

MINUTE ENTRY  
MORGAN, J.  
SEPTEMBER 21, 2012

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

CIVIL ACTION

VERSUS

NO. 12-1924

CITY OF NEW ORLEANS

SECTION "E"

JUDGE SUSIE MORGAN, PRESIDING

**FRIDAY, SEPTEMBER 21, 2012 AT 10:00 A.M.**

COURTROOM DEPUTY: Cesyle Nelson  
COURT REPORTER: Karen Ibos Anderson

APPEARANCES: Emily Anna Gunston, Christy E. Lopez, Corey M. Sanders, Steve Parker, Jude Volek, Roy L. Austin, Jr., and James Letten for the United States of America;

Richard F. Cortizas, Brian J. Capitelli, Erica N. Beck, Ralph Capitelli, and Sharonda R. Williams, and Churita H. Hansell for the City of New Orleans;

C. Theodore Alpaugh, III, and Claude A. Schlesinger for Crescent City Lodge No. 2, Fraternal Order of Police, Inc.;

William P. Quigley for the Community United for Change;

Eric J. Hessler for the Police Association of New Orleans;

John S. Williams for the Office of the Independent Police Monitor.

**FAIRNESS HEARING**

Opening remarks were made by James Letten.

Presentation made by the Office of the Independent Police Monitor :

Exhibit 1 offered and admitted into evidence.

Witnesses called and placed under oath:

Susan Hutson,  
Jasmine Groves.

Presentation made by the Fraternal Order of Police:

Exhibits 1 through 11 offered and admitted into evidence.

Witnesses called and placed under oath:

Sgt. Christopher Landry,  
Dr. Bart Leger.

Out of turn witness called by Community United for Change and placed under oath:

W. C. Johnson.

Court recessed at 12:00 p.m. and resumed at 1:30 p.m.

Presentation made by the Police Association of New Orleans:

Statement made by Eric Hessler, counsel for Police Association of New Orleans.

Presentation made by Community United for Change:

Exhibits 1 through 8 offered; exhibits 1, 2, 4, 5, 7 admitted into evidence; exhibits 3 and 6 admitted into evidence with redactions agreed to by counsel for the City of New Orleans and counsel for Community United for Change; exhibit 8 admitted as a proffer and ordered placed under seal.

Witnesses called and placed under oath:

Malcolm Suber,  
Randolph J. Scott,  
Cynthia Parker,  
Terry Simpson.

Presentation made by the United States of America:

Exhibits 1 through 7 offered and admitted into evidence.

Stipulation was entered to change the name of exhibit 6 from "Action Deadlines Following Effective Date" to "Tentative Action Deadlines Following Effective Date".

Exhibit 7 was stipulated to be an exhibit offered only by the United States of America .

Spanish Interpreter Elisa Portela Brobeck sworn by the clerk.

Witnesses called and placed under oath:  
Santos Alvarado, testified through interpreter,  
Delmy Palencia, testified through interpreter,  
Alfred Marshall,  
Tania Tetlow,  
Ira Thomas.

Presentation made by the City of New Orleans:

Exhibits A, B, and C offered and admitted into evidence.

Witnesses called by the City of New Orleans and placed under oath:  
Chief Ronald Serpas.

The Court left the matter open in the event additional testimony becomes necessary.

Court adjourned at 5:35 p.m.

JS-10:6:00