

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

1. **Name:** State full name (include any former names used).

Nannette Jolivet Brown; Nannette V. Jolivet

2. **Position:** State the position for which you have been nominated.

United States District Judge for the Eastern District of Louisiana

3. **Address:** List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

Law Department
City of New Orleans
1300 Perdido Street
Suite 5E03
New Orleans, Louisiana 70112

4. **Birthplace:** State year and place of birth.

1963; Lafayette, Louisiana

5. **Education:** List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

1992 – 1998, Tulane Law School; LL.M. in Energy and Environment, 1998
1985 – 1988, Tulane Law School; J.D., 1988
1981 – 1985, University of Southwestern Louisiana (now known as University of Louisiana at Lafayette); B.A., 1985

Other

2008, Harvard Law School, Program on Negotiation
2006, Loyola Law School Mediation Training
1991, Harvard Law School Summer Institute for Lawyers

6. **Employment Record:** List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation

from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

May 2010 – present

City of New Orleans / Mayor Mitchell J. Landrieu
1300 Perdido Street, Suite 5E03
New Orleans, Louisiana 70112
City Attorney

2004 – 2010

Chaffe McCall, L.L.P.
1100 Poydras Street, Suite 2300
New Orleans, Louisiana 70163
Special Partner (I worked on a contract basis from 2007 through 2009 while at Loyola)

2007 – 2009

Loyola University New Orleans College of Law
7214 St. Charles Avenue
Box 901
New Orleans, Louisiana 70118
Visiting Assistant Clinical Professor of Law

2003 – 2004

Hoffman, Siegel, Seydel, Bienvenu and Centola, L.L.P.
650 Poydras Street, Suite 2100
New Orleans, Louisiana 70130
Special Counsel

2000 – 2003

Milling Benson Woodward, LLP
909 Poydras Street, Suite 2300
New Orleans, Louisiana 70112
Special Counsel (2000 – 2002)
Equity Partner (2003)

1998 – 2000

Southern University Law Center
2 Roosevelt Steptoe Drive
Baton Rouge, Louisiana 70813
Assistant Professor of Law

1996 – 1998

Onebane Law Firm
1200 Camellia Boulevard, #300
Lafayette, Louisiana 70502
Associate

1994 – 1996
City of New Orleans – Department of Sanitation
City Hall
1300 Perdido Street
New Orleans, Louisiana 70112
Director

1994
Christovich and Kearney, LLP
601 Poydras Street
Suite 2300
New Orleans, Louisiana 70130
Associate; Special Counsel

1992 – 1994
Tulane Law School
6329 Freret Street
New Orleans, Louisiana 70118
Teaching Fellow

1988 – 1992
Adams & Reese, LLP
One Shell Square
701 Poydras Street, Suite 4500
New Orleans, Louisiana 70130
Associate

Fall 1987
Honorable Veronica DiCarlo Wicker (deceased)
United States District Court for the Eastern District of Louisiana
500 Poydras Street
New Orleans, Louisiana 70112
Legal Extern (unpaid)

Summer 1987
Camp Carmouche Law Firm (no longer in business)
650 Poydras Street
New Orleans, Louisiana 70130
Law Clerk

Summer 1986
Law Offices of Ammon Miller
700 Commerce Street, Suite 312
New Orleans, Louisiana 70130
Law Clerk

Summer 1986
Law Office of Dennis and Sadler (no longer in business)
Third Street
Lafayette, Louisiana
Law Clerk

Other Affiliations (Uncompensated)

2001 – present
Federal Bar Association, New Orleans Chapter
Attorney Conference Center
500 Poydras Street, Room 364
Hale Boggs Federal Building
New Orleans, Louisiana 70130
Board of Directors

2003 – 2007
Jack and Jill of America, New Orleans Chapter
P.O. Box 850365
New Orleans, Louisiana 70185
Executive Board Member

1994
HUME Child Development Agency (a United Way agency)
319 North Tonti Street
New Orleans, Louisiana 70119
Board of Directors

1990 – 1993
Association for Women Attorneys
P. O. Box 52076
New Orleans, Louisiana 70152
President (1991 – 1992)
Board Member (1990 – 1993)

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I have never served in the U.S. Military. I have not registered for selective service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Professional

Certificate for work with Department of Environmental Quality on surveillance operation, 2011
New Orleans Magazine, People to Watch, 2010
National Federal Bar Association's President's Award for New Orleans' Bar Association program on *Powell v. Alabama*, 2008 (Chair of *Powell v. Alabama* Committee, which developed program and moderated event)
Coached team of Loyola Law students to win ABA Regional Mediation Advocacy Competition, 2006
Award for Outstanding Publication of *Advocate*, National Federal Bar Association, 2004
Louisiana Bar Foundation Fellow, 2002
Tulane Law School Distinguished Minority Graduate Award, 2001 – 2002
Association for Women Attorneys Lifetime Membership Award, 1997
Louisiana Jaycee's Outstanding Young Women (Recognized for Accomplishments in Protecting and Preserving the Environment), 1995
Honoree, Mayor's Council on Women, 1995
New Orleans Magazine 50 People to Watch (Recognized for establishing New Orleans' First Curbside Recycling Program), 1995
Black Achiever in Business Award, Dryades YMCA, 1994

