

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF LOUISIANA**

ANNE WHITE HAT, RAMON MEJÍA, KAREN SAVAGE, SHARON LAVIGNE, HARRY JOSEPH, KATHERINE AASLESTAD, PETER AASLESTAD, THEDA LARSON WRIGHT, ALBERTA LARSON STEVENS, JUDITH LARSON HERNANDEZ, RISE ST. JAMES, 350 NEW ORLEANS, and LOUISIANA BUCKET BRIGADE

Plaintiffs,

v.

JEFF LANDRY, in his official capacity as Attorney General of Louisiana; BO DUHÉ, in his official capacity as District Attorney of the 16th Judicial District Attorney's Office; RONALD J. THERIOT, in his official capacity as Sheriff of St. Martin Parish,,

Defendants.

Civil Action No. 6:20-cv-00983

JUDGE ROBERT R. SUMMERHAYS

MAGISTRATE JUDGE
CAROL B. WHITEHURST

DECLARATION OF PAMELA C. SPEES

I, Pamela C. Spees, declare as follows:

1. I am counsel for Plaintiffs in the above-captioned proceeding, along with my co-counsel, William Quigley.

2. Mr. Quigley and I also represented Plaintiffs RISE St. James and Ms. Sharon Lavigne in the matter described in Defendants' Opposition to Plaintiffs' Motion for Leave to File Supplemental Complaint, in which Ms. Lavigne and RISE St. James sought a court order to allow them to conduct a prayer ceremony on June 19, 2020, at a cemetery believed to be the resting places of people enslaved on a plantation that once existed where the graves were found.

3. That matter was entitled *RISE St. James and Sharon Lavigne v. FG LA, LLC*, and was brought in 23rd Judicial District Court in St. James Parish, bearing Docket No. 39963-D.

Defendants included the Verified Petition for Temporary Restraining Order filed in that case and the Restraining Order issued by the court in their opposition brief through the Declaration and Request for Judicial Notice by Deputy Solicitor Attorney General Joseph Scott St. John. See dkts. 47-2 and 47-3.

4. After the state court issued the Temporary Restraining Order and subsequently denied the defendant's Motion to Dissolve the order, *see* dkt. 47-4, the defendant in that case sought an emergency writ from the Louisiana Fifth Circuit Court of Appeal on the evening of June 18, 2020, to prevent Ms. Lavigne and RISE St. James from holding the prayer service the following morning. The Fifth Circuit Court of Appeal denied the writ that evening. A true and correct copy of that order is annexed hereto as Exhibit A.

5. The event took place as planned on June 19, 2020, after which the parties agreed to dismiss the matter because it had become moot.

I declare under penalty of perjury that the foregoing declaration is true and correct.

Executed on August 17, 2020, in Lake Charles, Louisiana.

s/PAMELA C. SPEES

Pamela C. Spees

EXHIBIT A

RISE ST. JAMES AND SHARON LAVIGNE

NO. 20-C-192

VERSUS

FIFTH CIRCUIT

FG LA LLC

COURT OF APPEAL

STATE OF LOUISIANA

June 18, 2020

Mary E. Legnon
Chief Deputy Clerk

IN RE FG LA LLC

APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-THIRD JUDICIAL DISTRICT COURT, PARISH OF ST JAMES, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE EMILE R. ST. PIERRE, JUDGE PRO TEMPORE, DIVISION "D", NUMBER 39,963

Panel composed of Judges Susan M. Chehardy,
Jude G. Gravois, and Hans J. Liljeberg

WRIT DENIED; STAY DENIED

Relator, FG LA, LLC, seeks this Court's supervisory review of a trial court ruling that denied relator's Motion to Dissolve TRO and denied relator's request for a stay. Previously, on June 15, 2020, the trial court granted plaintiffs RISE St. James and Sharon Lavigne's Verified Petition for Temporary Restraining Order and Injunctive Relief, which sought access to a gravesite on FG's property in St. James Parish for the purpose of holding a one-hour prayer service and commemoration to occur at 11:00 o'clock a.m. on Friday, June 19, 2020. FG filed the Motion to Dissolve TRO on June 17, 2020, seeking to prevent plaintiffs' access to the gravesite.

On the showing made, we decline to exercise our supervisory jurisdiction. The writ application is hereby denied, as well as FG's request for a stay.

Gretna, Louisiana, this 18th day of June, 2020.

JGG
SMC
HJL