclusion, independence and self-sufficiency are certainly terms that have adequately described the people of this area. British cartographers, in trying to map coastal Louisiana, labeled Cameron Parish as an

“uninhabitable wasteland”; however, several generations of my family members had already settled here. My two daughters are the 6th generation of my family to live on the same tract of land in Grand Chenier. It is a very special place to us.

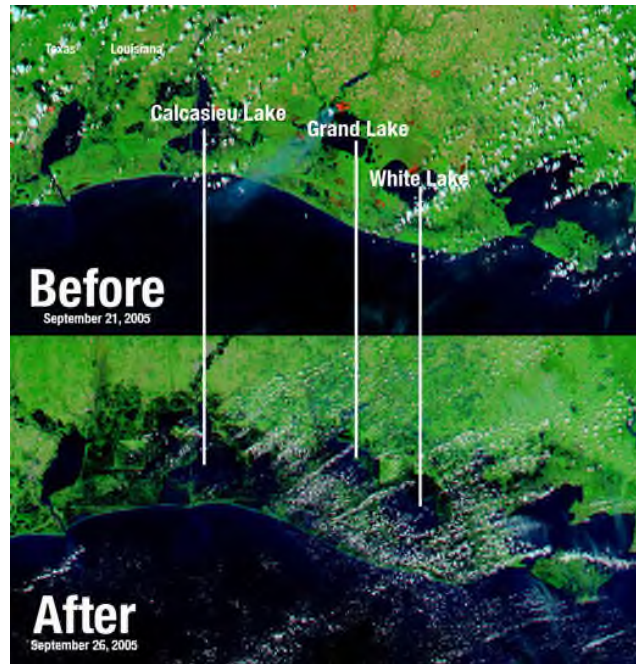
The history of a people can never be separated from the geography of the land in which they dwell. Cameron Parish is an area of abundance, unique in formation, fertile in soil, and rich in beauty. Cameron also serves as a major economic driver in our region and state with profitable finds of oil and gas, support services for those industries, wild game, fisheries, fur-bearing animals, farming and cattle. In recent years, the expansion of the LNG (liquefied natural gas) industry has resulted in an economic boom, and Cameron Parish has a total of \$30 billion in industrial investment under construction, with another \$23 billion in proposed projects that are in various stages of the federal permitting process.

At the same time, we entertain over 300,000 tourists a year either through the Creole Nature Trail or our Wildlife Refuges, a number that doesn't account for the number of sportsmen who temporarily occupy the Parish during hunting seasons or peak fishing times. We are home to one of the largest strategic oil reserves, a top-10 fisheries producer, we are the healthiest Parish in the State of Louisiana, and home to the largest private industrial development project in the Cheniere LNG expansion in Johnson Bayou. Our most vital resource, however, is our 6,800 spirited residents. Our people work hard, play hard, and pray even harder.

In my very humble opinion, this is “God’s Country.”

Can you describe the lingering effects of Hurricane Rita on Cameron Parish?

Rita was a devastating storm for the Parish. It will not garner the same amount of attention that Katrina has but we have come to accept that. Lower Cameron Parish suffered nearly a total loss of structures following the storm. Wave heights in some areas were over 18 feet.



<http://mediad.publicbroadcasting.net/p/wwno>

Widespread flooding and coastal erosion two days after Hurricane Rita's landfall.

CREDIT NASA

Over 40 percent of the total structures in the Parish were destroyed with an even larger number damaged. Lower Cameron Parish was without electricity for some four months and even longer without a gas station.



(<http://mediad.publicbroadcasting.net/p/wwno/files/styles/xlarge/public/201508/20050924>)

The front page of the New Orleans Times-Picayune, September 24, 2005.

The effects of Rita were significant for our people, no doubt, but our residents also realized and were thankful that the life loss experienced in Audrey was not repeated. Many of the items damaged by Rita have been addressed, though Rita recovery was greatly hindered by Hurricane Ike (in 2008).

I feel that the community has slowly come back or at least a pace that is not as expedient as we would have liked. Much of the redevelopment that has taken place is to do with the fact that our residents are tied to their family land and the freedom and history that come with it.

Coastal erosion and land loss has threatened this culture and way of life, which is why the Police Jury (a governmental body similar to a Parish Council) commissioned a Cameron Parish Comprehensive Plan for Coastal Restoration & Protection. This plan highlights the needs of the Parish – from drainage to shoreline protection and marsh

creation. The Police Jury feels that in working with the CPRA, Chenier Plain Coastal Restoration & Protection Authority, and other State & federal agencies, we will be able to preserve some of the aspects that

we all have grown to know and love here in Cameron.

Can you describe how Cameron Parish rebounded from Hurricane Audrey? What is it about the people of south Louisiana that makes us bounce back every time?

Audrey was “The Storm” for all of the older members of my family. My grandmother is still scared to death of snakes from experiencing Audrey.

Our people have often been called ignorant for staying for Audrey. Our families were told that the storm would be coming days later. Many vehicles were packed and ready to evacuate when the waters began to rise in the early morning hours.

One major difference between Rita and Audrey was the fact that our families quickly moved back to their land in the days immediately following Audrey. They lived in tents provided by the American Red Cross on their own property and began repairing their damaged homes. The recovery was expedited and immediate. Many families stayed.

After Rita came, some 50 years later, the recovery time was delayed a great deal. Regulations and building requirements changed the way we did business here in Cameron. It was hard on the local government and our residents to implement such drastic changes at a moment's notice. I would venture to say that elevation requirements are still frowned upon by some residents, but for the most part it has been accepted as a necessary means to protect our property. It has made us more resilient.

What is on the horizon for the people of Cameron? What makes you excited to go to work each day?

I feel that Cameron's best days are ahead of her. As a local kid who had so many people express their concern with my well-being and successes in life, it is something I do not take for granted. It changed the way I live my life. Many local residents question my sanity for taking such a position as the Parish Administrator, where you are the first to be told the bad news and the last to be told the good news. The bad news is always my fault and the good news is never my fault, but that is the case for many public officials throughout the State. They will understand my statement.



<http://mediad.publicbroadcasting.net/p/wwno>

A commemoration of the 50th anniversary of Hurricane Audrey, June 27, 2007.

CREDIT NATIONAL WEATHER SERVICE LAKE CHARLES OFFICE

However, every day that the good Lord allows me to wake up I am proud that I work for and serve the people of Cameron Parish. I feel that I have been blessed with the support of a staff that is never outworked



(http://mediad.publicbroadcasting.net/p/wwwno/files/styles/x_large/public/201508/20150828)

Cameron Parish Administrator Ryan Bourriaque.

CREDIT CAMERON PARISH

and an elected body that tries to promote change and growth. This Parish is special to all of us. Our goal and mission is to provide opportunities to the next generation of Cameron Parish residents that are far beyond anything we could have imagined.

I think this generation of Cameron residents is tasked to capitalize on all these positive aspects of our Parish without letting it pass us by. Sometimes that takes an inordinate amount of time and effort, but for us, this place is worth saving.

TAGS: [HURRICANE RITA \(/TERM/HURRICANE-RITA\)](#)

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Name



Sheila • 3 years ago

thank for a well done story. I live in Calcasieu Parish, every time I drive to the airport in Lake Charles, I pass by a quiet cemetery with a section that holds the remains of victims from Hurricane Audrey that could not be identified. In some cases whole families lost their lives so no one was left to ID bodies. The people of Cameron Parish are not just neighbors they are tethered to us by the memories of Hurricanes Audrey and Rita

Reply • Share



wwnadmin Mod Sheila • 3 years ago

Sheila, thank you so much for sharing this story.

Reply • Share

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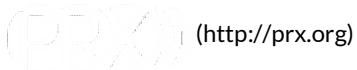
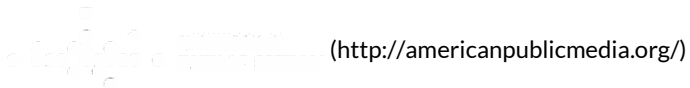
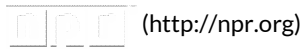
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Exhibit 18

SWLA and SETX to work together on Chenier Plain

Officials from three Southwest Louisiana parishes, Calcasieu, Cameron and Vermilion, and three Southeast Texas counties, Chambers, Jefferson and Orange signed a memorandum of understanding to cement their pledge to work together in the areas of bank stabilization, hydrologic restoration, marsh creation and ridge restoration. The Chenier Plain covers a five million-acre coastal region with two-thirds of the plain located east of the Sabine River in Louisiana and one-third west of the Sabine in Texas.

Cameron Parish has more wetland acres than any Gulf Coast state, county or parish and the second highest rate of net wetland decrease. If you combine the Chenier Plain commercial fishing ports of the Port of Cameron in Cameron Parish with Delcambre and Intracoastal city in Vermilion Parish and Port Arthur in Jefferson County the annual catch is greater than the rest of the Gulf States other than Louisiana.

According to America's Wetland Foundation, more than 95% of Gulf of Mexico marine species spend part of their life in Louisiana's wetlands yet approximately 25 to 35 square miles of Louisiana wetlands are lost each year.

If the Chenier Plain trade ports were counted together, Beaumont, Port Arthur (Sabine Neches Waterway), and Lake Charles would rank

higher than the New York/New Jersey Port Authority in tonnage. The Chenier Plain is also the site of two of the nation's four Strategic Petroleum Reserve salt dome storage sites located in West Hackberry and Big Hill.

Nature tourism in addition to hunting and fishing in the Chenier Plain offers some of the most varied outdoor recreation in the nation. Due to its variety of wading water and marsh birds the Sabine National Wildlife Refuge has been designated an "Internationally Important Bird Area" and the refuge is a part of the Creole Nature Trail All American Road and America's Wetland Birding Trail. The Texas Birding Trail, located at the western edge of the Chenier Plain, leads the nation in visitor participation.

New Year's Eve Social

The Creole Knights of Columbus and the South Cameron Alumni Association are jointly sponsoring an adult New Year's Eve Social at the Creole KC Hall, on Wednesday, Dec. 31, from 9 p.m.-1 a.m.

Cover charge is \$10 per person. Gumbo will be available but beverages will not be served. It is BYOB for \$20 per ice chest (max. 48 quart).

For further questions or information, contact Steven Landry at 337-274-1786.

Creole Christmas Bird Counts. Each area will be canvassed for one day, with the object of counting all the birds, not just all species, in a given radius. It is an intensive effort that will hopefully yield valuable scientific data which can

Hackberry O Bingo winners

Winners for the 2014 Hackberry Recreation Christmas Bingo are:

Turkeys - Mae Simon, Norris East, Edward Hebert, Delaine Burrow, Verna Lee Kyle, James Swire, Jennifer Wainwright, Louella Nunez, Carroll Nunez, Beth Hinton, Blake Murphy, Anita Rigdon, Donald Soirez, Marie Little, Glenda Welch, Lawana Welch, Brittany Alford, Sue Largent, Stephanie East, Dawn Abshire.

Pork Roasts - Dale Jink, Alice Reeves, Mae Simon, Juanita Nunez, Sue Largent

Fifth Annual Cookoff begins

The South Cameron Alumni Association will host its Fifth Annual Gumbo Cookoff held in conjunction with the Louisiana Fur Wildlife Festival.

The contest will be held Saturday, Jan. 10, beginning at 6 a.m. prior to the parade.

Fur Festival seeks parade participants

The Louisiana Fur Wildlife Festival would like to invite participants to the annual parade.

All local school organizations, businesses, tra



Exhibit 19

The Guardian



Climate change will likely wreck their livelihoods – but they still don't buy the science

The small Louisiana town of Cameron could be the first in the US to be fully submerged by rising sea levels – and yet locals, 90% of whom voted for Trump, still aren't convinced about climate change

This series is supported by



About this content

Shannon Sims in *Cameron Parish, Louisiana*

Mon 28 Aug 2017 11.19 EDT

In 50 years, the region near where I grew up, Cameron Parish in south-west Louisiana, will likely be no more. Or rather, it will exist, but it may be underwater, according to the newly published calculations of the Louisiana government. Coastal land loss is on the upswing, and with each hurricane that sweeps over the region, the timeline is picking up speed.

As a result, Cameron, the principal town in this 6,800-person parish (as counties are called in Louisiana), could be the first town in the US to be fully submerged by rising sea levels and

flooding. So it's here one would expect to feel the greatest sense of alarm over climate change and its consequences.

Instead, Cameron has earned a different kind of fame: it's the county that, percentage-wise, voted more in favor of Trump than all but two other counties in the US in last year's election. (Nearly 90% of registered voters did.)

Why would some of the people most vulnerable to climate change vote for a politician skeptical of climate change's existence? Why would people in Cameron Parish support policies that could ruin them?

To get to the root of this question, I slipped my tennis shoes into knee-high marsh waders, navigated the ropes on a rusty shrimp boat, and ate mountains of fried seafood. I spoke to people living different and yet parallel lives in Cameron Parish, where timelines are defined as pre-storm or post-storm, and where people kindly addressed me as Miss Shannon.

In rocking chairs and over lunch specials, I asked them about their seemingly contradictory views. I asked them why they voted for Donald Trump. And I asked them how they felt about being the proud residents of what may be America's first drowning town.

Tressie Smith: 'If a hurricane comes, I'm screwed'



Tressie Smith outside of her restaurant, Anchors Up Grill, in Cameron. Photograph: Shannon Sims

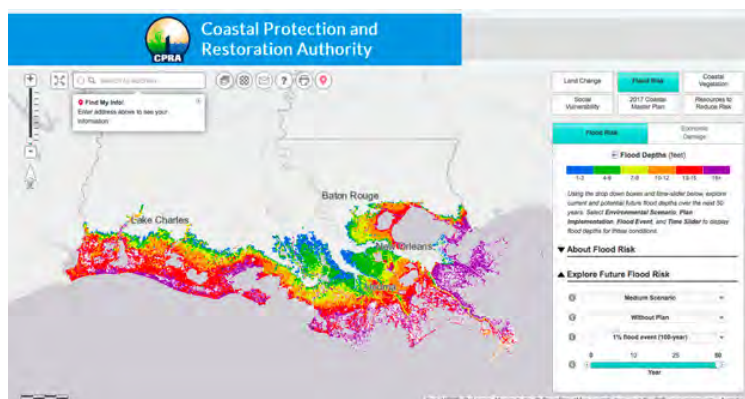
Tressie Smith is a 44-year-old mother of two and a business owner – her seafood restaurant is the most popular lunch spot in town.

That popularity is aided by the fact that her would-be competition was all destroyed in hurricanes Rita (2005) and Ike (2008). The population of Cameron dropped a stunning 79% between 2000 and 2010. When the hurricanes hit, Smith was working for a cafe down the road. When it closed after the storms, Smith saw an opening. She bought a barber shop, tacked up naval-themed decorations and named her new business Anchors Up Grill, a wry nod to the local conditions. Her special is the “dynamite shrimp poboy”, a sandwich with jumbo shrimp grilled in a spicy sauce and covered in melted cheese and bacon, for \$11.

“Oh yeah, I’m concerned,” Smith says when asked about the future. “And the bad thing is they won’t give me any hurricane insurance. They said my building don’t qualify.”

Her structure, with its glass and metal garage and creaky wooden trailer steps, stands out among the remaining buildings on the street, which are mostly bunker-like big cement city offices. If another storm hit, Anchors Up looks like it'd be the first to go. "They did insure me the first year we were open, but then, for no reason, they wouldn't renew it," she recalls. "But this is all I can do, because I had to mortgage my house and my land to get this. Because of the rules and regulations, it costs so much to live here."

Many locals in Cameron repeat this phrase - "rules and regulations". They're referring to the strict construction rules placed on residents who wanted to return to Cameron and rebuild after Rita and Ike hit the town. As a result, all structures needed to be raised in order to qualify for hurricane insurance. The result is a humble town whose homes appear strangely grandiose: single-story modest brick houses now rest on top of large, grassy man-made hills, a kind of south Louisiana castle.



According to Louisiana's new Coastal Master Plan, Cameron Parish is at risk of being inundated by 15 feet of flooding within 50 years.

Photograph: Coastal protection and restoration authority

For 10 years, Smith was a truck driver, which gave her a particular vantage point from which to observe the coast. "I think the coast is disappearing, I really do. Because I traveled this road so much, driving for the oil fields. By the way it looks, it looks like the water is getting closer and closer."

But Smith stops short of offering an explanation. "I really don't know what is causing it, I don't know what you'd call it - erosion? I guess it's probably caused by climate change, but I don't really believe in the concept." She pauses to sip her Coke, and reconsiders. She looks east down the road, where an \$11bn- liquefied natural gas plant is slated to be constructed, once federal approval comes through. "But why would they be spending millions of dollars on those liquefied natural gas plants if the coast's going to disappear? And they probably know a lot more than me."

As for her politics, Smith thinks Cameron's residents voted for Trump because "we think he could help the oil field out, and hopefully stop the imported seafood from coming into our country so our people can make a living," she says.

Smith, like most of the residents of Cameron, has been highly dependent on state and federal assistance programs to recover after the storms. But what if, in Trump's push to shrink the size of the government, recovery programs are cut?

"We'd be screwed," she says frankly. "But that doesn't change my opinion about Trump," she quickly adds. "Outsiders think that everybody is just looking for a handout down here, but there is hard-working people that live here. There are just not many jobs right now, especially if all you

know is commercial fishing. Even if Trump cuts those programs that helped us, we gonna make it one way or another here, with or without help. Down here we survive.”

Brandon Vail: ‘You can’t wait around for some bureaucrat to tell you what you can and can’t do’



Brandon Vail observes one of his rice fields in Cameron Parish.
Photograph: Shannon Sims

Standing in green wading boots in shin-high water about 40 miles north of the Anchors Up Grill, Brandon Vail wipes the nitrogen pellets off of the inside of his glasses. A fertilizer plane has just passed over his rice field.

