

**MINUTE ENTRY**  
**AFRICK, J.**  
**September 9, 2013**  
**JS-10 00:25**

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

**LASHAWN JONES ET AL.**

**CIVIL ACTION**

**VERSUS**

**No. 12-859**  
**c/w 12-138**  
**REF: 12-859**

**MARLIN GUSMAN ET AL.**

**SECTION I**

**ORDER**

A telephone status conference was held on this date with the following counsel participating on behalf of all parties:

Blake J. Arcuri  
Ralph Capitelli  
Laura Coon  
Freeman Rudolph Matthews  
Harry Rosenberg  
Katharine Murphy Schwartzmann  
Sharonda R. Williams

The Court acknowledged the letter it received from the City of New Orleans (“City”) relative to certain documents required to advance interim funding settlement discussions. Counsel for the Sheriff of Orleans Parish (“Sheriff”) stated that he would attempt to get the documents to the City by Friday, September 13, 2013.

Counsel for the Sheriff advised the Court of the appointment of Michael Tidwell as Jail Administrator.

The Court advised the parties that it intended to issue a ruling on the interim funding issue in approximately one month. Accordingly, any full or partial settlement of the interim funding issue

should be submitted to the Court on or before Monday, September 23, 2013. The severity of the problems underlying the Consent Judgment require that the Court and the parties work with even more haste than usual in resolving this issue.

The Court further advised the parties of its intent to appoint Ms. Susan W. McCampbell as lead monitor and to appoint a team of five submonitors.

The Court and the parties have received a preliminary draft budget proposal from Ms. McCampbell. The Court and Ms. McCampbell will work together to identify ways to reduce the budget where doing so will not compromise the effectiveness of the monitoring team. The parties were given two days to review Ms. McCampbell's preliminary draft budget proposal and raise any objections or suggestions. In the interest of transparency, the Court will make the budget, once finalized, available to the public.

Future funding for the lead monitor and her team (collectively, "Monitor") will presumably be addressed at the budget hearings for 2014, but the appointment (and, necessarily, payment) of the Monitor is one of the most important steps necessary to ensure that conditions at Orleans Parish Prison comply with the Constitution. The Court emphasized that it was not issuing any finding, but it was considering ordering the Sheriff and the City to split equally the cost of the Monitor for the remainder of 2013. Such an approach would recognize the City's funding obligation, while also taking into account the funds that the City has already provided to the Sheriff for this fiscal year. Any funds provided by the City for this purpose, as well as any funds expended on the monitoring effort, will be kept in a separate account subject to oversight and transparency requirements. Funds necessary to maintain the Monitor for the year 2014 will presumably be considered during the budgetary process, although the amount of such funds must be sufficient to permit compliance with

the Consent Judgment.

Accordingly,

**IT IS ORDERED** that on or before **Wednesday, September 11, 2013, at 12:00 p.m.** the parties shall file any objection to the proposed allocation of the funding obligation for the Monitor for the remainder of 2013 and shall file any objections or suggestions relative to the Monitor's preliminary draft budget proposal.

**IT IS FURTHER ORDERED** that on or before **Monday, September 23, 2013, at 5:00 p.m.** the parties shall inform the Court of any settlement, including a partial settlement, relative to funding Orleans Parish Prison through the end of the year.

New Orleans, Louisiana, September 9, 2013.

  
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**LANCE M. AFRICK**  
**UNITED STATES DISTRICT JUDGE**