

**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 a motion<sup>1</sup> filed by the City of New Orleans (the "City"). The City seeks leave to reschedule the fifth public meeting in the Consent Decree Court Monitor ("Monitor") selection process from Tuesday, May 14, 2012, at 12:00 p.m. noon to Tuesday, May 28, 2013, at 12:00 p.m. noon. The United States of America ("United States") opposes the motion.<sup>2</sup> According to the City, the "Parties are working diligently to attempt to reach agreement on a proposed monitoring team and are making progress" and they recently "received additional information related to costs of the monitor."<sup>3</sup> The United States responds that the "Parties have tried diligently to reach agreement, including a call between the Deputy Attorney General and the Mayor of New Orleans late this afternoon to explore the possibility of compromise," however those negotiations were unsuccessful. Consequently, the "United States sees no need for an additional continuance."<sup>4</sup>

Having considered the City's arguments and the United States' opposition, the Court

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<sup>1</sup> R. Doc. 239.

<sup>2</sup> R. Doc. 243.

<sup>3</sup> R. Doc. 239.

<sup>4</sup> R. Doc. 243.

finds that the City has shown good cause for leave for **one final opportunity** to reschedule the Consent Decree Court Monitor Selection Committee's fifth public meeting in order to reach a compromise. The Court encourages the Parties to work together as expeditiously as possible to select the best candidate to serve as Monitor because the Court favors a collaborative process where possible.

At the same time, the Court underscores that it has received many public comments indicating that the public desires the Parties to move forward with implementing the Consent Decree entered in the above-captioned matter. The Court **will not grant** any further continuances unless the movant shows good cause in writing why the Court should do so.

Accordingly,

**IT IS ORDERED** that the motion is **GRANTED**.

**IT IS FURTHER ORDERED** that the fifth public meeting to select the Monitor is **RESCHEDULED** to **Tuesday, May 28, 2013, at 12:00 p.m. noon**. The meeting will be held in the Bienville Club Lounge at the Mercedes-Benz Superdome, 1500 Poydras Street, New Orleans, Louisiana 70112.

**IT IS FURTHER ORDERED** that, in the event the Parties are unable to agree on a Monitor, the Parties shall so inform the Court no later than **Tuesday, May 28, 2013, at 11:59 p.m.** The Court will then select the Monitor pursuant to paragraph 478 of the Consent Decree entered as a judgment of this Court on January 11, 2013.<sup>5</sup>

**IT IS FURTHER ORDERED** that, in the event the Parties are unable to agree on a Monitor, no later than **Tuesday, May 28, 2013, at 11:59 p.m.**, each party shall file a

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<sup>5</sup> R. Docs. 159 and 160.

memorandum, not to exceed twenty pages excluding exhibits, setting forth its arguments in support of the party's respective choice. Each party shall also deliver a binder containing a hard copy of its memorandum and supporting exhibits to chambers of the undersigned no later than **Wednesday, May 29, 2013, at 9:00 a.m.** Each exhibit must be indexed, tabbed, and marked with its identifying CM/ECF document number stamp.

**IT IS FURTHER ORDERED** that the Parties shall post a copy of (1) this order and (2) the Court's forthcoming notice<sup>6</sup> on the doors of the Bienville Club Lounge at the Mercedes-Benz Superdome, 1500 Poydras Street, New Orleans, Louisiana 70112, no later than **Tuesday, May 14, 2013, at 9:00 a.m.**

**IT IS FURTHER ORDERED** that the Parties shall publish a copy of (1) this order and (2) the Court's forthcoming notice on their respective websites no later than **Tuesday, May 14, 2013, at 9:00 a.m.**

**New Orleans, Louisiana, this 13th day of May, 2013.**

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

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<sup>6</sup> The Court will issue a separate notice informing the public that the May 14, 2013 meeting has been rescheduled to Tuesday, May 28, 2013, at 12:00 p.m. noon.