Vail is a young, highly educated self-employed rice farmer who makes about \$35,000 a year from farming. He works on 4,500 acres of land – corn, crawfish, cattle, hay, soy beans and rice – which he leases from 22 different landowners. But the arable land around where Vail farms is disappearing, as development sprawls and coastal loss creeps northward.

“With the ground losses we have here, it doesn’t really pay to be really big for us. I do better to be diversified. I been losing ground to residential and commercial development, and also to mitigation land to make room for that. So over the last four years, I’ve lost about 1,000 acres. Some people have lost more.”

He’s not optimistic about the future of farming. “This year is my 19th crop. I probably picked a poor career choice because I can see the writing on the wall. If I had kids I wouldn’t want them doing what I’m doing in this area. I don’t think farming will be a viable industry in this area 50 years from now. I may be wrong. I hope I’m wrong.”

Vail is a registered Republican, and he gets heated when he thinks about how his fellow Trump voters are perceived from the outside.

“Everyone thinks just because you’re from the south you’re a Confederate flag-waving drunk idiot. We’re not all like that. Some of us are educated. We just see things different from you.” He added: “My parents busted their ass and cut corners for me to go to private school. My sister is a complete Democrat. We’re Catholic. But I’m looked at like some kind of racist slaveholder. I’m lumped into that category. But we don’t fit.”

Vail says he’s pleased with the drawdown on environmental restrictions that Trump has instituted since taking office.

“When he took office he stopped the EPA’s Waters of the US rule, where anything that would flow into a navigable tributary would have had jurisdiction under the EPA. Well, navigable tributaries go through half the land I farm. So you’re saying a ditch I put in my field to drain the water off, then that the land comes under your jurisdiction? You can tell me when I can go into it, and what I can use as fertilizer?”

He shakes his head in disgust. “Residents can go buy RoundUp, can send out their detergents and soaps and all this kind of runoff into downstream water, but then they want to blame the farmers?”

Vail adds: “There’s not a farmer on earth that is going to ruin soil or water. We learn best management practices, and most of us will use those practices because it increases the bottom line. You can’t wait around for some bureaucrat to tell you what you can and can’t do.”

Benny Welch: ‘If you go by what the real scientists say, there’s no proof’



Benny Welch. Photograph: Shannon Sims

“I’m gonna let you in on a little secret,” Mr Benny says, as he leans close enough that his worn white baseball cap shades the afternoon sun on my face. “I’m the luckiest man in the world.”

Seventysomething Benny Welch lives across from the oceanfront marsh in Cameron Parish, just behind a big oak tree, whose limbs he clung to through the night in 1957 when Hurricane Audrey hit, sweeping his family out of their home and him - fortuitously - into a wishbone-shaped crevice of branches, the only thing left standing when it was all over.

Mr Benny - as everyone refers to him here - spends his days strolling through a garage packed with boxes overflowing with severed alligator parts.

He and his family make their money hunting alligators, and then selling the otherwise discardable pieces of the alligator bodies - the styrofoam-like handles of perforated jawbone, the scaly claws with ladylike fingernails, the phallic-shaped teeth stained brown with age. The Welch family have done well for themselves thanks to a number of contracts with gas stations around the south, whose clients impulse purchase the alligator-tooth necklaces as they pay for their Big Gulps. He shows me one of the most popular pieces: an alligator tooth surrounded by rectangular beads stamped with the Confederate flag.

But business wasn’t always so good. The double-hit of hurricanes in 2005 and 2008 “turned the marshes upside down”, he recalls. “We didn’t know what what to do, there was no alligator eggs for three years.”

Mr Benny's son lets me know that their alligator hunting business has brought in a high-end clientele. He brings out a photo of a grinning Donald Trump Jr taken during an alligator hunting trip. That personal connection has helped inform Mr Benny's politics. "I'm Donald Trump all the way," he says with a smile.

Even though Mr Benny's family has been directly impacted by hurricanes, and even though the state mapping agency indicates that his home will be submerged within 50 years due to coastal land loss, Mr Benny isn't buying it.

"I don't believe it," he says, shaking his head. "I don't believe that the tide is gonna rise 10 feet and that the Ice Age is coming and stuff like that." Like many of the residents here in Cameron, Mr Benny sees time on a longer horizon than others might. "I been here 75 years, you understand?" he reminds me with gentle force. "And I've lived on the water and guess what? The tides still come up almost the same way, and there is no flooding. And today our front marshes aren't underwater."

"If you go by what the real scientists say, there's no proof. In the last 10 years the average temperature of the world hasn't even risen a half degree. And if you listen to everyone talking it, it's up five or 10 degrees. And it's not true! It's a political thing. How much money has Al Gore made off global warming?," he laughs, shaking his head with a cackle. "It ain't happened yet!"

Bronwen Theriot: 'I think the data is incomplete'



Bronwen Theriot at home, overlooking the slabs of homes destroyed by hurricanes in Cameron. "They've been wiped out," she says. Photograph: Shannon Sims

Bronwen Theriot is the 36-year-old science teacher at South Cameron High School. She's also a member of a group colloquially called the "die-hards": residents who had their homes destroyed by Hurricane Rita in 2005, managed to rebuild, and then had their new homes destroyed again in 2008 by Hurricane Ike. And still, she made it home. "I came back every time. To the same place," says Theriot, proudly.

Theriot's boyfriend works for the state, and so state policies on coastal subsidence are regular dinner conversation for the couple and their kids. "I've looked at those maps a million times," she says, referring to the maps recently published by the state of Louisiana that show Cameron 50 years from today in the "red zone" - underwater. "I've looked at the aerial photos. I see how if we don't do something to protect our coast we will have no coast to protect," she says, matter-of-factly. "And it is evident if you take a ride around here."

To the right of her home are a line of weed-bedraggled cement slabs, where her neighbors once lived; empty plots left by those driven away by the uninhabitability of this coast.

“From a scientific perspective,” she says, putting on her high school science teacher hat, “the map is showing you – look, this is going to happen. Compared to other places where they have stopped the erosion versus here where they haven’t, it’s clear that not enough is getting done.

“But I don’t know what is causing the coastal depletion,” she says. “When it comes to depletion and subsidence, I feel like there are so many items it could be attributed to, and perhaps it is not one individual thing, but a lot of things adding up.

“Do I think it is climate change? That’s hard,” she says, smiling. Theriot seems caught between her job as a science educator and her life as a longtime Cameron resident, tasked with teaching about the environment in a fiercely red town.

“From a scientific perspective ... data is manipulated all the time. So whoever is interpreting the data, as much as you try to not have a bias, you could still have a bias. Of course, I am going to be more proactive about coastal restoration and protections because it is directly affecting me, so for me, looking at the data, I am very very worried.” She relents: “But I think the data is incomplete. And I am still not sure about climate change. I am still researching it. I feel like I don’t have enough good sources to say yes or no on if climate change is a real thing.”

Now, from her elevated balcony overlooking the old slabs, she takes a clearer position. “I’m a big proponent of the oil industry, because that’s how my family and my community made a lot of its money. So that is my livelihood. So it is hard for me to point that finger.”

Leo Adley Dyson, Sr: ‘If I thought global warming was real, I’d be the first to admit it’



Leo Adley Dyson Sr sits among fishing and shrimping boats near his dock in Cameron. Photograph: Shanon Sims

The Louisiana shrimping season just opened this week, and as a lifelong shrimper and the owner of a couple boats and a dock, today should be a busy day for Leo Dyson, not a slow one. But the wind’s been blowing too hard to take out the boats, and so here he sits, perched on a pile of barnacle-crusting wood pallets.

Dyson cares most about shrimp. “In these countries like China and everything, they work under communism where the government owns everything – the boats, the factories. In China, they raise their shrimp in sewage ponds they load with antibiotics, and that can cause cancer. We are one of the few countries that will even accept shrimp from China, and it doesn’t make sense that

the FDA even allows that. But we gotta produce shrimp for the same price as them under free enterprise.”

“So I think Trump will help this. I think he will make changes to the FDA and import tariffs and all that. I think he will make a more even playing field where everybody will still be able to make a living. So I voted for him because I thought he was the best man for the job.”

Dyson is not particularly concerned about the forecasts that show the coast disappearing over the coming decades. He thinks global warming is a gossipy scam.

“Too bad you’re not writing for the National Enquirer,” he teases, “because then you could say ‘fisherman sleeps with alien and causes global warming!’”

“The fact is I’m 68. I’ve seen cold weather and I’ve seen hot weather. And you know the earth’s been through some ice ages. And when the ice ages was over, did they think it was global warming? A planet that doesn’t change becomes a barren waste, so that’s why it’s changing.”

Instead, Dyson says that what worries him most are the environmental regulations ostensibly intended to save the coast. “The laws are already there to protect the coast. And I understand Trump is not 100% environmentalist. But I think it’s a good thing to get the government out of our lives. I don’t want any more environmental regulations. I don’t want any more fishing laws. And I don’t want a lot of restrictions where people can’t make a living.”

Dyson says hurricanes aren’t all bad news in his line of work. “The wetland restoration is doing more to harm the ecosystem than if they left it alone. After [hurricanes] Rita and Ike we caught a lot of shrimp, because the levees were washed away and nature worked the way it was intended to, where man didn’t mess with it. These structures – the levees and all – are making it get worse every year. So for me having a hurricane would be good for business – for a little while.

“If I thought global warming was real, I’d be the first to admit it,” he says, looking out across the rough water. “Because I’d be the first to see it. I’m here on the water after all. I could see how in 3,000 years we could be underwater, because I mean who knows, but in 50? I don’t think so. I was told that 50 years ago. Things don’t change much here.”

This article was amended on 28 August 2017. A previous version incorrectly identified Cameron Parish as the US county with the highest percentage of Trump voters in the 2016 presidential election.

At this critical time...

... we can’t turn away from climate change. The Guardian’s environmental coverage reports the scientific facts, social consequences and political choices that are shaping the fate of our planet. As the world’s leaders turn their backs on the environment, we are at a crisis point. Individual consumer choices are important, but we need collective action to achieve the systemic change that will really make a difference. Our pioneering and our fearless reporting on the environment can play a vital role in that. But we need our readers’ support.

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- Louisiana
- Inequality and Opportunity in America
- Donald Trump
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- Climate change
- Sea level
- Oceans
- features

Exhibit 20

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Mosquito Abatement
Public meeting on
at the Mosquito
149 LeBlanc Rd.
RUN: June 10 (J-16)

NOTICE —
School Board Parental
Meeting will meet on
at 2:30 P.M. at
ward, 510 Marshall
70631, for the
making recommen-
Cameron Parish
for approval on
July 12, 2010,
Board Meeting.
be available for
between June 21
ons concerning
al Involvement
ected to Becky
(337) 775-5784,
June 10 & 17 (J 17)

NOTICE —
School Board
will meet on
2:30 p.m. at
Board

Robert Clark,
Henryville; Bench Warrant,
three counts.
Clifton Esponge Jr., 40,
1415 Abraham Street,
Cameron; Bench Warrant.
Brynn LaGrange, 36,
Sanford, N. C.; Bench
Warrant, two counts.

**Grasses are
planted to
stop erosion**
By THERESA SCHMIDT
KPLC News

As the oil spill catastrophe looms in the Gulf of Mexico, the fight to save the wetlands continues in Cameron Parish as it has for decades. And the sight of teens doing their part to restore and preserve coastal Louisiana is for some a sign of hope.

They are on a three day camp called Marsh Maneuvers, sponsored by LSU Extension Service. Biologist Alton Puckett says it was a productive day: "Today we put in about 525 plugs of the Bitter Panicum and we had done I think 700 or so back on Mar. 30, and as you look up and down the beach you can see where they've taken root since then."

You might wonder what good the grass does. It works to trap sand and build up sand dunes to protect against coastal erosion and hurricanes. Thirteen year old Madison Bonsall of Cameron Parish is one of the teens who spent the morning planting marsh grass. "Once the grass takes over the sand will get caught and it will build up this big dune like we have back here. This will stop the ocean action so basically we're building a levee and it's a natural levee because the wind builds it. I'm excited because that means our homes aren't going to get eaten in 50 years, so there'll still be a Cameron Parish."



HONOR ROLL
1st grade - John Carter, Kristen Guidry, Kolby Jimenez, Jasmine Lawson.
2nd grade - Patrick Bertrand, Brianna Broussard, Gage Dyson, Allie Hardie, Jayden LeBleu, Shelby Welch.
3rd grade - Michael Boudreaux, Trenton Comeaux, Drake Conner, James Daigle, Jade Dockins, Hugh Dyson, Timothy Godette, Kannon Gilbeau, Aaron LaSalle, Elana Lopez, Paige Mhire, Diego Morales.
4th grade - Jose Del Rosal, Mya Hebert, Angelica LeJeune, Brant Little, Kate McDonald, Tylor Skipper, Devin Whittington.
5th grade - Kendall Brown, James Dupont, Zachary Godette, Madison Huffman, Matthew Olivier, Gatlin Welch.
6th grade - Kelby Comeaux, David Conner, Baylie Duhon, Se'aira Duplechian, Tristan Guidry, James Hebert, Alexander LaPoint, Brandon LeBoeuf, Jacee Miltenberger, Chauntelle Nunez, Lennis Smith, Austin Swire, Alyssa Walker, Gabrielle Wood.
7th grade - Madison Bonsall, Hannah Guidry, Linlee LaLande, Michael Pinchbeck, Logan Primeaux.
9th grade - Savannah Baccigalopi, Clodia Booth, Sarah Conner, Jason Theriot.
10th grade - Jimmie Clark, Myli Hay, Channing LaLande, Dina Mendez, Trey Morrison.
11th grade - Kristi Breaux, Destiney Crowe, Dane Mychal, Lakin LaBove, Clint Miller, Jadah Primeaux, Racissa Savoie, Garrett Whittington, Shelby Kay Wolfe.
12th grade - Laikin Canik, Jimmy Dowd, Kelsey Mudd, Dex Murphy, Bailey Richard, Shelby Willis.



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— NOTICE TO THE PUBLIC —
The Cameron Parish Police Jury
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to amend Cameron Parish Occupa-
tion Ordinance to conform with the
state ordinance. To request a copy of
the ordinance, please call the
Cameron Parish Police Jury at 775-5718, e-mail
to camparjury@camtel.net or
visit our local library.
RUN: May 20, 27

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• PUBLIC NOTICE
The Cameron Parish
Progression Plan
Monday, June 21
Cameron Parish School Board

— PUBLIC NOTICE —

Exhibit 21

STATE

Bill to nullify parish lawsuits vs. oil and gas companies is dead

Tyler Bridges The Advocate (Baton Rouge)

Published 9:43 a.m. CT May 29, 2020

Oil and gas companies have struck out in their attempt to kill lawsuits filed by seven parishes that accuse the companies of destroying coastal marshes and wetlands during decades of drilling and exploration activities.

“We ran out of time,” state Sen. Mike Fesi, sponsor of the legislation, Senate Bill 440, said in an interview Thursday. “We’ll shoot for it next year.” Fesi is a Republican from Houma.

The development represents a major defeat for oil and gas companies, who had labeled it their biggest priority during this year’s legislative session, which ends Monday night.

“Unfortunately, the shortened session created a timing issue,” Gifford Briggs, president of the Louisiana Oil and Gas Association, and Tyler Gray, president and general counsel of the Louisiana Mid-Continent Oil and Gas Association, said in a statement. “Nonetheless, we look forward to continuing the conversation on ending these meritless lawsuits and bringing our oil and gas workforce home.”

The defeat of SB440 represents a major win for the Talbot Carmouche Marcello law firm in Baton Rouge that has filed most of the lawsuits, beginning eight years ago.

“The taxpayers of Louisiana had a huge victory today because they’re not going to have to pay to restore the coast of Louisiana,” said attorney John Carmouche. “Big Oil, which damaged the coast, will have to pay for provable damages caused by their operations, and the coast of Louisiana will be restored.”

The defeat of SB440 is also a victory for Jefferson Parish President Cynthia Lee Sheng and St. Bernard Parish President Guy McInnis, who came to Baton Rouge twice to testify against it.

“It was the right thing to do for the citizens of this state,” McInnis said. “Now I think we’ll have talks and can come to a solution” that could be a settlement between the two sides.

Carmouche has reached a tentative settlement with one small player in Louisiana, Freeport McMoRan, that calls for the company to pay 12 coastal parishes \$100 million over 20 years. He said he has been in settlement discussions with other oil and gas companies.

SB440 had passed the Senate narrowly on May 20 and won approval Wednesday in the House Natural Resources Committee after being amended. But SB440 had to pass another legislative step, the House Appropriations Committee, because the Legislative Fiscal Office had determined that its cost to the state was “likely to be significant.”

That’s because the Carmouche law firm is bankrolling the 42 lawsuits filed by six of the parishes: Jefferson, St. Bernard, St. John the Baptist, Plaquemines, Vermilion and Cameron. Carmouche said the firm has spent \$9 million on just two of the cases.

Retroactively nullifying those lawsuits would have allowed the state Department of Natural Resources or Attorney General Jeff Landry to take over the lawsuits. But the state agency pegged the cost at \$4.3 million per case for the state to do so.

Carmouche can pay for the parish lawsuits and seek payment for its legal fees from a judge if the firm reaches a settlement or wins a judgement against oil and gas companies. State law, however, would require the state to hire lawyers, at \$150 to \$500 per hour.

“Potential future costs could include additional expert reports to address remediation, restoration, and damages, as well as attorney costs associated with the continued litigation in either federal or state court,” reported the Legislative Fiscal Office. The office noted that the state would incur no cost if the Department of Natural Resources or Landry decided not to continue them.

Another bill to kill the lawsuits, Senate Bill 359, stalled before the full Senate after winning approval by a Senate committee.

The death of SB440 leaves the oil and gas industry with one remaining measure to express its opposition to the lawsuits.