Academic

Tulane Law School, Environmental Law Fellowship, 1992
Tulane Law School's Dean's Honor Scholarship Award
Earl Warren Scholarship Award
University of Southwestern Louisiana, Vermilion Honor Society
University of Southwestern Louisiana, Blue Key Honor Society
Alpha Kappa Alpha Sorority Scholarship Award
Member USL Honors Program Curriculum
First Recipient of the Dr. James Oliver Scholarship Award
USL Most Outstanding Graduating Senior Award, 1985

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

American Bar Association

Litigation Section, Environmental (1988 – present)
American Inns of Court (Barrister) (Acadiana) (1996 – 1998)
Association for Women Attorneys
President (1991 – 1992)
Board Member (1990 – 1993)
Federal Bar Association, New Orleans Chapter (1988 – present)
Board of Directors (2001 – present)
Editor, *Advocate* (2003 – 2004)
Chair, Mediation Advocacy Seminar Committee (2009, 2010)

Fifth Circuit Court of Appeal Bar Association (2002)
 Institute for Energy Law of the Center for American and International Law
 Advisory Board Member (2002 – 2003)
 Louis A. Martinet Society (1988 – present)
 Louisiana Attorney Disciplinary Board (2004 – 2010)
 Hearing Committee Member (2004 – 2005)
 Chair, Hearing Committee (2006 – 2010)
 Louisiana State Bar Association (1988 – present)
 House of Delegates (2000 – 2004)
 Minority Involvement Section (1988 – present)
 Environmental Law Section (1995 – 2005)
 Alternative Dispute Resolution Committee (2007 – 2009)
 Quality of Life Committee Appointment (2007 – present)
 Maritime Law Association, Associate Member (2002)
 National Bar Association (2011 and periodically since 1988)
 New Orleans Bar Association (1988 – present)

10. Bar and Court Admission:

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

Louisiana, 1988

There has been no lapse in membership.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

Supreme Court of the United States, 2001

United States Court of Appeals for the Fifth Circuit, 2001

United States District Court for the Eastern District of Louisiana, 1988

United States District Court for the Western District of Louisiana, 1988

United States District Court for the Middle District of Louisiana, 1988

11. Memberships:

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Alpha Kappa Alpha Sorority (2004 – 2005)

Big Brothers Big Sisters of Greater Houston (2005 – 2006)

Fundraising Committee (Raised money and secured sponsors for Gala to help defray costs incurred by organization taking on little brothers and sisters from New Orleans after Hurricane Katrina)

Catholic Daughters of Lafayette (1996)

Coalition of One Hundred Black Women, New Orleans Chapter (2009 – present)
Chair, Legislative Breakfast Committee (2009 – 2010)

Committee of 21 (1994 – 1996)

HUME Child Development Agency (a United Way Agency)
Board of Directors (1994)

Institute of Politics (1995)

Jack and Jill of America, New Orleans Chapter (2003 – 2008)

Executive Board Member (2003 – 2007)

Chair, Foundation and Grants for Children's Leadership Programs (2007 – 2008)

Jewish Community Center, New Orleans (1999 – 2004)

Selection Review Panel for Environmental Law and Acquisition Responses
(2008)

Special Evaluation Committee of the Sewerage & Water Board (2000 – 2002)

Teen Court, Judge, Coach (2009)

United Way of Greater New Orleans, Women's Leadership Initiatives (2002 – 2005)

- b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion, or national origin. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

The membership of the following organizations is comprised of women: Alpha Kappa Alpha Sorority, Coalition of One Hundred Black Women, New Orleans Chapter, and the Catholic Daughters of Lafayette. Otherwise, to the best of my knowledge, none of the organizations listed above currently discriminates or formerly discriminated on the basis of race, sex, religion or national origin.

12. Published Writings and Public Statements:

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

FBA Sponsors Mediation Workshop at Federal Court, The Advocate (New Orleans Federal Bar Ass'n Journal) Vol. 19, No. 1, Fall 2009, at 12. Copy supplied.

Diversity Refined: Access to Justice: The Many Faces of Environmental Justice: Which one Speaks the Truth?, 56 La. B.J. 420, Apr./May 2009. Copy supplied.

Negotiate?: A Book Review and Commentary on the Books: Women who Don't Ask and Ask for It, by Linda Babcock and Sara Laschever, 56 La. B.J. 191, Oct./Nov. 2008. Copy supplied.

75th Anniversary of Powell v. Alabama Commemorated, La. B.J. June/July 2008, Vol. 56, No. 1. Copy supplied.

Department: Focus on Professionalism: Coping with Psychological Trauma, 55 La. B.J. 350, Feb./Mar. 2008. Copy supplied.

Preparing for the Next Disaster, La. Contractor, Vol. 55 No. 3, Mar. 1, 2006. Copy supplied.

Letter to the Editor: New Curbside Recycling Program is Succeeding, Times Picayune, Nov. 21, 1995.

