

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**UNITED STATES OF AMERICA,  
Plaintiff**

**CIVIL ACTION**

**VERSUS**

**No. 12-1924**

**CITY OF NEW ORLEANS,  
Defendant**

**SECTION "E"**

**ORDER**

Before the Court is the request by the United States of America and the City of New Orleans to modify the process for selecting the Parties' candidate for Consent Decree Court Monitor.<sup>1</sup>

**IT IS ORDERED** that the request is **APPROVED** as set forth in the document attached hereto as Exhibit A.

**New Orleans, Louisiana, this 6th day of March, 2013.**

  
**SUSIE MORGAN**  
**UNITED STATES DISTRICT JUDGE**

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<sup>1</sup> R. Doc. 205.

# Exhibit A

Agreement on Process to Select a Consent Decree Monitor

The Consent Decree Monitor selection process will include up to five public meetings. All public meetings will take place in the Superdome, in either the St. Charles Room or the Bienville Room. Please note that the dates of these meetings have been carefully selected, taking into account pre-existing commitments of Evaluation Committee members, as well as the need to provide sufficient notice for Monitor Candidates to arrange for travel to New Orleans.

At each meeting, the City of New Orleans (the “City”) will provide a sign-in sheet for attendees and will make a record of what is discussed, either by making an audio recording of the meeting or by keeping detailed minutes, unless otherwise instructed by the Court. The City Attorney’s Office will retain, and make available to the public, these sign-in sheets and records.

The City and the United States of America (“United States”) will issue a press release informing the public of the location and time for each meeting. The City and United States will publish the press release(s) on their respective websites. The Court will provide notice to the public on its website at <http://www.laed.uscourts.gov/Consent/consent.htm>.

Initial Public Meeting: Explanation of Process and Selection of Interviewees

On **March 7, 2013 at 1pm** until as late as necessary, the Evaluation Committee will meet to inform the public of the process it will use to select a Proposed Monitor and schedule for doing so. Also at that meeting, the Evaluation Committee will discuss the merits of each proposal and decide on a “short list” of candidates to be interviewed. If, after such discussion, the Evaluation Committee needs more information from any of the Monitor Candidates, the Evaluation Committee may consider and discuss methods of gathering that information. The Evaluation Committee also may decide on a set of questions that will be asked of all Monitor Candidates during the public interviews.

Second Public Meeting: Interviews of Monitor Candidates

On **April 2, 2013 at 8am** until as late as necessary, the Evaluation Committee will conduct public interviews of Monitor Candidates on the short list. Each Monitor Candidate will be allowed to make a presentation of up to 30 minutes. Following each presentation, the public will be given up to 30 minutes in which to comment. The Evaluation Committee also welcomes public comments in writing prior to interviewing the Monitor Candidates. This public comment period will be set out in more detail and made public prior to the April 2, 2013 meeting. Following the public comments, the Evaluation Committee may spend up to one hour asking questions of the Monitor Candidates. In addition to any questions the Evaluation Committee has decided to ask of each Monitor Candidate, Evaluation Committee members may ask other questions at each member’s discretion.

Public comments may be e-mailed to [rfcortizas@nola.gov](mailto:rfcortizas@nola.gov).

Public comments also may be mailed or hand-delivered to:

City Attorney  
City of New Orleans  
Re: NOPD Consent Decree Court Monitor  
1300 Perdido Street  
New Orleans, LA 70112

The City will file copies of all public comments received in the electronic record of *United States of America v. City of New Orleans*, Civil Action No. 12-1924 (E.D. La.).

The City will make an audio recording of the public comment period and the Monitor Candidates' interviews. The City will provide a copy of the audio recording to the Court.

Third Public Meeting: Request for Follow-up Information:

On **April 3, 2013 at 8am** until as late as necessary, the Evaluation Committee will meet to decide whether it needs additional information from any of the Monitor Candidates. If so, the Committee may consider and discuss methods of gathering that information. (The Committee will also complete Monitor Candidate interviews on April 3, if necessary).

Fourth Public Meeting: Contingent Selection of Proposed Monitor:

On **April 9, 2013 at 9am** until as late as necessary, the Evaluation Committee will meet to attempt to select a proposed Monitor. If the Parties cannot reach agreement on a proposed Monitor at the April 9 meeting, Evaluation Committee members will have further discussions with alternative selections and seek to come to agreement upon a monitor candidate.

As soon as a Monitor is selected, the City will work with that candidate to negotiate a formal contract, as set out in the Professional Services Agreement agreed to by the Parties in their Joint Motion for Approval of Contract for the Consent Decree Monitor, [ECF Nos. 121-2] and approved by the Court [ECF No. 122-1].

Fifth Public Meeting: Confirm Selection of Proposed Monitor

On **April 30, 2013 at 9am** until as late as necessary, the Evaluation Committee will meet to confirm selection of the proposed Monitor. The Evaluation Committee will describe any changes to the selected monitoring team. If the Parties are able to confirm selection, they will submit their selection to the Court for approval this same day. Pursuant to the Consent Decree and the RFP [Consent Decree ¶ 477; RFP section VI], the Court may conduct a private interview of the Parties' proposed Monitor prior to approval.

If, after the completion of the above-described process, the Parties are unable to agree upon a proposed monitor, the Parties will jointly submit two proposed Monitors to the Court and the Court will select the Monitor from among those two candidates, in accordance with the requirements of the Consent Decree and the RFP. Consent Decree ¶ 477, 478; RFP section VI.