Senate Concurrent Resolution 7 urges the parishes to drop their lawsuits and says the parishes “have contracted with private legal counsel to improperly bring unprecedented enforcement actions.”

SCR7, sponsored by state Sen. Sharon Hewitt, R-Slidell, needs only approval of the full House to take effect.

As a resolution, it does not change the law but is an expression of legislative intent. Gov. John Bel Edwards, an opponent of SB440, cannot veto it.

SCR7 appears to be an attempt to influence the federal judges who will be deciding whether the parish lawsuits should be heard in federal court (as the oil companies favor) or in state court (as the parish attorneys favor).

Exhibit 22

Survey Rabbit and Friends

Friends to Iron Libraries

These programs are supported by a grant from the Louisiana Division of the Arts, Office of Cultural Development, and the Department of Culture, Recreation and Tourism in cooperation with the Louisiana State Arts Council administered by the Arts and Humanities Council of Louisiana.

Bayou Baptist VBS

Johnson Bayou Baptist Church will be holding its Bible School on Sunday, July 9 at the Johnson Bayou Community Center from 9 a.m.-4:30 p.m. The theme for this year's will be "Big Apple Adventure."

There will be a time when children ages K-6, will learn a step out in faith and with Jesus." There will be Bible stories, crafts, games, snacks and more to be served.

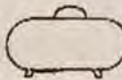
Children are encouraged to bring their children by Mrs. Gandy at 569-

Diabetes support group

Diabetes support group will be meeting on July 12 at 11:30 a.m. at the West Calcasieu Hospital Cafeteria Room.

Diabetes Support group meets monthly and you with the choices you need to please call 4282.

Service



BEYOND MAINS

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Missouri youth to host Grand Lake Bible School

A team of 30 youth and adults from Villa Ridge, Mo., will be serving in the Grand Lake community July 10-15. They will lead Bible School in the mornings. Each afternoon the team will spread out around the community and help with service projects. Anyone needing clean-up of yards, buildings, or other improvements may contact the pastor to request their help during the week.

To kick off the week, the church invites you to "The Lakes Party" on Sunday, July 10, from 5-8 p.m. at Grand Lake Community Church, 954 Hwy. 384, Grand Lake.

Free hot dogs, snow cones, popcorn and more will be served. Games, bounces, and prizes are some of the activities. Everyone is welcome!

A free Vacation Bible School will be held at the Grand Lake Recreation Center Monday through Friday, July 11-15 from 9 to 11:30 a.m. for all children who have completed Kindergarten through 6th grade. Children will hear Bible stories, participate in fun sports, cool crafts, enjoy exciting music, and snacks.

Free transportation is available if needed to both events.

For more information contact Pastor Lee Whitley 337-842-8316 or: lwhitley@yahoo.com

Seven parishes included in declaration

Agriculture and Forestry Commissioner Mike Strain, D.V.M., said seven Louisiana parishes are included in a United States Department of Agriculture (USDA) drought disaster declaration.

USDA Secretary Tom Vilsack designated 213 Texas counties as primary disaster area due to drought and related adversities. Seven Louisiana parishes that are contiguous to the Texas counties are included in the declaration. The parishes are Beauregard, Caddo, DeSoto, Sabine, Vernon, Calcasieu and Cameron.

Strain said the disaster designation makes farm operators in the primary counties and contiguous parishes eligible for Farm Service Agency (FSA) emergency loans and the Supplemental Revenue Assistance Payments (SURE) Program.

Farmers in the eligible parishes have eight months from the June 24 declaration date to apply for the



OLYVIA LABOVE, Gunner Gremillion, Courtney Lester, Brant Thomas, John Wesley Vincent, and Chase Lester are shown with Summer Reading Program performers Mary and Neal Early at Hackberry Library on Wednesday, June 29.

Letter to the Editor

Dear Editor:

Did everyone receive their notice of Tax Values from the Tax Assessors Office? I did and I was a little shocked, even with the percentage that was added. A mobile home depreciates, I have never heard of one being raised in value unless there is numerous improvements done.

Either way a rate increase of over \$14,000 is really quite large. The amount that shows was actually more than was paid for it. The mobile home was purchased in 2006 after Hurricane Rita. The mobile home was damaged in transit so it did not have the total price to be paid. The amount listed as assessed is approximately \$2500 more than was actually paid for.

After Hurricane Ike, the insurance company totaled the trailer. It is very much habitable however with the water that was "pushed into" the Hackberry area, the undercarriage had water damage. This was the reason to total it.

So why is the value assessed so high again? I am not the only one who is questioning the amounts. Numerous people have approached me. What if there was an error in the recent amounts and a refund would be called for, how does this work? Has it ever happened?

Once again it seems that with less people living in the parish, it is required for some reason they all pay more.

I was approached by someone who is new to the area and hoping to put down roots. I was quite shocked when told that in Holly Beach no permits are being issued for portable buildings, unless you own a home. Some people have to live in campers or 5th wheels until they pay for the property before they can build a home. The portable building company advised there were several of their buildings in the area before Hurricane Ike, they were not destroyed but floated into the marshes, still almost totally intact.

Now they have a clause that prior to a storm notice they will come down and remove the portable building. There is a fee, but all

your belongings do not have to be removed. Once the all clear is given then the building would be returned along with the possessions. That sounds like a pretty good deal to me.

I was told the portable building was to house a washer and dryer and maybe a lawnmower. That is not a bad idea especially if there is no room in the camper or 5th wheel.

/s/ Coot McMinnis Hackberry

Gabrielle Gay in Miss Pre-America Contest

Gabrielle Gay, an 8-year-old daughter of Gabrielle and Amy Gay of Cameron, represented Cameron in the Miss America contest in Lafayette.

She was in the 19th grade, community service, stage production, and view process and is a student at Grand Lake Community School. She was named by her parents, Phillip and her mother, Landry and Phyllis Landry.

J. Berton Daigle, former Clerk of Court dies

J. Berton Daigle, 94, former Cameron Parish Clerk of Court and longtime civic leader died at his residence in Lake Charles on Thursday, July 7.

Mr. Daigle was born on July 19, 1916 in Cameron. He served in the US Navy from 1942 thru 1945. He was stationed in the Philippines. He retired after 28 years in the Cameron Clerk of Court. Mr. Daigle was a 4th degree Knight; a member of VFW; Knights of Columbus; Woodman of the World; Club; the 1976 Centennial Fur Festival; and also served on the Southwest Conservation Board.

Mr. Daigle is survived by his wife of 70 years, Audrey Daigle of Welsh; sons, James Daigle of Ragley, and "Coe" Daigle and Mary Anne of Metairie; daughter, Sandra Hebert of Metairie; grandchildren, Mary Beth of Austin, Tex., Jamie of New Orleans, and Arrington and spouse of Lake Charles, James Daigle and spouse Nanette of Lake Charles, James Daigle and Joshua Daigle of Lake Charles; five great-grandchildren, Nicholas and William Arrington, Tyler and Ainsley Daigle.

He was preceded in death by his father and mother, James and Estelle Daigle; his in-law, Wayne Hebert; daughter-in-law, Linda Daigle; brothers, Woodrow Daigle and Murl Daigle; two sisters, Beulah Bagget and Anna Bertrand.

Funeral services began Sunday, July 10, from 3-9 p.m. with a service at 6 p.m. at Johnson Brown Funeral Home of Lake Charles and continued Monday, July 11, at 9 a.m. until 2 p.m. at the Mass of Christian Burial to be held at Sacred Heart Catholic Church of Creole at 11 a.m. with Father Timothy officiating. Burial will be in the Sacred Heart Catholic Church of Creole.

Pallbearers assisting in the service were: Jamie Daigle, William Daigle, James Daigle, Nicholas Arrington, Tyler Daigle, Murl Daigle, Ainsley Daigle and Joshua Daigle.

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Ground broken

Ground was broken last Thursday in Johnson Bayou for the new Our Lady of the Assumption Catholic Church. The former building was

Magnus McGee re-elected Police

Magnus McGee is seeking re-election for his position of Police Juror. He graduated from Bayou High School and attended Louisiana State University. He has been employed by the Police Department for 35 years.

He has been employed by the Police Department for 35 years. He has been employed by the Police Department for 35 years. He has been employed by the Police Department for 35 years.

He is a member of the Catholic Church and a member of the Columbian Order. He is currently a member of the Columbian Order.

Blood drive

A blood drive will be held on July 11 at the Courthouse from 9 a.m. to 1 p.m.

In addition to the blood drive, there will be a service at the Courthouse. The service will be held at the Courthouse.

Exhibit 23

Office of the Governor
State of Louisiana

JOHN BEL EDWARDS
GOVERNOR



P.O. Box 94004
BATON ROUGE, LOUISIANA 70804-9004
(225) 342-7015
GOV.LA.GOV

May 19, 2016

Chris John
Louisiana Mid-Continent Oil & Gas Association
730 North Boulevard
Baton Rouge, LA 70802

Don Briggs
Louisiana Oil & Gas Association
1331 Lakeridge Drive
Baton Rouge, LA 70802

Dear Mr. John and Mr. Briggs:

Thank you for your letter on behalf of your members regarding our meeting last week on Louisiana's coastal land loss. While I do appreciate the willingness to attend this meeting, I was disappointed that we were not able to have a more constructive dialogue about the issues facing coastal Louisiana and a possible structure to resolve the related liability issues facing the oil and gas industry. I am, however, hopeful that this meeting was just the beginning of a productive discussion that bring about sustainable coastal restoration consistent with the state Master Plan.

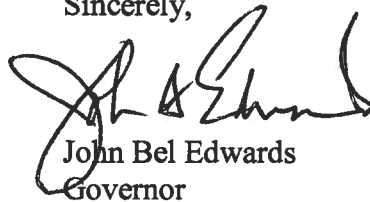
As you know, our coast is in crisis. Some communities are literally in danger of being washed away. Some could disappear with the next severe storm or hurricane. Meanwhile, we are struggling to pay for our state's Master Plan to restore the coast and protect our citizens. I believe that any realistic discussion of coastal issues must involve these claims. That is why I invited you and your members to meet with me, and why I hope you will reconsider your decision not to meet again. While these suits were filed well before I was elected, I do not intend to be on the sidelines for an issue of such importance to Louisiana. As I stated at the meeting, I intend to be involved in all facets of the state's coastal restoration efforts – including those efforts to secure funding for the Master Plan.

Contrary to the assertions in your letter, I certainly do not believe that resolution of these suits and the overall liability issues is the only answer to funding coastal restoration. Further, I agree that the oil and gas industry is not the sole cause of the destruction of the Louisiana coast, nor it should be held in any way responsible for damages it did not cause. However, these suits were filed in an effort to hold those companies that did cause damage responsible. These discussions were meant to explore those very issues and to develop a structure to find a resolution of this litigation. At this point, we have two choices – work together toward an amicable solution or spend years in litigation. There should be no doubt that it is in the best interests of Louisiana and the industry to choose the former option.

Chris John
Don Briggs
May 19, 2016
Page Two

There is simply too much at stake for everyone to retreat to their corners and to put the fate of the coast on such an uncertain path. In fact, if we do so, the only two things certain to follow are that we will continue to lose our coast at unsustainable rates and the oil and gas industry will spend a tremendous amount of time and resources defending lawsuits. I am committed to a path that reverses coastal land loss and that will preserve the Louisiana coast for generations to come. I hope you will reconsider your decision and will continue discussions about resolving this matter in a way that serves the best interest of Louisiana and brings some finality of this litigation to the industry. My invitation to do so still stands.

Sincerely,

A handwritten signature in black ink, appearing to read "John Bel Edwards". The signature is fluid and cursive, with a large initial "J" and "E".

John Bel Edwards
Governor

Exhibit 24

Twenty-Fifth Judicial District Court
Parish of Plaquemines
State of Louisiana

Case Number: As listed below Division: B

The Parish of Plaquemines
versus

- Rozel Operating Company [60-996]
- ConocoPhillips Company [60-982]
- Hilcorp Energy Company [60-999]
- Equitable Petroleum Corporation [60-986]
- Helis Oil & Gas Company, LLC [60-990]

Thursday, February 8, 2018

450 F. Edward Hebert Boulevard
Belle Chasse, Louisiana 70037

Honorable Michael D. Clement presiding
 Minute Clerk Tara Boudreaux Ordoyne
 Bailiff Corey L. Buie
 Law Clerk Alison Roberts
 Court Reporter Michele L. Lafrance

Appearances.2 - 3
 Exhibit Index.3
 Court Reporter's Note.74
 Court Reporter's Certificate75
 Word Index76 - 91

2018-02-08-Thurs-CZM-cases-final

1 **Appearances**

2 **Representing the Parish of Plaquemines:**

3 **John H. Carmouche**
4 **Talbot, Carmouche & Marcello**
5 **17405 Perkins Road**
6 **Baton Rouge, Louisiana 70810**
7 **Telephone: (225) 400-9991**
8 **Facsimile: (225) 448-2568**
9 **Email: jccarmouche@tcmlawfirm.net**

10 **and**

11 **Christopher David Martin**
12 **Jones Walker LLP**
13 **Four United Plaza**
14 **8555 United Plaza Boulevard**
15 **Baton Rouge, Louisiana 70809**
16 **Telephone: (225) 248-2000**
17 **Facsimile: (225) 248-2010**
18 **Email: cmartin@joneswalker.com**
19 **Website: http://www.joneswalker.com**

20 **and**

21 **Philip F. Cossich, Jr., and Brandon J. Taylor**
22 **Cossich, Sumich, Parisola & Taylor, LLC**
23 **Suite 100**
24 **8397 Highway 23**
25 **Belle Chasse, Louisiana 70037-2648**
26 **Telephone: (504) 394-9000**
27 **Facsimile: (504) 394-9110**
28 **Email: pcossich@coossichlaw.com**
29 **Email - btaylor@coossichlaw.com**
30 **Website: http://www.coossichlaw.com**

31 **Representing the State of Louisiana, through the**
32 **Louisiana Department of Natural Resources, Office of**
33 **Coastal Management and its Secretary, Thomas F. Harris;**
34 **and to some extent the Attorney General's Office:**

35 **Donald Wayne Price**
36 **Special Counsel**
37 **Louisiana Department of Natural Resources**
38 **617 North 3rd Street**
39 **Baton Rouge, Louisiana 70802**
40 **Post Office Box 94396**
41 **Baton Rouge, Louisiana 70804**
42 **Telephone: (225) 342-4274**
43 **Facsimile: (225) 342-4313**
44 **Email: donald.price@la.gov**

45 **Representing Shell Oil and Shell Oil Offshore, Inc.:**

46 **R. Keith Jarrett**
47 **Liskow & Lewis, APLC**
48 **Floor 50**
49 **701 Poydras Street**
50 **New Orleans, Louisiana 70139-6001**
51 **Telephone: (504) 581-7979**
52 **Facsimile: (504) 556-4108**
53 **Email: rkjarrett@liskow.comcom**

1 erosion," especially the people who are, for all
2 practical purposes, Your Honor, -- and I think we know
3 location-wise -- at the tip of this spear here, this is a
4 visceral issue to this parish, as it should be; and I get
5 that. And I just don't know that putting people in the
6 jury box who -- and we keep talking about pecuniary
7 interest. There's also a personal interest.

8 In the hospital case, it wasn't that
9 anybody was going to make more or less money or have more
10 or less employment. They were losing their hospital.
11 Their nearest hospital would now be a county away. That
12 was a personal issue where each of those people had to
13 deal with that. And the -- and the judge's belief was,
14 "Listen, I don't care if you need to go to the hospital
15 today or not; at some point, this is something that, in
16 the back of your mind, you're going to realize could
17 affect you. If you have -- if your wife has a baby a
18 year from now and there's not a hospital, you're going to
19 have to drive her."

20 What we've got here is over and over and
21 over again they have been told and they have seen -- and
22 you're right: Nobody lives in a vacuum. I know you
23 don't, and I know they don't. And what the message is is
24 "This coast is going away." We're losing a football
25 field every -- however many days it is. We los- -- and,
26 sooner or later, as the State says, this issue relates to
27 the very disappearance of the parish itself.

28 Now, if you tell me that the place I live
29 is disappearing and this is one of the ways to fix it,
30 then I'm personally involved. And I just don't know that
31 a jury who's that personally involved, even if they say
32 they tried not to be, -- and I think they will try not to

1 be -- they just are.

2 And that's why the due-process clause is
3 so important. That it goes beyond proving you personally
4 are -- you are actually prejudiced to just reasonable
5 minds looking at putting those people in that situation.
6 Say, due process -- you can't let -- again -- and I like
7 to use the class-action analogy because I think it's
8 pretty fitting here -- you can't let members of the class
9 be on the jury of the very class action they're members
10 of.

11 JOHN H. CARMOUCHE:

12 Everybody --

13 THE COURT:

14 Mr. Carmouche.

15 JOHN H. CARMOUCHE:

16 Everybody cares about the coast.
17 Everybody cares. You go north -- I don't care if in
18 Baton Rouge, New Orleans, Bossier City. How many people
19 come down here to fish? Fish in Cameron. Fish in Grand
20 Isle, Jefferson Parish? Nobody can be fair? We all
21 care. The entire State of Louisiana cares about coastal
22 erosion. Maybe people in Texas don't, but we do.

23 So, I can't be fair and impartial because
24 I want to keep the coast? I mean, that's everybody in
25 the State of Louisiana, even in the United States. How
26 many articles are written from New York? How many
27 protests are -- are -- are done to protect the coast?
28 Everybody in the United States has a concern, if you care
29 at all, about the coast and what happens to the coast of
30 Louisiana.

31 It's on the news every day. Katrina,
32 everybody has an interest. Everybody says, you know,

1 "Our federal funding, we'd rather our federal funding to
2 go somewhere else, maybe schools. Why -- why should it
3 go to coastal erosion?" Everybody has an interest.

4 So, I don't think they've met their
5 burden. They hired an expert. Why didn't he come and
6 tell you that their expert said, "Nope," he says, "more
7 probably than not these jurors cannot be fair and
8 impartial and they could not -- they have a bias." He
9 didn't say that. He said he couldn't say that.

10 So, they haven't met their burden. They
11 can stand up here and argue hypothet, what I'm going to
12 prove, how I'm going to present my case. But until we
13 actually get here and look at this jury and question this
14 jury and put people in the box, he can't say what's going
15 to happen. That's informed speculation.

16 So, Your Honor, we just keep going in
17 circles.

18 THE COURT:

19 I agree.

20 All right. You've given me a lot to think
21 about. If you want to add anything else -- I don't want
22 any more briefs. I'm talking about oral arguments. You
23 don't want me to look at any of the exhibits that you've
24 given me on your other arguments?

25 R. KEITH JARRETT:

26 Your Honor, I --

27 THE COURT:

28 You're withdrawing those? You -- you were
29 about to make an offer of your evidence you want me to
30 consider.

31 R. KEITH JARRETT:

32 I thought you were closing down argument.

Exhibit 25



Lori Broussard

Benefit to be held for Broussard

A benefit for Lori Broussard who has lymphoma cancer will be held Saturday, June 13 at Wendell and Barbara Wilkerson's arena off Hwy. 384 in Sweetlake.

Steel Shot Band will play from 10 a.m.-12 p.m. with a live auction following from 12-2 p.m. and a second auction later that evening.

Geno Delafosse Band will play from 2-4 p.m. and Abe Manuel Band will finish the night off from 4 p.m. until.

Burgers, hot links and hot dogs will be sold, along with a sweet shop. For the kids there will be face painting, jail house and moon jump. Please bring your own chairs.

Barbecue dinners will also be held on Sunday, June 28, from 11 a.m.-2 p.m. at the Grand Lake Fire Station. Tickets are being sold in advance. To order dinners call Ginny at 274-3691 or Dinah at 532-3030.

On Saturday, June 27 the drawing for the raffle will take place at the Multipurpose Building along with a bake sale at Boone's.

For more information, call Kristy at 249-3390, Eva at 499-7346 or Janet at 802-7082.



AMANDA WICKIE, South Cameron High School 2009 graduate, has been named to the 2009 All State Class 1A softball team in the infield position.

Information sought on a postmaster

Cheryl Trahan of Chouppique (Sulphur) is seeking information on a Mr. Suttles in connection with genealogy research. She believes he may have been Cameron's first postmaster and served before the 1930s.

If any readers can help her with her research, she can be reached at 583-2490.



Flag Day is celebrated on June 14. It commemorates the adoption of the flag of the United States, which happened that day by resolution of the Second Continental Congress in 1777.

Cheniere Energy presents J. B. graduates awards

Patricia Outtrim, Vice President of Government Affairs for Cheniere Energy, addressed the Johnson Bayou High School graduation assembly on May 23. She praised the community and school on their resiliency and dedication amid disasters and challenges, and pledged Cheniere Energy's continued support. Outtrim was on hand to present \$13,000 in scholarships to the graduating class.

Valedictorian Tabitha Harrington received a \$3,000 scholarship. Salutatorians Taylor Romero and Christian Viator received scholarships in the amount of \$2,000 each. The remaining members of the graduating class received



ON HIS WAY to work Tuesday, David McNeil of Ragley lost control of his truck which turned over in the roadside ditch on Hwy. 27 south of Hackberry. He was not seriously hurt but went to the Sulphur hospital for x-rays. Cameron Parish Sheriff deputies, EMS District 11, and Medic 8 responded to the scene.

(Photo by Coot McInnis.)

Sulphur man drowns in jet ski mishap here

By **CYNDI SELLERS**

A jet ski excursion turned deadly for a Sulphur man last Wednesday night near Holly Beach. Shane Carson Brooks, 26, and Billy Joe Meche, 31, both of Sulphur, were on a jet ski about a mile off Holly Beach when the machine stopped working. The Cameron Sheriff's Office was notified of the situation at about 8 p.m. and located Meche on the jet ski. He said Brooks had tried to swim back to shore.

Due to the darkness, the search was suspended until Thursday morning. At that time units from the US Coast Guard, Cameron Sheriff's Office Marine Division, Calcasieu Parish Marine Division, and Louisiana Department of Wildlife and Fisheries began an air and sea search. They were assisted by private pilot, Jerry

Bordelon who searched the entire coastline from the Cameron jetties to the Sabine River.

The Johnson Bayou and Cameron Fire Departments had volunteers patrolling the beaches, and a team from Equisearch was en route from Texas with cadaver dogs ready to go out in boats when a LDWF boat located the Brooks body at 2:47 p.m.

Family members who were waiting at Holly Beach were notified immediately, and the body was taken to the Calcasieu Coroner's Office for an autopsy.

Sheriff Theos Duhon expressed his sympathy to the family of the deceased, and offered his thanks to all the agencies who assisted in the search. He said he was glad the search was resolved so quickly for the family's sake.



Barbara Morgan

New library director now on the job

Cameron Parish's new Library Director is Barbara "Bobbie" Morgan. She was chosen, after an extensive, nationwide search, to lead the library system through the intricacies of hurricane recovery and to bring the system to an even higher level of service and efficiency.

"Our last Director, Charlotte Trosclair, did a wonderful job in overseeing the expansion of library services throughout the parish and working through the exhaustive process of creating FEMA Project Worksheets for the destroyed Cameron, Johnson Bayou and Grand Chenier branches," said Board President Cyndi Sellers. "When she left, the Board wanted to make sure these efforts continued to go forward."

Morgan has served as Executive Director of the National Storytelling Network, a national arts membership organization with 2,500 members; as Director of Children's Services for the Georgia Public Library Service, responsible for planning, developing, implementing, and monitoring children's services and family literacy

Cont. on Page 5.

Cont. on Page 2

\$15 million dredging project nears reality

By **CYNDI SELLERS**

The \$15 million effort to dredge the Cameron Loop and East Fork of the Calcasieu River is one step closer to reality with the successful acquisition of a coastal use permit to allow the Corps of Engineers assignment.

The West Cameron Port Harbor and Terminal District was granted a permit last Monday by the Police Jury to proceed with the dredging, which will be paid for by Community Development Block Grant funds allocated to the parish for Hurricane Ike recovery.

Parish Planning and Development Director Ernie Broussard says the efforts to revitalize the marine industries are "critical" not only for established businesses but for the future viability of port systems. "The East and West Cameron Ports not only have the arteries to the economic

lifeblood of Cameron Parish but serve as portals to the Sabine, Calcasieu and Mergentau estuaries."

He says that even as the parish utilizes some \$80 million in government funds to replace buildings, repair roads and infrastructure, and provide housing, total recovery must take into account economic recovery. "Part of our mission as we replace central commercial structures is how to enhance the economic structure for a community in recovery and industry in a state of flux."

"Even in the face of national and international economies experiencing economic downturn, our mission is to link our business to both the national and international market share. Our strategies are to continue business retention with initiatives to keep current businesses prominent and to pursue downstream support services



Patricia Outtrim



TOREY MCKAY LITTLE of Hackberry recently was named the girls' All-Around Champion for the year by the La. Junior High School Rodeo Association.

Little named All-Around State girl champion

Torey McKay Little, a student at Hackberry High School was recently named the girl's All-Around Champion for the year by the Louisiana Junior High School Rodeo Association. To earn this honor, Little accumulated more points in two or more events, than any other female Louisiana Junior High School Rodeo member for the 2008-09 rodeo season which ended with the recent Louisiana Junior High School Rodeo State Finals held in Kinder.

Torey competed in pole bending, goat tying, break-away roping and ribbon roping. She won 1st in the state in pole bending and 4th in the state in goat tying. Torey

was awarded a trophy saddle, 3 belt buckles, a Resistol hat, and a pair of Ariat boots along with many other prizes.

She will be competing at the Junior High National Finals in Gallup, New Mexico at the end of June. Torey and her brother, Tayt, will both be competing in July at the Little Britches Rodeo Finals in Pueblo, Colo.

Torey is the daughter of Thad and Stacy Little; the granddaughter of Lucien and Debbie Cooper of DeQuincy, Ernie and Mae Doris Little of Hackberry, Dirk and Cindy Desonier of Carlyss; and great-granddaughter of Lucille Perry of Fields.

Planning for hurricane? don't forget your pets

LSU AgCenter

Your plans for a storm or other disaster need to include what you'll do about any pets and livestock you own, as well as all the other measures to protect your family and property.

"If you have pets or livestock, what you'll do with them definitely must be in your family's disaster plans," says LSU AgCenter veterinarian Dr. Christine Navarre. "Don't wait until a storm, flood or other disaster threatens to think about what you will do with pets or livestock."

Navarre says to make your plans early, so you can put those plans into play the minute a potential disaster threatens.

"You don't want to wait until the last minute, because your options will be even more limited then," she cautions.

The basic options to consider are whether you'll try to take pets with you or evacuate some or all of your livestock - or whether you'll leave them at home and try to provide as much protection as possible.

"You probably have more options with smaller pets," Navarre says. "You generally can bring them into a safe area of the house and keep them with you during a storm if you're staying at home."

Even if you are evacuating, some motels and hotels will allow smaller pets, experts say.

"You also may find friends or relatives who would allow you to bring your pets," says LSU AgCenter family development specialist Dr. Diane Sasser. "But keep in mind that many shelters don't allow pets."

Cont. on Page 4.



A \$15,000 GRANT check was given to the Cameron Parish Police Jury to help fund aerial and ground location of caskets and vaults washed away during Hurricane Ike. The grant is from the Community Foundation of Southwest La. Pictured from left are Tina Horn, parish administrator; Lisa Verette, president of the foundation; and Kirk Burleigh, police juror.

\$15,000 grant made to aid in casket recovery

The Community Foundation of Southwest Louisiana is underwriting Cameron Parish's efforts to return caskets that were washed away during the 2008 hurricane season.

The Foundation's grant of \$15,000 to the parish will pay for helicopter and ground services for pinpointing the location of the vaults so they can be recovered.

"Ernie Broussard, Executive Director of Cameron Planning and Development, asked us to fund this need, which is even more urgent because the summer rains cause the quick growth of grass that makes it harder to do this important work, and we have already entered the 2009 storm season" said Lisa

Verette, CEO of the Foundation. "Cameron Parish officials believe about 80 vaults will be located with this grant."

"On behalf of the citizenry of Cameron Parish, we appreciate the Foundation's attention to this dilemma," said Mr. Broussard. "The endeavor is invaluable and will provide closure to many families in this community."

The Community Foundation of Southwest Louisiana is based in Lake Charles. The Foundation connects donors with worthwhile nonprofits, solves social problems and takes on civic projects to improve communities. The Foundation serves the parishes of Calcasieu, Beauregard, Allen, Cameron and Jefferson Davis.



GRAND LAKE fifth grade Hornet Awards were given to Shon Manuel, Kelsey Collins, J. C. Drounette, and Morgan Quinn.



GRAND LAKE fourth grade Hornet Awards were given to Keagan Conner, Bryce Copper, and Marissa Dupont.



GRAND LAKE second grade Hornet Awards were given to Troy Landry, Ethan Williams, Cayce Thibodeaux, and Carla Feilen.



GRAND LAKE third grade Hornet Awards were given to Seth Trahan, Jayleigh Young, Emily Beaudaux, and Anniston Picou.



GRAND LAKE first grade Hornet Awards were given to Tommie Horner, Alasia Williams, Alexa Ledoux, and Chloe Babineaux.

Grand Lake High School Hornet Bucks Awards Day

On May 22, Grand Lake High School hosted Hornet Bucks Award Day. Hornet bucks are part of the Positive Behavior System which rewards students for respectful, responsible behavior. Elementary students earned bucks throughout the year and were eligible for the grand prizes awarded. Kindergarten through fifth grade won bikes, ripsticks, and scooters. The program consisted of music and singing, along with recognizing Perfect Attendance awards and Star Students. The faculty and staff held a "Prize Parade" in which they rode in on bikes, scooters,

and ripsticks. Sponsors for this event were Targa Industries, Mr. and Mrs. Pat Howerton, Cameron State Bank, Cameron Communications, Boone's Corner and Brown's Neighborhood Grocery. The following students won prizes: Kindergarten - Branson Aguiard, Wyatt Berry, Caleb Pahany, and Aiden Watson. First Grade - Chloe Babineaux, Tommie Horner, Alexa Ledoux, Alasia Williams. Second Grade - Carla Feilen, Troy Landry, Cayce Thibodeaux, and Ethan Williams.

ENERGY COAST

Cont. from Pg. 1

Restrictions on rebuilding public facilities in v-zones constitute "socially engineering these communities, which will have a profound impact on us in the future," he said. Carolyn Woosley, of the Coalition to Restore Coastal Louisiana, spoke of the fragile nature of the chenier plain, which has been losing 5-7 square miles of land per year but because of Hurricanes Rita and Ike suffered "mind-numbing" losses. She said a coordinated effort between affected parishes will be necessary to save what is left.

Lake Charles Mayor Randy Roach, co-host of the hearing, spoke about the people of the chenier plain, saying "if all you have done is visit the area, not lived there, it is hard to understand the connection to home." He said a resident had shown him a photo taken a year and a half after Hurricane Audrey, and you couldn't tell there had been a hurricane in Cameron. "What is it about modern day America, with all our technology, that Cameron has not recovered from Hurricane Rita almost four years later?" he asked. Roach said that re-location should not be an option for the coast, because we must "preserve the soul of our state, the coastal culture." "If we are not careful, we will be talking about this in the past tense, as of days gone by."

David Cheramie, of the Council for the Development of French in Louisiana (CODOFIL), highlighted the uniqueness of the French heritage in Louisiana, the only state to have a significant French history. He said hurricane preparation is "part of our culture," and that the coastal people "belong to the land," not just the land to them.

Michele Deshotels, of the Louisiana Department of Transportation and Development pointed out that people have lived on Louisiana's coast for thousands of years. Louisiana has

Third Grade - Emily Beaudaux, Anniston Picou, Seth Trahan, and Jayleigh Young.

Fourth Grade - Keagan Conner, Bryce Copper, Marissa Dupont, and Mallory Dupuie.

Fifth Grade - Kelsey Collins, J. C. Drounette, Shon Manuel, and Morgan Quinn.

the highest number of native born residents of any state in the country, she said, which speaks to the tie between the people and the land. In addition, two thirds of the population live adjacent to waterways, and 1 in 7 jobs in the state are water related.

Other facts Deshotels gave are that Louisiana is second only to Alaska in tonnage of dockside fish landing; southwest Louisiana is the birthplace of cowboys, dating back to the early ranches along the Louisiana-Texas border; and New Orleans has the largest concentration of historic structures in the country. "If we leave the land that nourishes us," she said, "we lose the connection to our culture."

Berwick Duval, representing the recreational fishing industry, said the Terrebonne-Lafourche area is "the most rapidly deteriorating ecosystem in the world, and the Chenier Plain is right behind it." He said it is true that fishing improves as marshes deteriorate, but when the marsh is gone, so are the fish. "A \$3 billion industry is then gone, including bait stores, mom and pop groceries, and others." He said Louisiana needs to partner with more populous states from Texas to Florida to save the wetlands, since the state only has nine electoral votes.

Commissioner James Donelon, of the Louisiana Department of Insurance reported that several private insurance companies have begun to write homeowners and commercial policies in coastal areas, relieving much of the burden which had been placed on Citizens Property Insurance, the state's insurer of last resort.

John Wortman, director of Citizen's, said the agency is now carrying about 125,000 policyholders, about the same as before Hurricanes Katrina and Rita. Val Marmillion, of America's Wetland Foundation, told the panel that if businesses migrate out of coastal areas due to uninsurability the jobs will move out also.

The panel heard about the efforts of the Netherlands to deal with living below sea level. Dr. Robert Twilley, of LSU, said that country just dedicated \$140 billion to deal with the effect of global warming. The Netherlands has 16 million people living in an area one sixth the size of Louisiana. The Netherlands' new policy of "living with water" seeks to build a landscape that can keep up with sea level. Twilley thinks part of Louisiana's erosion solution is in how sediment is managed in the Mississippi River.

You can always find reasons to work. There will always be one more thing to do. But when people don't take time out, they stop being productive. They stop being happy, and that affects the morale of everyone around them.

-Carisa Bianchi

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Exhibit 26

Cameron Parish residents ponder the future of Hurricane Laura's "War Zone"

By Rob Masson

Updated: Sep. 2, 2020 at 4:57 PM EDT

CAMERON PARISH, La. (WVUE) - Cameron residents are slowly starting to come back to see what's left of their homes. Their small coastal community was decimated by Laura and some doubt if they will rebuild.

There isn't much between the Gulf of Mexico and Cameron Louisiana to take away the power of a category 4 hurricane and the devastation from Laura is overwhelming.

Nora Smith is one of the dozens of residents who have little left after Laura plowed ashore last week.

"Nothing a few blocks," Smith said.

Smith says her heartaches from what Laura has done to Cameron, and for others, the losses are even more severe.

Greg Gachassin lost a 300-room lodging facility and a 12,000 square-foot restaurant called Cameron's Landing, which had just opened last month.

"This was the first real restaurant and bar. We were open 24 days and it's totally destroyed," Gachassin said.

He has taken a huge financial hit but he is committed to an area he's grown to love.

"We've already begun constructing an RV park will have temporary power that we're going to make our own water," he said.

Others say, they will return as well to a town that has changed forever, once again.

"It was a good community I don't care about the house. It's about all the people we grew up with. It's all gone," said James Boudreaux.

When it comes to rebuilding, Nora Smith isn't sure she can come back.

"I was hoping it would do like Marco and dissipate, it is sickening," Smith said.

She says, for now, she'll live on her father's shrimp boat, as she and other Cameron residents try and figure out their next move after Hurricane Laura's massive devastation.

After Hurricanes Audrey, Rita and Ike, Cameron's population had dropped from several thousand residents down to around 400. Now, after Laura, many say Cameron will lose even more of its people.

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[Click Here](#) to report a typo.

Exhibit 27

SUPREME COURT OF LOUISIANA

NO. **2023-CC-1215**

THE PARISH OF CAMERON
Plaintiff / Respondent

versus

AUSTER OIL AND GAS, INC., APACHE OIL CORPORATION, BP AMERICA PRODUCTION COMPANY, CHEVRON PIPE LINE COMPANY, CHEVRON U.S.A. HOLDINGS, INC., CHEVRON U.S.A., INC., DARSEY OPERATING CORPORATION, ENERVEST OPERATING, L.L.C., EXXON MOBIL CORPORATION, FREEPORT SULPHUR COMPANY, GULFPORT ENERGY CORPORATION, HILCORP ENERGY COMPANY, HONEYWELL INTERNATIONAL, INC., KERR-MCGEE OIL AND GAS ONSHORE LP, RESOURCE SECURITIES CORPORATION, SAMUEL GARY JR. & ASSOCIATES, INC., SHELL OFFSHORE, INC., SHELL OIL COMPANY, STAR ENERGY, INC., SWEPI LP, TAYLOR ENERGY COMPANY, LLC, TEXAS PACIFIC OIL COMPANY, INC., TEXAS PETROLEUM INVESTMENT COMPANY, THE TEXAS COMPANY, TRANSCONTINENTAL OIL CORPORATION AND VERNON E. FAULCONER, INC.
Defendants / Applicants

**APPLICATION FOR WRIT OF CERTIORARI OF APPLICANTS / DEFENDANTS
SHELL OIL COMPANY, BP AMERICA PRODUCTION COMPANY,
HILCORP ENERGY COMPANY, CHEVRON U.S.A. INC., CHEVRON PIPE LINE COMPANY,
HONEYWELL INTERNATIONAL, INC., AND KERR-MCGEE OIL AND GAS ONSHORE LP**

EXPEDITED CONSIDERATION REQUESTED

On Application for Writ of Certiorari or Review
to the Court of Appeal, Third Circuit, Docket No. CW 23-00381
Elizabeth A. Pickett, Van H. Kyzar, and Candyce G. Perret, Judges
and the 38th District Court for the Parish of Cameron
Hon. Penelope Richard, Presiding, District Court No. 10-19582, Division "A"

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SUPREME COURT OF LOUISIANA

CIVIL

PRIORITY FILING SHEET

CASE TITLE: The Parish of Cameron v. Auster Oil and Gas, Inc., et al.

APPLICANT PARTY NAME(S): Shell Oil, Chevron U.S.A., Chevron Pipe Line, Hilcorp Energy, BP, Honeywell Intl., & Kerr-McGee

Application made by: Plaintiff Defendant Other

What is the nature of the priority? Without priority treatment, undersigned counsel believe this application may not be fully briefed and considered until the eve of trial, depriving this Court of the opportunity to fully consider the important issues raised.
This application seeks a transfer of venue under La. Code Civ. P. art. 122 to provide a "fair and impartial" trial. Trial is expected to take 8 weeks and is set to begin on 11/27/23. Priority treatment is sought so that the court has sufficient time to consider this application prior to that date.

How and when will applicant be adversely affected if relief is not granted? Without priority treatment, undersigned counsel believe this application may not be fully briefed and considered until the eve of trial, depriving this Court of the opportunity to fully consider the important issues raised.

Is a hearing date set? YES NO. If yes, hearing date: _____

Is a trial date set? YES NO. If yes, trial date: 11/27/2023

Is trial in progress? YES NO

Are there any out of state witnesses? YES NO

Is this a jury trial? YES NO

Is there a stay now in effect? YES NO. If yes, until when: _____

LOWER COURT INFORMATION

Ruling of district court: Denied. Date of ruling: 05/17/2023

APPELLATE COURT INFORMATION

Was an application made to the court of appeal? YES NO. If so, which Circuit? _____

Was this pleading simultaneously filed? YES NO

Application made by: PLAINTIFF DEFENDANT OTHER

Filing date: 06/15/23 Date of court of appeal action: 08/25/23

Court of appeal action: Writ denied

If you did not file with this Court within ten days of the court of appeal's disposition, set forth the grounds for good cause, supported by appropriate documentation if necessary (See La. S.Ct. Rule X, § 5(a)): _____

If an application was not made to the court of appeal, state why: _____

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CERTIFICATION

I am requesting PRIORITY consideration of this application or a STAY pending consideration of this application. Pursuant to Louisiana Supreme Court Rule 10, § 2(e), I have notified all counsel and unrepresented parties by telephone or other equally prompt means of communication that said writ application has been or is about to be filed in this Court and that I have served on all parties, BY MEANS EQUAL TO THE MEANS USED TO EFFECT FILING IN THIS COURT.

I shall IMMEDIATELY notify the Court if the need for expedited consideration changes due to settlement, continuance or any other circumstances. Failure to notify the Court SHALL SUBJECT ME TO PUNISHMENT FOR CONTEMPT OF THE AUTHORITY OF THE COURT.

Date: 09/05/23 Signature: /s/ Kelly B. Becker (Rev. 12/2022)

**SUPREME COURT OF LOUISIANA
CIVIL
WRIT APPLICATION FILING SHEET**

TO BE COMPLETED BY COUNSEL OR PRO SE LITIGANT FILING APPLICATION

CASE TITLE: The Parish of Cameron v. Auster Oil and Gas, Inc., et al.

APPLICANT PARTY NAME(S): Shell Oil, Chevron U.S.A., Chevron Pipe Line, Hilcorp Energy, BP, Honeywell Intl., Kerr-McGee Oil & Gas Onshore

Have there been any other filings in this Court in this matter: YES NO

Are you seeking a Stay Order? YES NO. If so, you MUST complete a civil priority form.

Are you seeking Priority Treatment? YES NO. If so, you MUST complete a civil priority form.

Does this pleading contain confidential information? YES NO. If so, please file a motion to seal.

Does any pleading contain a constitutional challenge to any Louisiana codal or statutory provision? YES NO

If yes, which pleading? N/A

If yes, has the Office of the Louisiana Attorney General been notified pursuant to La. R.S. 13:4448? YES NO

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Is the pleading being filed: In proper person. In forma pauperis

Are there any pro se litigants involved in this matter: YES NO

TYPE OF PLEADING

Tort Contract Property Probate Family Juvenile Workers' Comp. Revenue (tax) Civil Other

Administrative Agency Bar Admission Lawyer Discipline Judicial Discipline Licensing / Discipline Other

LOWER COURT INFORMATION

Parish and Judicial District Court: Cameron Parish, 38th Judicial District Court Docket No.: 10-19582

Judge and Section: Penelope Richard, Division "A" Date of Ruling: 05/17/2023

APPELLATE COURT INFORMATION

Circuit: Third Docket No.: CW-23-381 Applicant: Shell Oil, Chevron U.S.A., Chevron Pipe Line, BP, Honeywell, Kerr-McGee Filing date: 6/15/2023

Was this pleading simultaneously filed? YES NO.

Ruling date: 08/25/23 Action: Writ denied

Panel of Judges: Elizabeth A. Picket, Van H. Kyzar, Candyce G. Perret En Banc:

REHEARING INFORMATION

Applicant: _____ Filing date: _____ Ruling date: _____

Action: _____ Panel of Judges: _____ En Banc:

PRESENT STATUS

pre-trial

hearing; scheduled date: _____

trial; scheduled date: 11/27/2023

trial in progress

Is there a stay now in effect: YES NO

VERIFICATION

I certify that the above information and all of the information contained in this application is true and correct to the best of my knowledge and that all relevant pleadings and rulings, as required by Supreme Court Rule X, are attached to this filing. I further certify that a copy of this application has been mailed or delivered to the appropriate court of appeal, to the lower court judge, and to all other counsel and unrepresented parties.

Date: 09/05/23 Signature: /s/ Kelly B. Becker (Rev. 12/2022)

Addendum to Writ Application Filing Sheet

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**STATEMENT OF WRIT GRANT CONSIDERATIONS AND
REQUEST FOR EXPEDITED CONSIDERATION**

This application challenges the denial of a motion to change venue from Cameron Parish where it is undisputed that the entire community (and thus every member of the jury pool) has an interest in the outcome of this case. In this lawsuit, where the Parish is the Plaintiff, potential jurors will be asked to award over \$7 billion from Defendants for coastal land loss. Every one of the 4,000 potential jurors in the Parish has a personal and financial interest in a verdict in favor of the Parish. Thus, Defendants cannot obtain a fair and impartial trial without a change of venue. Under article 122 of the Louisiana Code of Civil Procedure, and as a matter of state and federal due process under the Fourteenth Amendment to the U.S. Constitution, this Court should reverse the trial court’s denial of a change of venue and direct that the case be tried in a different parish.

This case is *sui generis*—categorically different from any other case that has ever come before this Court. Never before have prospective jurors been told that they will determine the very existence of their parish. But that is precisely what this lawsuit invites members of the jury venire to believe: that land loss creates an existential threat to Cameron Parish, and that this case presents an opportunity to shift responsibility for this threat to oil and gas companies who operated in the Parish over many decades. At an eight-week trial set to begin in less than three months, residents will be asked to award their Parish billions of dollars in damages.

It is undisputed, and widely recognized, that Cameron Parish is disproportionately at risk to coastal land loss. Over 80% of its area is coastal marshland. The Parish’s in-court statements have put the spotlight on this risk: “The protection of Louisiana’s coast is now a matter of extreme emergency.”¹ And at a status conference Cameron Parish proclaimed, “The victim is our parish. The victim is our environment. The victim is our land loss.”² In referring to these lawsuits in out-of-court statements, the Parish’s counsel said that “Cameron Parish has long been the stepchild of government restoration plans. It is time for Cameron Parish to control its own destiny.”³

This message has been amplified by others. The Governor has described this lawsuit as a necessary part of any solution: “Before we can ever have any hope of asking taxpayers around the

¹ Joint Opposition to Motion to Stay (dated Sept. 30, 2019), at 10-11.

² Tr. Status Conference. Feb. 9, 2023, at 12.

³ This statement was made during a March 1, 2016, broadcast on KPLC (Lake Charles, LA, NBC affiliate).

country to come to Louisiana and help restore our coast, we have to be able to show them that we did everything that we could” to address the problem.⁴ General Russel Honore, who rose to fame after Hurricane Katrina, has gone even further, stating: “We need to protect this parish and do the right thing and hold people accountable. It’s the people’s responsibility to take care of their coast. Without action, there may not be a Cameron Parish in the years to come.”⁵

Every resident of Cameron Parish is thus keenly aware that the problems of land loss and storm damage loom large for them. Yet the jury venire will come exclusively from Cameron Parish, which holds only about 4,000 prospective jurors, less than the population of Cut Off, Louisiana.

The citizens of Cameron Parish should not serve as plaintiff, jury, and beneficiary. Under these exceptional circumstances, Defendants’ right to an impartial trial is in jeopardy. In this situation, La. Code of Civ. Proc. art. 122 contemplates a change of venue to ensure “a fair and impartial trial” when there is “prejudice existing in the public mind.” The federal and state Due Process Clauses also guarantee basic fairness and an impartial jury. On its most basic level, this means that jurors should not be asked to decide a case where their judgment could benefit them—or harm them—personally. Absent a change in venue, jurors here will be put in this position.

Louisiana law provides a simple and sensible solution: transfer venue to a nearby parish where the jurors’ decision will not affect them personally. A transfer 50 miles away to the nearest courthouse in Lake Charles, where one of the Parish’s counsel’s office is located, would resolve the constitutional problems with venue in Cameron Parish, which has never articulated how a change in venue would cause it any prejudice. Defendants, on the other hand, would be seriously prejudiced by having this case tried in Cameron Parish by jurors interested in the outcome.

The trial court recognized that this issue presents “an important and serious matter,”⁶ and further acknowledged “the uniqueness” of Cameron Parish and the allegations in this case.⁷ But the trial court declined to transfer venue, believing that *voir dire* is the solution.⁸ Respectfully, the trial court committed legal error by using the wrong test. Article 122 requires a change of venue

⁴ Tegan Wedland, *To Fight Coastal Damage, Louisiana Parishes Pushed to Sue Energy Industry*, WWNO, Jan. 23, 2017.

⁵ *Id.*

⁶ Attachment 1, Excerpt from Transcript at April 19, 2023 hearing, at p. 71.

⁷ Appendix B, Oral Reasons for Ruling at p. 3.

⁸ *Id.*

when there is “prejudice existing in the public mind,” which cannot be determined through individualized inquiries at *voir dire*. This Court recognized as much, holding that a change of venue is required where a defendant “c[an] show, *even though it would be possible to select a jury whose members were not subject to a challenge for cause*, that there [a]re influences *in the community* which would affect the answers of jurors on the *voir dire*, or the testimony of witnesses at the trial, or that, for any other reason, a fair and impartial trial c[an] not be obtained.” *State v. Bell*, 315 So. 2d 307, 313 (La. 1975) (emphasis added).

That is precisely this situation. *Voir dire* is necessarily insufficient to resolve the problem because all residents of Cameron Parish have a personal stake in the outcome. In this circumstance, it would be unfair to ask Parish residents to sit in judgment of these claims that are, in essence, brought on their behalf by their elected representatives, the Cameron Parish Police Jury.

There is a compelling basis for this Court to intervene now. Once *voir dire* is underway and the trial has begun, it is too late to change venue. This Court has explained that an erroneous ruling on venue thus results in irreparable injury; there is no practical means of correcting the error on appeal. *Herlitz Construction Co. v. Hotel Investors of New Iberia, Inc.*, 396 So. 2d 878 n.1 (La. 1981). On this basis, this Court has exercised its supervisory jurisdiction to correct an erroneous failure to grant a change of venue. *Thibodeaux v. Ferrellgas, Inc.*, 2000-2635 (La. 9/20/00), 767 So. 2d 707. This Court should do the same thing here.

By failing to transfer venue under La. Code Civ. P. art. 122 to ensure a fair and impartial trial, the lower courts’ decisions threaten material injustice and to damage the public’s confidence in the legal system. Review is thus appropriate under La. Supreme Court Rule X, § 1(a)(4). In addition, because the Parish has not shown how a transfer venue would cause it prejudice, but denying the motion causes great harm to Defendants, the lower courts have departed from proper judicial proceedings, so that review is also appropriate under La. Supreme Court Rule X, § 1(a)(5).

This Court should grant this writ application, whether to summarily reverse in a *per curiam*, ordering a change of venue or, alternatively, to call for the record and full briefing and argument. Defendants have sought priority treatment given the importance of this issue and so that this Court will not be presented with this significant issue on the eve of the eight-week trial, which is scheduled to commence on November 27, 2023 (the Monday after Thanksgiving).

MEMORANDUM IN SUPPORT OF APPLICATION FOR WRITS

I. Statement of the Case.

A. Land loss and the Parish's allegations.

“[T]he situation in Cameron Parish is unique because of the fact that it is largely marsh land and has a small population.” *Faulk v. Schlumberger Well Servs.*, 412 So. 2d 162, 165 (La. App. 3d Cir. 1982). It is the largest parish in the State, but it has the second smallest population. Coastal marshes comprise approximately 82% of its area. “Cameron Parish can be accurately described as rural, which is, in reality, a gross understatement. It has no incorporated municipalities; meaning, there are no cities, or even towns. There are only pockets of communities scattered throughout the parish.” *Toerner v. Cameron Par. Police Jury*, No. 2:11 CV 1302, 2011 WL 3584786, at *2 (W.D. La. Aug. 15, 2011).⁹ Ryan Bourriaque, former Cameron Parish Administrator, has noted that the parish has a “unique culture” that is “directly tied to our land and its intrinsic value.”¹⁰

Hurricane protection is understandably foremost in the minds of Parish residents. Coastal land loss and storm damage have had a substantial impact on Cameron Parish and its residents in recent years. Three devastating hurricanes—Rita in 2005, Ike in 2008, and Laura in 2020—have caused “mind-numbing losses” to the Parish and its people.¹¹ The State’s 2017 Master Plan reported that Cameron Parish may continue to lose up to 40% of its land area over the next 50 years. This is a concern shared by Parish leaders and residents.¹²

⁹ Notably, because there are no incorporated municipalities, there are no mayors or city council members. Instead, there are Police Jurors. And thus, “the only connection between the citizens of Cameron Parish and the local government is often Police Jurors.” *Toerner*, 2011 WL 3584786, at *2. The Cameron Parish Police Jury voted to authorize this and ten other land loss suits.

¹⁰ Public Comment of Ryan Bourriaque, former Cameron Parish Administrator, found in Louisiana’s Comprehensive Master Plan for a Sustainable Coast (June 2, 2017) (“Master Plan”), at p. 642.

¹¹ *America’s Energy Coast Said to be Under Threat*, Cameron Parish Pilot, June 11, 2019. Damage from Hurricane Laura is estimated to total more than \$19 billion. *Southwest Louisiana Bracing for 2021 Hurricane Season*, USNews.com, June 5, 2021; see also *Hurricane Special: Saving Louisiana’s Coast*, KPLCTV.com, June 15, 2020 (“There isn’t much between the Gulf of Mexico and Cameron, Louisiana to take away the power of a category 4 hurricane and the devastation from Laura is overwhelming.”).

¹² Steve Hardy, *How this Louisiana parish is leveraging new-found funds to finance coastal protection*, Baton Rouge Advocate, July 7, 2018 (Former Parish Administrator Bourriaque has warned prospective jurors in grave terms that “[w]ith no projects constructed and with 300 linear feet of erosion a year, in ten years the Gulf of Mexico would be at the Grand Chenier Ridge south of Highway 82. I say this not to cause pandemonium. Rather, this is an attempt for us to wake up and realize what is happening to us.”).

These major storms have also dramatically affected the Parish population. *Toerner*, 2011 WL 3584786, at *3 (“Since 2003, however, Cameron Parish has experienced a significant demographic shift, due in large part to Hurricanes Rita and Ike.”). Between 2000 and 2021, Cameron Parish lost nearly *half* of its already small population, dropping from 9,991 to 5,080 residents.¹³ Since Hurricane Laura, Cameron Parish has had the second highest rate of population decline *nationwide*.¹⁴ The State and the Parish attribute this dramatic population drop to adverse storm impacts. Media reports echo the belief that the Parish is losing residents due to land loss and storm damage.¹⁵ These are the exact subjects that Cameron Parish seeks to address in this lawsuit.

The small and declining population of the Parish has exacerbated the challenges of addressing land loss. Press coverage has reported that Cameron Parish’s small population puts it at a disadvantage in securing government support for coastal restoration.¹⁶ The Parish has echoed

¹³ See U.S. Census Bureau, July 1, 2021 Population Estimates, *available at* <https://www.census.gov/quickfacts/fact/table/cameronparishlouisiana,US/PST045221> (“Cameron, meanwhile, continued a precipitous decline that began in the years after 2005’s Hurricane Rita. The new figures show the population for the remote, coastal parish south of Calcasieu and bordering Texas down another 9.6% to 5,080. The 2020 decennial census showed an 18% decline from 2010.”). This, of course, includes children, so that the number of prospective jurors is even lower.

¹⁴ Mike Smith, *Hurricane-hit southwest Louisiana's population drop among steepest in nation*, Baton Rouge Advocate, March 25, 2022 (explaining that the population drop in Cameron Parish was the second largest rate of decline of counties nationwide); Mike Smith, *After more storm devastation, coastal Cameron Parish again confronts questions on its future*, Baton Rouge Advocate, June 27, 2021 (“Parish officials say they don’t yet know how many of the parish’s roughly 7,000 residents have made it back, but locals offer grim assessments, indicating the possibility of another population loss similar to what followed Hurricane Rita in 2005.”); Rick Rojas, *After Storms, They Built Higher. They Dread Doing It Again*, N.Y. Times, Sept. 23, 2020 (“[M]any residents have begun agonizing over what feels like an impossible choice: rebuild yet again, or this time leave for good.”).

¹⁵ *Hurricane Rita Flooded His Home in 2005. It Survived Ike in 2008. Laura Took Everything*, USA Today, Aug. 31, 2020 (explaining that damage from Laura reminded many residents of Rita, saying: “I don’t how many times you can restart from scratch.”); Claire Taylor, *We Went To Cameron To See Laura’s Damage: 10 Feet of Water Crushed Homes and Washed-Up Caskets*, The Acadian Advocate, Aug. 31, 2020 (“About 1,965 people called Cameron home in 2000, according to the census. Ten years and two hurricanes later, the 2010 census showed only 406 residents remained in the parish seat.”); Erika Ferrando, *Rita and Ike Had Nothing On This; Catastrophic Damage in Cameron Parish; Residents Prepare to Rebuild Again*, WWLTV.com, Sept. 3, 2020 (“I’m afraid a lot of people are going to leave and I don’t blame them.”); Ashley Cusick, *Residents Gets First Look at Cameron, La., Nearly Obliterated in Hurricane Laura*, Wash. Post, Aug. 30, 2020 (“This is our third time with this. I don’t know about coming back.”).

¹⁶ See, e.g., Brasseaux, Carl A. & Davis, Donald W., *Ain’t There No More: Louisiana’s Disappearing Coastal Plain* 25 (2017) (“[T]he welfare of Louisiana’s coastal plain residents remains, at best, an afterthought in national and state policy discussions. . . . Yet policy-makers consistently ignore or belittle such invaluable expertise, effectively viewing coastal residents collectively as an irritating complication to plans formulated hundreds of miles from the coast. This situation, not surprisingly, has elicited frustration and anger from Louisiana’s coastal residents.”).

this concern, noting it is “is tucked away in the southwest corner of Louisiana, and many times the values and people of Cameron are overlooked and forgotten.”¹⁷

Faced with these concerns, Cameron Parish filed this lawsuit (and ten others like it) alleging that eighteen Defendants violated the State and Local Coastal Resources Management Act of 1978 (“SLCRMA”), challenging operations spanning nearly one hundred years—before SLCRMA even existed—in an artificially created “operational area” that covers nearly 8,000 acres. The Parish alleges that the violations caused land loss throughout Cameron Parish.¹⁸ Some of these companies operated as few as only two of the many hundreds of wells in the operational area, yet the Parish argues they should be solidarily liable for the \$7 billion in damages sought.

Governor John Bel Edwards directed the Department of Natural Resources to intervene as a co-plaintiff. The Governor described these lawsuits as a solution to the dual problems of land loss and the need for funding for coastal restoration: “Before we can ever have any hope of asking taxpayers around the country to come to Louisiana and help restore our coast, we have to be able to show them that we did everything that we could” to address land loss.¹⁹ Similarly, the Cameron Parish Pilot, the local newspaper, has reported that “[w]ith Cameron Parish pursuing the claims, every dollar goes to the parish for coastal restoration” according to the Parish’s attorney.²⁰ In May 2020, the Parish told the State Legislature: “We’re about to come to a monumental time where these cases are coming to an end and bringing hundreds and billions of dollars to the [S]tate and thousands and thousands of jobs, and local contractors get preference.”²¹ The Cameron Parish Pilot reported that a global settlement in this and other land loss cases brought by the Parish “could go a long way toward funding the state’s master plan for the coast, projected to cost \$50 billion over

¹⁷ Jason Saul, *'Overlooked And Forgotten' But Resolute, 10 Years After Hurricane Rita*, WWNO New Orleans Public Radio, Aug. 28, 2015.

¹⁸ The Parish’s only cause of action is under SLCRMA, La. R.S. 49:214.21, *et seq.* The Petition alleges that Defendants “have caused ever increasing damages to the Cameron Parish Coastal Zone;” that Defendants have “increased the risk of damage from storm-generated surges and other flooding damage;” and that Defendants are liable for “actual restoration of the Cameron Parish Coastal Zone to its original condition.” Petition at pp. 49-51, 60, ¶¶ 21, 22, 24, 25, Prayer (c).

¹⁹ Tegan Wedland, *To Fight Coastal Damage, Louisiana Parishes Pushed to Sue Energy Industry*, WWNO, Jan. 23, 2017.

²⁰ Cyndi Sellers, *“Time for Cameron Parish to control its own destiny”*, Cameron Parish Pilot, Feb. 18, 2016.

²¹ The Parish testified before the Legislature through its counsel, John Carmouche. Tr. La. Senate Nat’l Resources Comm. Hrg., May 7, 2020, p. 62:18-23.

50 years.”²² Additional reports claim that the potential awards in these cases are “likely to result in new jobs or infrastructure improvements, such as flood protection, ‘without making Louisiana taxpayers pay for damages they did not cause.’”²³

The Parish’s in-court statements have extolled the role these lawsuits can play in solving a lack of funding for coastal restoration in Cameron Parish: “The protection of Louisiana’s coast is now a matter of extreme emergency. The State and the Parish are presently engaging in deploying any and all appropriate legal means to acquire the resources necessary to manage [the land loss] crisis.”²⁴ One of the Parish’s experts even opined that delay in the progress of these lawsuits “threatens not only natural ecosystems [and] economic infrastructure, but also human life.”²⁵ The Parish made a similar argument at a status conference, describing the Parish as a victim of delay: “[T]he victim is our parish. The victim is our environment. The victim is our land loss.”²⁶

This lawsuit has been touted as the answer. The Parish’s counsel has unabashedly stated this lawsuit is the way for Parish residents—the prospective jurors—to take matters into their own hands. In a local television interview, the Parish’s counsel stated: “Cameron Parish has long been the stepchild of government restoration plans. It is time for Cameron Parish to control its own destiny.”²⁷ General Russel Honore has made similar public comments supporting the lawsuits to the Cameron Parish Police Jury: “We need to protect this parish and do the right thing and hold people accountable. It’s the people’s responsibility to take care of their coast. Without action, there may not be a Cameron Parish in the years to come.”²⁸ Since General Honore’s comments aired, Hurricane Laura has only magnified the fears of Parish residents.²⁹

²² *Local Lawsuits Are More to Gov. Jindal’s Liking*, Cameron Parish Pilot, Nov. 21, 2013. Additional reports claim that the potential awards in these cases are “likely to result in new jobs or infrastructure improvements, such as flood protection, ‘without making Louisiana taxpayers pay for damages they did not cause.’” Mark Schleifstein, *Bellwether Plaquemines lawsuit against oil, gas companies again returned to state court*, The Times-Picayune, Dec. 13, 2022.

²³ Mark Schleifstein, *Bellwether Plaquemines lawsuit against oil, gas companies again returned to state court*, The Times-Picayune, Dec. 13, 2022.

²⁴ Joint Opposition to Motion to Stay (dated Sept. 30, 2019), at 10-11.

²⁵ Affidavit of John Day (dated May 30, 2010), ¶ 5.

²⁶ Tr. Status Conference, Feb. 9, 2023, at 12.

²⁷ This statement was made during a March 1, 2016, broadcast on KPLC (Lake Charles, LA NBC affiliate).

²⁸ *Id.*

²⁹ Nomaan Merchant and Sudhin Thanawala, *‘None of this is going to be easy’: After Hurricane Laura, residents worry about federal, state help*, USA Today, Aug. 31, 2020 (“We can’t depend on the president. We can’t depend on nobody. ... We’ll just take what we have and get it done.”); see also Rick Rojas, *After Storms, They Built Higher. They Dread Doing It Again*, N.Y. Times, Sept. 23, 2020 (“They depend on themselves and not so much the government.”).

After telling Parish residents that this lawsuit empowers them to take control of their own destiny, the Parish’s counsel will ask those same residents, sitting as jurors, to award damages on what they have referred to publicly as “judgment day.”³⁰ Notably, any money awarded to Cameron Parish in this case may be used for the restoration of property across Cameron Parish, not just the property that is allegedly impacted in this case. Thus, a Cameron Parish juror living miles away from that property has just as much at stake in the outcome of this case as a juror residing on that property. La. R.S. 49:214.36(J). As a result, every potential juror in Cameron Parish has an interest in the outcome of the claims asserted in this case.

B. Procedural history of the motion for change of venue.

Defendants filed their Motion for Change of Venue on February 28, 2023, arguing that the prospective jurors’ personal stake in the outcome of the trial creates a serious risk that a fair and impartial jury cannot be empaneled in Cameron Parish. The Motion was supported by hundreds of items of evidence, including:

- statements from the Parish’s counsel and supporters of this lawsuit touting the lawsuit as a way for potential jurors to remedy land loss and take the Parish’s “destiny” into their own hands;
- extensive news articles and broadcast media segments recounting the damage suffered by Cameron Parish residents following the recent hurricanes;
- observations from Cameron Parish leaders that land loss directly affects the residents’ ability to continue living and working in the parish;
- excerpts from the State’s Coastal Master Plan representing that “Cameron Parish faces severely increased wetland loss across most of the parish over the next 50 years, and could experience the highest total land loss of any coastal parish”; and
- statements from residents reflecting the public view that land loss threatens the continued existence of the culture and way of life in Cameron Parish.

Defendants also highlighted the unique situation in Cameron Parish where there will be a jury venire of less than 4,000 people who are being told that the fate of their homes and financial futures will be controlled by the fate of this lawsuit.³¹

³⁰ Tr. La. Senate Nat’l Resources Comm. Hrg., May 7, 2020, at 55.

³¹ The number of Cameron Parish residents that are eligible for jury service is low. Of the 5,080 residents, only 77.4% (or 3,932 people) are over the age of 18 according to 2021 United States Census Bureau data. See U.S. Census Bureau, July 1, 2021 Population Estimates, *available at* <https://www.census.gov/quickfacts/fact/table/cameronparishlouisiana,US/PST045221>. Even among those, some will be ineligible for jury service. See La. R.S. 13:3041 (qualifications of juror in civil cases); La. S. Ct. Rule XXV (regarding recent jury duty). As shown below, the size of the community should be considered in evaluating a request to change venue.

The Parish opposed the Motion, arguing that a change of venue is unnecessary because *voir dire* is all that is needed to identify jurors who are biased. But the Parish did not dispute that the entire Cameron Parish community has an interest in the outcome of the case, and that venue has been transferred in every case where there has been such a finding. Instead, the Parish mischaracterized the basis of the Motion, suggesting that Defendants were arguing (1) that the small size of Cameron Parish alone makes it impossible to empanel an impartial jury, (2) that Cameron Parish jurors are prejudiced against the Defendants, and (3) that Cameron Parish jurors may have “read” or “heard” about the case and are therefore disqualified by their knowledge of the issues.

Defendants made none of these arguments. Rather, Defendants explained that the particular circumstances of this case implicate the interests of all Cameron Parish residents given the unique nature of the Parish’s allegations. This is reflected in the Parish counsel’s own characterizations of their claims, in which they proclaim that the “protection of Louisiana’s coast is now a matter of extreme emergency,”³² and that “[i]t is time for Cameron Parish to control its own destiny.”³³

Notwithstanding these statements, on May 17, 2023, the trial court denied the Motion, finding that “[o]nly through the complete process of *voir dire* will one be able to establish whether a fair and impartial jury can be impaneled in Cameron Parish to hear this particular case.”³⁴

Defendants filed a timely writ application to the Third Circuit Court of Appeal. On August 25, 2023, a panel of the Third Circuit denied that writ application.³⁵

This writ application challenges the lower court rulings. Because the eight-week trial in this matter is scheduled to commence on November 27, 2023, and a conventional writ application typically takes more than three months to resolve, Defendants have requested expedited treatment.

³² Joint Opposition to Motion to Stay (dated Sept. 30, 2019), at 10-11.

³³ This statement was made during a March 1, 2016, broadcast on KPLC (Lake Charles, LA, NBC affiliate).

³⁴ Appendix B.

³⁵ Appendix C.

II. Assignments of Error.

1. The trial court abused its discretion when it committed legal error by holding that *voir dire* is sufficient to ensure a fair trial when, in the unique circumstance presented here, only a change of venue can ensure an impartial jury.³⁶
2. The trial court abused its discretion when it committed legal error in denying a change of venue when the court did not even consider whether there is “prejudice existing in the public mind.” The undisputed evidence shows that Cameron Parish residents have personal and financial interests in this case that create prejudice in the public mind, thus mandating a change of venue under La. Code Civ. P. art. 122 and state and federal due process.

III. Summary of the Argument.

This case presents one of the most compelling needs for a transfer of venue, ever. In asking for an award over \$7 billion in this lawsuit alone, the jury will be told that the money will be used to save Cameron Parish from literally disappearing into the sea. Every resident of Cameron Parish knows that coastal land loss is a threat to the very existence of the parish. It is simply asking too much of Cameron Parish residents to impartially consider this case, which the Parish’s counsel has described as involving a “judgment day”³⁷ where Cameron Parish can “control its own destiny.”³⁸

Under these unique circumstances, Defendants moved to transfer venue, showing that the Parish’s allegations reflect that prospective jurors have a personal stake in the outcome of this case. The Parish did not suggest that having this lawsuit adjudicated by a jury in a different, nearby parish would cause any prejudice. But the failure to transfer venue would create an intolerable risk of an inherently unfair jury trial, and in a case of national prominence involving coastal land loss.

Defendants’ motion does not question the integrity or honesty of Cameron Parish residents; far from it. Instead, Defendants’ motion acknowledges that it is just as unfair to Cameron Parish residents, as it is to Defendants, to ask the residents to sit in judgment of the Parish’s claims. It is

³⁶ The standard of review of a trial court’s decision on a motion to change venue under La. Code Civ. P. art. 122 is abuse of discretion. *Bennet v. Sedco Mar.*, 520 So. 2d 894, 902 (La. App. 3d Cir. 1987). “[A] court necessarily abuses its discretion if its ruling is based on an erroneous view of the law.” *Jeffries v. Prime Ins. Co.*, 201-161 (La. App. 3 Cir. 11/3/21), 334 So. 2d 761, 769, *writ denied*, 2021-01811 (La. 2/22/22), 333 So. 3d 433.

³⁷ Tr. La. Senate Nat’l Resources Comm. Hrg., May 7, 2020, at 55.

³⁸ This statement was made during a March 1, 2016, broadcast on KPLC (Lake Charles, LA, NBC affiliate).

simply unrealistic to assume that any resident can put aside his individual concerns about personal safety—and the very existence of his Parish—to decide the claims brought in this case.

In opposing a change of venue, the Parish did not dispute that Cameron Parish residents have an interest in the outcome of this case. Similarly, the trial court did not find that Cameron Parish residents would be disinterested in the verdict. Instead, the trial court found that *voir dire* alone will ensure that all parties have a fair trial.

This was legal error. First, *voir dire* cannot possibly ensure an impartial jury when it is undisputed that *all residents* of Cameron Parish have an interest in the outcome of this case. Neither the Code of Civil Procedure nor applicable caselaw allows *voir dire* to substitute for a change of venue when all jurors have such an interest. On the contrary, in this unique circumstance, a change of venue is the only way to ensure a fair trial and to satisfy due process.

Second, the court failed to consider the requirements of Article 122—whether there exists “prejudice in the public mind.” The trial court thus erred in denying a change of venue where the record indisputably showed a prejudice in the public mind, mandating a transfer of venue.

Applying the correct standard, the Motion should have been granted. This writ application seeks review of the erroneous venue ruling.

IV. Argument

A. The trial court legally erred in finding that *voir dire* can protect Defendants’ right to a fair and impartial trial.

In considering Defendants’ Motion to Transfer Venue, the trial court applied the wrong legal test which led to the wrong conclusion. In finding that “[o]nly through the complete process of *voir dire* will one be able to establish whether a fair and impartial jury can be impaneled in Cameron Parish hear this particular case,” the trial court improperly focused the test on the beliefs of individual jurors (as yet unknown).³⁹ The correct test focuses on the attitudes and perceptions of the community as a whole (which are known). The trial court thus held Defendants to a higher standard of proof than the governing law imposes for a motion to change venue.

Under the correct standard, a transfer is required where there is a serious risk of bias, which is present when there is a community-wide interest in the outcome of the trial. A change of venue should have been granted because there is a community-wide personal and financial interest in the

³⁹ Appendix B.

issues to be tried, rendering Cameron Parish residents incapable of deciding the case with the required “attitude of appropriate indifference.” *Irvin v. Dowd*, 366 U.S. 717, 724 (1961).

1. A change of venue is required when a fair and impartial jury cannot be empaneled in the current forum.

Louisiana “law provides for a change of venue when a defendant establishes he will be unable to obtain an impartial jury or a fair trial at the place of original venue.” *State v. Lee*, 05-2098 (La. 3/7/08), 976 So. 2d 109, 132; *see also* La. Const. art. I, § 2; La. Code Civ. P. art. 122; *McCorvey v. McCorvey*, 05-174 (La. App. 3 Cir. 11/2/05), 916 So. 2d 357, 362-65. Under Article 122 of the Louisiana Code of Civil Procedure:

Any party by contradictory motion may obtain a change of venue upon proof that he cannot obtain a fair and impartial trial because of the undue influence of an adverse party, prejudice existing in the public mind, or some other sufficient cause. If the motion is granted, the action shall be transferred to a parish wherein no party is domiciled.

This protection requires a change of venue where a defendant can “show, even though it would be possible to select a jury whose members were not subject to a challenge for cause, that there [a]re influences *in the community* which would affect the answers of jurors on the *voir dire*, or the testimony of witnesses at the trial, or that, for any other reason, a fair and impartial trial c[an] not be obtained.” *State v. Bell*, 315 So. 2d 307, 313 (La. 1975) (emphasis added). Thus, under Article 122, venue can—and should—be changed before *voir dire* where there is a serious risk of community-wide bias. *See State v. Clark*, 442 So. 2d 1129, 1134 (La. 1983) (requiring a motion to transfer venue to be decided before *voir dire* under the directly analogous provisions of Code of Criminal Procedure art. 622). And, critically, the fact that a jury could conceivably be selected through *voir dire* is not a valid basis to deny a request for change of venue.

The federal and state constitutions likewise mandate the right to a fair trial before an impartial jury. Indeed, “[f]ew, if any, interests under the Constitution are more fundamental than the right to a fair trial by ‘impartial’ jurors” *Gentile v. State Bar of Nevada*, 501 U.S. 1030, 1075 (1991); *see also Wilson v. City of New Orleans*, 479 So. 2d 891, 901 (La. 1985) (“‘an impartial decision maker is essential’ to due process”) (quoting *Goldberg v. Kelly*, 397 U.S. 254, 271 (1970)); *Daurbigney v. Liberty Personal Ins. Co.*, 18-929 (La. App. 3 Cir. 5/9/19), 272 So. 3d 69, 73 (“Not only is a biased decisionmaker constitutionally unacceptable but our ‘system of law has always endeavored to prevent even the probability of unfairness.’”) (quoting *Withrow v. Larkin*, 421 U.S.

35 (1975)); *Haygood v. Louisiana State Bd. of Dentistry*, 2011-1327 (La. App. 4 Cir. 9/26/12), 101 So. 3d 90, 97 (“The appearance of fairness and the absence of a probability of outside influence . . . are required by due process”).

The question under Article 122 and due process principles is not whether individual members of the jury venire will display actual bias. Rather, to assess whether due process requires a change of venue, a court must look at “the totality of the surrounding facts” in the community and consider whether there exists a general “attitude of appropriate indifference” among potential jurors. *Irvin*, 366 U.S. at 724. The test is whether “*objectively speaking*, ‘the probability of actual bias on the part of the judge or *decisionmaker* is too high to be constitutionally tolerable.’” *Daurbigney*, 272 So. 3d at 73 (emphasis added) (citing *Rippo v. Baker*, 137 S. Ct. 905, 907 (2017)) (The standard is “whether, considering all the circumstances alleged, the risk of bias [i]s too high to be constitutionally tolerable.”).

Courts ask if, “under a realistic appraisal of psychological tendencies and human weaknesses,” the community’s interest “poses such a risk of actual bias or prejudgment” that a new decisionmaker is required to ensure “the guarantee of due process is . . . adequately implemented.” *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868, 883 (2009). Thus, due process concerns may be implicated “even where proof of actual bias is lacking.” *State v. LaCaze*, 2016-0234 (La. 3/13/18), 239 So. 3d 807, 813.⁴⁰ Where the evidence shows a serious risk of bias in the community, proof of “actual bias” among prospective jurors is not required. *Menard v. Menard*, 2019-580 (La. App. 3 Cir. 3/11/20), 297 So. 3d 82, 95; *In re Commitment of M.M.*, 53,577 (La. App. 2 Cir. 9/23/20), 303 So. 3d 1095, 1106 (Garrett, J., concurring) (noting that the due process standard employed by the U.S. Supreme Court, the Louisiana Supreme Court, and various Louisiana appellate courts no longer requires proof of actual bias).⁴¹

⁴⁰ Proof of actual bias may have been required in certain circumstances in the past. For instance, La. Code of Civ. P. art. 151(A)(4) formerly required proof of actual bias to warrant recusal of a judge. See *Daurbigney*, 272 So. 3d at 72 (noting that the prior recusal standard required the moving party to shoulder the “heavy burden of proving the judge . . . had ‘actual bias’”). Proof of actual bias is not required today.

⁴¹ In 2018, Defendants moved for change of venue in the companion land loss cases pending in Plaquemines Parish. See *The Parish of Plaquemines v. ConocoPhillips Co.*, 25th Judicial District Court, No. 60-982; *The Parish of Plaquemines v. Hilcorp Energy Co.*, 25th Judicial District Court, No. 60-999; *The Parish of Plaquemines v. Rozel Operating Co.*, 25th Judicial District Court, No. 60-996; *Plaquemines v. Equitable Petroleum Corp.*, 25th Judicial District Court, No. 60-986. The Plaquemines Parish court denied the motions after concluding that the Defendants had failed to prove actual bias by the prospective jurors. But by requiring a showing of actual bias, the court

Further, in considering whether there is a risk of partiality, the size of the community is relevant. The smaller the community, the greater the risk of being unable to find jurors who are not predisposed to a particular outcome. For example, in 1963, the United States Supreme Court considered Calcasieu Parish to be a small community even though its population at that time—approximately 150,000 residents—far surpassed the population of Cameron Parish today. *Rideau v. Louisiana*, 373 U.S. 723, 724 (1963). *Rideau* is often cited as the benchmark by which to assess whether the size of a community raises a concern to be considered in evaluating a request for a change in venue. See, e.g., *Skilling v. United States*, 561 U.S. 358, 381-82 (2010) (fact that 4.5 million people resided in the Houston area distinguished case from those such as *Rideau*, “in which we have presumed juror prejudice”); *Guertin v. Michigan*, No. 16-12412, 2017 WL 6390962, at *4 (E.D. Mich. 1/23/17) (population of nearly three million “is in stark contrast to the example highlighted by the Supreme Court as a small community, 150,000, which would weigh in favor of a finding of presumed prejudice”); see also *Martinez v. Superior Court*, 629 P.2d 502, 506 (Cal. 1981) (county population of 106,500 weighed in favor of a change of venue).

Here, there will be less than 4,000 members in the jury venire. With such a small number, each juror’s personal stake in the possibility of a \$7 billion judgment is significantly greater, making it impossible to get a truly impartial jury. This argues strongly for a change of venue.

In denying the motion to change venue, the trial court remarked that the authorities cited by Defendants involved criminal proceedings, pre-trial publicity, or recusal of judges. The trial court did not otherwise distinguish these cases, but rather summarily stated that “none of the cases are on point.”⁴² However, these cases outline the bedrock requirements of a fair and impartial trial, which apply in *all* cases, including this one. To the extent the trial court found that it was not bound by these authorities, it legally erred.

2. *Voir dire* cannot ensure an impartial trial.

The trial court erroneously concluded that *voir dire* could cure the obvious risk of a partial jury here. But Louisiana law recognizes that a motion for change of venue is evaluated by looking at influences and attitudes of *the community*, whereas for cause challenges in *voir dire* look at the

misapplied the test for the reasons explained above. Those rulings are subject to pending writ applications to the Louisiana Fourth Circuit Court of Appeal.

⁴² Appendix B at p. 2.

opinions and beliefs of *individual jurors*. See *State v. Magee*, 2011-0574 (La. 9/28/12), 103 So. 3d 285, 299 (emphasizing that “in deciding whether to change venue, the district court must extend its focus beyond the prejudices and attitudes of individual venire persons,” and instead “[t]he district court’s ultimate determination must rest on the community’s attitude”).

Given the different standards, there are circumstances, like those here, where venue must be transferred *before voir dire*. Indeed, the drafters of Article 622 of the Code of Criminal Procedure—the analogue to the change-of-venue provision in Article 122 of the Code of Civil Procedure—specifically warned against conflating the “change of venue concept” with the “challenge for cause concept,” explaining that, upon a proper showing, “[a] change of venue ought to be available even though individually, each juror is not susceptible to a challenge for cause.” Official Revision Comment, La. Code Crim. P. art. 622. If *voir dire* and a motion to change venue were governed by the same standard, Code of Civil Procedure Article 122 would be meaningless, as *voir dire* could always safeguard the right to a fair trial.

This Court has also cautioned that “the change of venue concept must be one which overrides the challenge for cause concept and is to be superimposed upon the entire proceeding.” *State v. Frank*, 1999-0553 (La. 1/17/01), 803 So. 2d 1, 13. For a change of venue, a defendant “must be allowed to show that, even if it would be possible to select a jury whose members were not subject to a challenge for cause, that there exists prejudice or influences within the community at large that would affect the jurors’ answers during *voir dire* . . .” *Id.* Ultimately, then, “the fact that a jury can be selected, i.e., that the requisite number of jurors are not subject to a valid challenge for cause, does not mandate the conclusion that a motion for transfer of venue was properly denied by the trial court.” *Id.* at 14. Precedent from the United States Supreme Court is in accord. *Rideau v. Louisiana*, 373 U.S. 723, 727 (1963) (“we do not hesitate to hold, without pausing to examine a particularized transcript of the *voir dire* examination of the members of the jury, that due process of law in this case required” a change of venue).

The trial court made exactly this error. It suggested that *voir dire* could ensure Defendants’ a fair trial. That is wrong. Even if the individual jurors might not be excluded for cause during *voir dire*, the risk of bias in the broader community from which the entire venire is drawn would be intolerable. Indeed, courts have explained that a change in venue is necessary where there are “influences in the community” that would potentially affect all jurors’ answers on *voir dire*,

including (1) where the nature of the allegations could cause members of a community to “consider themselves to be in harm’s way because of the alleged wrongdoing,” *Ex parte Monsanto Co.*, 794 So. 2d 350, 354, 355 (Ala. 2001) or (2) where all potential jurors have a “pecuniary interest.” *See Andry v. Cumis. Ins. Soc. Inc.*, 387 So. 2d 1374, 1377 (La. App. 4th Cir. 1980).

The nature of the Parish’s claims implicate community-wide concerns regarding the land loss crisis facing Cameron Parish and its people. Each resident of Cameron Parish stands to benefit directly from a \$7 billion dollar judgment. *Voir dire* is not designed to address that problem, and it would therefore fail to ensure a fair trial here. Only a change of venue can secure the legal protections that are required.

B. When evaluated under the correct legal standard, the evidence establishes that Cameron Parish residents have a personal and financial interest in the outcome of this case.

Because the trial court applied the wrong legal test, it never reached the central question at issue: whether the Cameron Parish community as a whole is interested in the outcome of this case, brought by Cameron Parish, such that a change of venue is warranted. Importantly, the Parish did not dispute that the entire Cameron Parish community has a shared, actual personal and financial interest in the outcome of this case. Nor could it, as the evidence establishes unequivocally that the residents of Cameron Parish are deeply invested in the issues to be tried.

Moreover, as shown, the Parish itself has encouraged prospective jurors to believe that they have a stake in the outcome of this case. The law, however, requires that jurors—like judges—be appropriately “indifferent” to the issues they decide. *Irvin*, 366 U.S. at 722. Thus, the question the trial court should have considered is whether, when it comes to the allegations in this case, the residents of Cameron Parish can be appropriately neutral, detached, and impartial.

Here, the overwhelming evidence shows that Cameron Parish residents cannot sit with the required impartiality given that the nature of the Parish’s claims centered on the threat of land loss facing the Parish, and the Parish’s characterization of the lawsuit as the solution to those concerns. A complete “record” exists and was presented to the lower courts by which a court can—and should—reverse and render a judgment changing venue. La. Code Civ. P. art. 2164 (“The appellate court shall render any judgment which is just, legal, and proper upon the record on appeal.”). *See Gonzales v. Xerox Corp.*, 320 So. 2d 163, 165-66 (La. 1975) (explaining that when the entire record is before the appellate court, the court should review facts and render decisions).

1. Cameron Parish residents have an interest in the outcome of this case which purports to remedy a community-wide threat.

Where, as here, a lawsuit seeks to remedy a danger that threatens an entire community—and members of the jury pool believe they could personally benefit from the lawsuit—the likelihood of juror bias is strong. In *Ex parte Monsanto Co.*, for example, the Supreme Court of Alabama considered whether a change of venue was warranted because plaintiffs claimed that Monsanto had dispersed toxic chemicals into the county’s “air, soil, surface, and groundwater.” 794 So. 2d at 352. Monsanto argued it could not receive a fair trial in the county because plaintiffs’ claims invited “any member of the jury [to] see himself or herself as a potential plaintiff.” *Id.* at 354. The Alabama Supreme Court agreed, expressing concern that “Calhoun County citizens, while serving as jurors, could come to consider themselves to be in harm’s way because of the alleged wrongdoing by Monsanto.” *Id.* at 355. The trial court thereafter granted a change of venue, which the Alabama Supreme Court affirmed. *Ex parte Monsanto Co.*, 862 So. 2d 595, 600 (Ala. 2003).⁴³

As shown above, Cameron Parish residents have been told that they have a personal interest in the outcome of this case. Similarly, the State has defended Cameron Parish’s lawsuit on the grounds that it is necessary to “preserve the Louisiana coast for generations to come,” adding that:

Some communities are literally in danger of being washed away. Some could disappear with the next severe storm or hurricane. Meanwhile, we are struggling to pay for our state’s Master Plan to restore the coast and protect our citizens.⁴⁴

Parish officials have made similar comments, stating that “our residents are tied to their family land and the freedom and history that come with it. Coastal erosion and land loss has (sic) threatened this culture and way of life”⁴⁵ One Police Juror proclaimed that he is “fighting for the very existence of [his] community.”⁴⁶ The Police Jury has concluded:

There is no greater issue facing our state than the urgent need to curb our coast’s massive land loss. If we take no action, Cameron Parish could lose 40 percent of its entire land area in the next 50 years. Cameron could have the unenviable position of having the highest

⁴³ See also *Althiser v. Richmondville Creamery Co.*, 215 N.Y.S. 2d 122 (3d Dep’t. 1961), where a New York court ordered a change of venue because members of the jury pool were mostly milk farmers who viewed themselves to be “in the same position” as the plaintiff dairy who sued milk purchasers over the price of milk.

⁴⁴ Correspondence from Gov. John Bel Edwards to Chris John and Don Briggs dated May 19, 2016.

⁴⁵ Jason Saul, ‘Overlooked and Forgotten’ But Resolute, 10 Years After Hurricane Rita, WWNO New Orleans Public Radio, Aug. 28, 2015 (quoting Cameron Parish Administrator Ryan Bourriaque).

⁴⁶ *Jury Wins Suit*, Cameron Parish Pilot, Aug. 18, 2011, at 1. See also *Toerner*, 2011 WL 3584786, at *7 (“[S]ome of these [Cameron Parish] communities struggle just to survive.”).

total amount of land loss of any coastal parish in the state. That could put every community in the parish at risk⁴⁷

Thus, the Parish has reinforced the message delivered to Cameron Parish residents from multiple sources that coastal restoration is essential to the continued survival of the Parish and its communities.⁴⁸

As an ongoing concern, discussion of land loss features heavily in local government, politics, education, and community and cultural events. And unlike most news stories that appear for a short time, the story of coastal erosion has been front and center in the media for years and has only intensified over time.⁴⁹

This lawsuit thus strikes at the heart of residents' concerns that they have been shut out of matters of coastal restoration. The Parish has invited residents, the prospective jurors in this case, to exercise self-help. For example, the Parish has stated: "With Cameron Parish pursuing the claims, every dollar goes to the parish for coastal restoration."⁵⁰

In these circumstances, where it is suggested that any potential recovery in this lawsuit will be used to combat land loss—an issue about which Cameron Parish residents are deeply invested—all parish residents have an interest in the outcome of this lawsuit.

2. Cameron Parish residents have a financial interest in the outcome of this case.

Cameron Parish residents also have a financial interest in the outcome of this case, given the Parish's emphasis on the role this lawsuit could play in generating funding for coastal restoration that would otherwise be borne by Parish residents. The constitutional guarantee of an impartial jury requires a court to excuse a juror for cause "if the juror has even a tiny financial

⁴⁷ *SWLA and SETX to Work Together on Chenier Plain*, Cameron Parish Pilot, Dec. 2, 2014 (noting that Cameron Parish has more wetland acreage than any Gulf Coast state, county, or parish, and the second highest rate of net wetland decrease); Shannon Sims, *Climate Change Will Likely Wreck their Livelihoods—But They Still Don't Buy the Science*, The Guardian, Aug 28, 2017 (quoting a Cameron Parish resident as saying the State mapping agency indicates his home will be submerged within 50 years due to land loss); *Grasses are Planted to Stop Erosion*, Cameron Parish Pilot, May 16, 2010 (quoting Cameron Parish teenager: "I'm excited because this means our homes aren't going to get eaten in 50 years, so there'll still be a Cameron Parish.").

⁴⁸ State and Parish officials have repeated this message to Cameron residents, who are reminded of the "slow, incessant, and foreboding" loss of land. Burley, David M., *Losing Ground* 57 (2013); As then U.S. Senator Mary Landrieu stated on September 20, 2014, on KPLC, "This is their home, and they see it leaving every day."

⁴⁹ Even counsel for the Parish has conceded, "It's on the news every day." Tr. Hrg. Feb. 8, 2018 at 58.

⁵⁰ Cyndi Sellers, "Time for Cameron Parish to control its own destiny", Cameron Parish Pilot, Feb. 18, 2016.

interest in the case.” *United States v. Polichemi*, 219 F.3d 698, 704 (7th Cir. 2000). The financial incentives “need not be . . . direct or positive,” *Gibson v. Berryhill*, 411 U.S. 564, 579 (1973), but need only “offer a possible temptation . . . not to hold the balance nice, clear and true.” *Tumey v. Ohio*, 273 U.S. 510, 532 (1927). This rule recognizes that jurors with a “pecuniary interest in the outcome of the case [are] . . . *per se* incapable of the impartiality required of a juror. . .” *Andry v. Cumis Ins. Soc., Inc.*, 387 So. 2d 1374, 1377 (La. App. 4th Cir. 1980) (emphasis added).⁵¹

The Fourth Circuit’s decision in *Andry* is illustrative.⁵² There, a driver succeeded in a suit against his insurance company involving an automobile accident, but appealed arguing that the damage award should have been higher. The plaintiff argued that the jury had been improperly constituted because panel members believed their insurance premiums would increase if they awarded meaningful damages. 387 So. 2d at 1375. The appellate court agreed with plaintiff, finding that the jurors were biased by the misimpression that their personal finances would be affected by the outcome of the case:

The jurors’ belief that their own [insurance] rates would rise if plaintiffs were successful, indicates to this court that the jurors believed they possessed an indirect pecuniary interest in the outcome of the case, **which would render them per se incapable of the impartiality required of a juror**, as they believed themselves to be the indirect beneficiaries of a verdict against the plaintiff. . . . This inquiry at issue is of such a highly prejudicial nature that its effect would be to taint the entire rest of the proceedings.

⁵¹ See also *In re Murchison*, 349 U.S. 133, 136 (1955) (no individual “can be a judge in his own case [or be] permitted to try cases where he has an interest in the outcome”); *Withrow*, 421 U.S. at 46-47 (1975) (if “the adjudicator has a pecuniary interest in the outcome” of a case, “the probability of actual bias on the part of the judge or decisionmaker is too high to be constitutionally tolerable”); *Wilson*, 479 So. 2d at 901 (“Due process requires that a decision maker not have a direct or indirect financial stake which would give a possible temptation to the average person as a decision maker to make him partisan. . . .”); *Aetna Life Ins. Co. v. Lavoie*, 475 U.S. 813 (1986); La. Code Civ. P. art. 1765. A change of venue is required when a substantial number of potential jurors have a pecuniary interest in the case. See *Beech v. Leaf River Forest Prods., Inc.*, 691 So. 2d 446, 450 (Miss. 1997).

⁵² See also *Wash. Pub. Util. Group v. U. S. Dist. Court for the W. Dist. of Wash.*, 843 F.2d 319, 327 (9th Cir. 1987) (affirming a change of venue because the “evidence showed that most of the potential jurors . . . were concerned that a judgment against the utility defendants in this case would affect their utility rates. Thus, a substantial number of potential jurors had a financial interest in the outcome of the case”); *Long Island Lighting Co. v. New England Petroleum Corp.*, 362 N.Y.S.2d 350, 355 (3d Dep’t 1974) (affirming change of venue where prospective jurors believed they may receive a rebate from the plaintiff utility company if damages were recovered at trial, noting that “even if rebates will not or cannot be made . . . jurors will assume that such might occur”); *Bd. of Pub. Instruction for Lafayette Cty. v. First Nat’l Bank of Gainesville*, 143 So. 738, 742 (Fla. 1932) (affirming a change of venue on grounds that “any jury summoned for the trial of the case in Lafayette county would necessarily be composed of taxpayers, and thus would be financially interested in the outcome of the case, as they would have to pay any judgment rendered on their verdict by assessment levied upon their property”).

Id. at 1377 (emphasis added). Thus, even where there was only a mistaken *perception* of a financial interest in the outcome of the case, that perception rendered jurors *per se* incapable of impartiality.

Similarly, prospective jurors in Cameron Parish must understand that a verdict for the Parish will benefit them financially—and that a verdict for the Defendants will hurt them financially. For example, the Parish has said that absent the lawsuits, coastal residents will be forced to shoulder the costs of restoration through higher taxes.⁵³ The significant decline in Cameron Parish’s population exacerbates concerns about the ability of the Parish to receive funding for coastal restoration and, correspondingly, the ability of the remaining residents to assess the allegations in this case dispassionately. Indeed, given Cameron Parish’s small population, each resident bears a much larger share of the overall cost of storm protection and resiliency costs than do residents in other parishes. A former Police Juror observed, “The thing that cripples Cameron Parish is population. You’re at the bottom of the bucket if your population is under 10,000.”⁵⁴ Residents have shared the same sentiment: “Once again it seems that with less people living in the parish, it is required for some reason they all pay more.”⁵⁵ Acknowledging these frustrations, the Parish has told residents that these lawsuits provide the funding needed for coastal restoration.⁵⁶

By contrast, if a Cameron Parish jury awards \$7 billion to the Parish, many Parish residents have been told and believe they will receive significant financial benefits. The Parish has publicly stated that it expects a judgment in this and similar cases to bring “hundreds and billions of dollars to the [S]tate and thousands and thousands of jobs, [for which] local contractors get preference.”⁵⁷ That influx of money presumably has the potential to raise property values, bolster local businesses, and attract new residents. Each resident of Cameron Parish would benefit.

⁵³ Tyler Bridges, *Bill to nullify parish lawsuits vs. oil and gas companies is dead*, Baton Rouge Advocate, May 29, 2020 (quoting the Parish’s counsel John Carmouche: “The taxpayers of Louisiana had a huge victory today because they’re not going to have to pay to restore the coast of Louisiana[.] . . . Big Oil which damages the coast, will have to pay.”).

⁵⁴ April 9, 2016, broadcast on KPLC, reporting that the Chenier Plain Authority composed of Cameron, Calcasieu, and Vermillion parishes joined forces to get their “fair share” of funding and are the public’s “badly-needed voice to get money to save the wetlands and protect people and property”.

⁵⁵ Coot McInnis, *Letter to the Editor*, Cameron Parish Pilot, July 7, 2011.

⁵⁶ Cyndi Sellers, “*Time for Cameron Parish to control its own destiny*”, Cameron Parish Pilot, Feb. 18, 2016; *cf.* La. R.S. 49:214.36(O)(2) (“Any monies received by any state or local governmental entity arising from or related to a state or federal permit . . . shall be used for integrated coastal protection, including coastal restoration, hurricane protection, and improving the resiliency of the coastal area.”).

⁵⁷ The Parish testified before the Legislature through its counsel, John Carmouche. Tr. La. Senate Nat’l Resources Comm. Hrg., May 7, 2020, p. 62:18-23.

Parish residents thus have a financial interest in both offsetting the costs of land loss and ensuring a massive influx of money in the Cameron Parish economy. And courts routinely find that even indirect financial interests of this kind warrant change of venue.⁵⁸

In short, this lawsuit is tied to the genuine, palpable concerns of Cameron Parish residents—that without new funding, either coastal restoration projects will not be completed or the few remaining residents will be forced to shoulder the cost of restoration through higher taxes. In these circumstances, there is a serious risk that Cameron Parish residents will be unable to sit with the required “indifference” given that they have an interest in seeking to fund coastal restoration through these lawsuits. The community-wide interests render Cameron Parish residents “*per se* incapable of the impartiality required of a juror.”⁵⁹

C. The Parish’s arguments against a change of venue ignore the problems with this extraordinary case.

By concluding that *voir dire* was sufficient to ensure a fair trial, the trial court never grappled with Cameron Parish residents’ interest in the outcome of the case. Had the trial court analyzed the issue correctly, it could not have ignored that in all cases where it was determined that there was a community-wide interest in the outcome of the suit, venue was changed.⁶⁰ The result should be the same here.

And while the Parish did not dispute that all Cameron Parish residents have an interest in this case, it tried to downplay the extent of that interest, suggesting that Defendants are relying solely on residents’ status as taxpayers and property owners. That has never been Defendants’ position. Defendants’ motion instead is premised upon the extraordinary situation where the Parish has characterized coastal land loss as an existential threat to the entire Parish. The Parish’s attempt

⁵⁸ See *Wash. Pub. Util. Group v. U. S. Dist. Court for the W. Dist. of Wash.*, 843 F.2d 319, 327 (9th Cir. 1987) (affirming a change of venue because the “evidence showed that most of the potential jurors . . . were concerned that a judgment against the utility defendants in this case would affect their utility rates. Thus, a substantial number of potential jurors had a financial interest in the outcome of the case”); *Long Island Lighting Co. v. New England Petroleum Corp.*, 362 N.Y.S.2d 350, 355 (3d Dep’t 1974) (affirming change of venue where prospective jurors believed they may receive a rebate from the plaintiff utility company if damages were recovered at trial, noting that “even if rebates will not or cannot be made . . . jurors will assume that such might occur”); *Bd. of Pub. Instruction for Lafayette Cty. v. First Nat’l Bank of Gainesville*, 143 So. 738, 742 (Fla. 1932) (affirming a change of venue on grounds that “any jury summoned for the trial of the case in Lafayette county would necessarily be composed of taxpayers, and thus would be financially interested in the outcome of the case, as they would have to pay any judgment rendered on their verdict by assessment levied upon their property”).

⁵⁹ *Andry*, 387 So. 2d at 1377.

⁶⁰ See *Monsanto*, 862 So. 2d 595; *Althiser*, 215 N.Y.S.2d 122; *Andry*, 387 So. 2d 1374.

to minimize the interest that Cameron Parish residents have in this case is disingenuous when the Parish itself describes this, and other similar lawsuits, as the solution to this existential threat.

The Parish also argued that if the Defendants' arguments prevail, all environmental lawsuits will require a change of venue. But a typical environmental lawsuit involves claims by a landowner for damage to his or her property. The jurors in such cases do not own the property, and if they did have a direct and substantial interest in the property, they could not serve. By contrast, the allegations in this lawsuit concern the welfare of the entire Parish: "The victim is our parish. The victim is our environment. The victim is our land loss."⁶¹

Defendants submitted overwhelming evidence demonstrating that the degree of self-interest held by the community of potential jurors creates a serious risk that jurors will not sit with the required "attitude of indifference." When potential jurors have such a potential stake in the outcome, the law does not ask whether potential jurors in *voir dire* may be able to "rise to the occasion" as the trial court allowed. Instead, in these circumstances, a change of venue is the only remedy to protect Defendants' right to a fair and impartial trial.

V. Conclusion.

The trial court committed two legal errors by assuming incorrectly that (1) *voir dire* provides a solution to the problems posed by the community-wide interest, and (2) a change of venue is not required under Article 122 or state and federal due process principles, even though Cameron Parish residents have a personal and financial interest in the outcome of this case. This Court should reverse the trial court's ruling and render a judgment transferring this case to a parish in which Defendants can receive a trial before an impartial jury.

WHEREFORE, Applicants pray that this Court grant this writ application and either (1) issue a *per curiam* decision ordering that this case be tried in another parish, or (2) call for the record and for full briefing and argument so that this matter can be decided before the eight-week jury trial in Cameron Parish starts on November 27, 2023.

⁶¹ Tr. Hrg. Feb. 9, 2023, at 12.

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VERIFICATION

Pursuant to Supreme Court Rule X, Section 2(d), I hereby verify the allegations of this application and certify that a copy of this application has been mailed to the Clerk of the Third Circuit Court of Appeal, mailed to the Hon. Penelope Richard, and sent by email to all counsel involved in the case, all listed below, on this 5th day of September, 2023. There are no unrepresented parties in this case. Pursuant to Supreme Court Rule X, Section 2(e), I certify that all counsel (there are no unrepresented parties) have been notified by telephone or other equally prompt means of communication that this writ application has been or is about to be filed in this Court, and I certify that this application is being served forthwith on all parties at interest or their counsel, by email—a means equal to the means used to effect filing in this Court.

/s/ Kelly Brechtel Becker

Kelly Brechtel Becker

Hon. Penelope Richard
38th Judicial District Court
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The Honorable Renee R. Simien
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IN THE THIRTY-EIGHTH JUDICIAL DISTRICT COURT
IN AND FOR THE PARISH OF CAMERON
STATE OF LOUISIANA

THE PARISH OF CAMERON

VERSUS : DOCKET NO. 10-19582
AUSTER OIL & GAS, INC.,
ET AL

RULING

Evidence adduced and proceedings had in the above-numbered and entitled cause at Cameron, Louisiana, on the 17th day of May, 2023, at 11:18 a.m., before the HONORABLE PENELOPE RICHARD, Judge of the Thirty-Eighth Judicial District Court in and for the Parish of Cameron, State of Louisiana.

APPEARANCES

None.

1 **PROCEEDINGS :**

2 THE COURT:

3 This is the matter of The Parish of Cameron
4 versus Auster Oil & Gas, Inc., et al., Docket
5 Number 10-19582.

6 On April 19, 2023, the Court heard a motion
7 to change venue in the above referenced case
8 filed by the defendants, Shell Oil, BP
9 Production, Hilcorp Energy, Chevron USA, Chevron
10 Pipeline, Honeywell International, and
11 Kerr-McGee Oil and Gas.

12 The defendants assert that they will be
13 unable to receive a fair trial in Cameron Parish
14 because the potential jurors may perceive that
15 they have a pecuniary interest, either direct or
16 indirect, in the outcome of the case and thus
17 would be, quote, incapable of the impartiality
18 required of a juror, end quote. They rely on
19 several cases involving criminal juries with
20 pre-trial publicity, recusal cases of judges,
21 and cases involving the due process clause. The
22 Court is not persuaded by any of the cases cited
23 by the defendants as none of the cases are on
24 point with the facts of this case.

25 After reviewing the memoranda, evidence,
26 jurisprudence, and the law, the Court finds that
27 the defendants have failed to meet their burden
28 of proof to warrant a change in venue in this
29 case. Under Code of Civil Procedure Article 122
30 and the due process clause of the United States
31 and the Louisiana Constitutions, the defendants
32 have not shown that they, quote, cannot obtain a

1 fair and impartial trial because of the undue
2 influence of an adverse party, prejudice
3 existing in the public mind, or some other
4 sufficient cause, closed quotes. Only through
5 the complete process of *voir dire* will one be
6 able to establish whether a fair and impartial
7 jury can be impaneled in Cameron Parish to hear
8 this particular case. The Court is not unaware
9 of the difficulty and the time consuming process
10 that this will take due to the uniqueness of
11 this parish and the allegations made in this
12 case. However, the Court will take every
13 precaution to ensure that the *voir dire* process
14 will be fair to all parties.

15 The Court directs the Clerk of Court to
16 provide certified copies of the minutes to all
17 parties. Counsel for plaintiff is directed to
18 prepare and circulate a judgment consistent with
19 the Court's reasons to all parties and then to
20 submit same to the Court for execution and
21 filing. All costs are assessed to the
22 defendants bringing this motion.

23 Court is adjourned.

24 **[PROCEEDINGS IN THIS MATTER CONCLUDED]**

C E R T I F I C A T E

This certification is valid only for a transcript accompanied by my original signature and original seal on this page.

I, ROXANE D. BOUDOIN, CCR, OFFICIAL COURT REPORTER in and for the State of Louisiana, contracted as an official court reporter by the Thirty-Eighth Judicial District Court for the State of Louisiana, as the officer before whom this testimony was taken, do hereby certify that this forgoing 3 pages of testimony was reported by me in the stenomask reporting method, was prepared and transcribed by me or under my direction and supervision, and is a true and correct transcript to the best of my ability and understanding of the proceedings taken in the cause entitled THE PARISH OF CAMERON VERSUS AUSTER OIL & GAS, INC. ET AL, DOCKET NUMBER 10-19582, the time and place set forth on page one hereof; that the transcript has been prepared in compliance with the transcript format guidelines required by statute or by rules of the board or by the Supreme Court of Louisiana; and that I am not related to counsel or to the parties herein nor am I otherwise interested in the outcome of this matter.

May 23, 2023



Roxane D. Boudoin, CCR
Official Court Reporter
Certification Number 26002



STATE OF LOUISIANA
COURT OF APPEAL, THIRD CIRCUIT

NO: CW 23-00381

**Judgment rendered and mailed to all
parties or counsel of record on August
25, 2023.**

THE PARISH OF CAMERON
VERSUS
AUSTER OIL AND GAS, INC., ET AL.

FILED: 06/20/23

On application of Shell Oil Company; Honeywell International, Inc.; Hilcorp Energy Company; BP America Production Company; Chevron U.S.A. Inc.; Chevron Pipe Line Company; Kerr-McGee Oil, and Gas Onshore LP for Supervisory Writ in No. 10-19582 on the docket of the Thirty-Eighth Judicial District Court, Parish of Cameron, Honorable Penelope Quinn Richard.

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Lake Charles, Louisiana, on August 25, 2023.

WRIT DENIED. We find no abuse of discretion in the trial court's ruling.

EAP
EAP

VHK
VHK

CGP
CGP