Letter to the Editor: Recycling is Cost-Effective Option for U.S. Cities, Times Picayune, Feb. 21, 1995.

Additionally, from 2003 to 2004, I served as editor of the *Advocate*, a newsletter published by the New Orleans Chapter of the Federal Bar Association.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the

name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

Currently, I am a member of the Criminal Justice Working Group established by Mayor Landrieu to study issues related to criminal justice and specifically to make recommendations regarding the correct size of Orleans Parish Prison. After being advised by consultants and hosting public hearings, we have made only one recommendation, which was to recommend that the Sheriff be allowed to move forward with construction of a facility to accommodate 1,400 jail beds. We continue to study what would be advisable as the correct size of the finished project. A copy of the Working Group's resolution is supplied.

From 2000 to 2002, I served on the Special Evaluation Committee, which was established to evaluate bids to run New Orleans' sewer and water systems. The committee made its recommendations in a report to the Sewerage and Water Board. The report is supplied.

I participated in a committee chaired by now retired Judge Miriam Waltzer, established by the Louisiana Supreme Court to report on Women in the Courts, in 1991-1992. My participation was as President of the Association of Women Attorneys, and we facilitated and encouraged participation by women in the community. I have provided a copy of the report, although I did not author it nor was I named as a committee member.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

Regular New Orleans City Council Meeting, Saturday, December 11, 2010, City Council Chambers. A video of the meeting is found at http://cityofno.granicus.com/MediaPlayer.php?view_id=3&clip_id=735. My presentation begins roughly at 8:59.

Special Meeting of the New Orleans City Council, December 8, 2010, City Council Chambers. A video of the meeting is found at http://cityofno.granicus.com/MediaPlayer.php?view_id=3&clip_id=733. My presentation begins roughly at 1:08.

New Orleans City Council Criminal Justice Committee Meeting, December 8, 2010. A video of the meeting is found at http://cityofno.granicus.com/MediaPlayer.php?view_id=3&clip_id=734. My remarks begin roughly at 1:15:21.

New Orleans City Council Criminal Justice Committee Meeting, October 6, 2010. A video of the meeting can be found at

http://cityofno.granicus.com/MediaPlayer.php?view_id=3&clip_id=671. My remarks begin at roughly 56:27.

New Orleans City Council Criminal Justice Committee Meeting, June 9, 2010. A video of the meeting can be found at

http://cityofno.granicus.com/MediaPlayer.php?view_id=3&clip_id=363. My remarks begin roughly at 47:38.

2011 City of New Orleans, Law Department Budget Proposal, Open and Effective Government, presented to New Orleans City Council, November 11, 2010. Video supplied.

2011 City of New Orleans, Law Department Budget Proposal, Public Safety, Presented to New Orleans City Council, November 9, 2010. Video available on-line at http://cityofno.granicus.com/MediaPlayer.php?view_id=7&clip_id=715.

2011 City of New Orleans, Law Department Budget Proposal, Sustainable Communities, Presented to New Orleans City Council, November 1, 2010 Video supplied.

Presentation to Public Belt Railroad Commission, City Council chambers, New Orleans, Louisiana, October 12, 2010. Video supplied.

Presentation to New Orleans City Council, introduced myself and discussed function of the City's law department, May 20, 2010. A video of the meeting is available at

http://cityofno.granicus.com/MediaPlayer.php?view_id=3&clip_id=334. My presentation begins at roughly 1:23:00.

"Expert Testimony on Environmental Justice Issues in Louisiana," Joint Meeting of Louisiana House/Senate: Louisiana Committee on the Environment, March 1998. I have no notes, transcript or recording.

Numerous appearances before the New Orleans City Council, Louisiana Department of Environmental Quality and in public hearings throughout the state of Louisiana on environmental issues from 1992 to 1996. I have no notes, transcripts or recordings of these hearings, but press coverage of several appearances is supplied.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter.

If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

February 19, 2011: "Legislative Breakfast," National Coalition of 100 Black Women, Greater New Orleans Chapter. I am Chair of the Public Policy & Advocacy Committee, which put on the program, and so I described the Committee and introduced the panelists: City Council members and in the Mayor's absence, Deputy CAO, Ann Duplesses, Mayor's Commissioner of Health, Dr. Karen DeSalvo and Mayor's Advisor on Economic Development, Aimee Quirk. I have no notes, transcript, or recording. The address of the National Coalition of 100 Black Women is 1925 Adam C. Powell Jr. Boulevard, Suite 1L, New York, New York 10026.

June 24, 2010: "Drafting Alternative Dispute Resolution Laws," Tulane Law School's Annual International Legislative Drafters' Conference. Presentation slides supplied.

June 17, 2010: Moderator, "Mediation Advocacy Workshop," Chair and Moderator, sponsored by the New Orleans Chapter of the Federal Bar Association. I have no notes, transcript, or recording. The address of the FBA is 500 Poydras Street, Room 364, Hale Boggs Federal Building, New Orleans, Louisiana 70130.

December 10, 2009: "Mediation Strategies and Techniques When Settling Cases," CLE sponsored by the New Orleans Bar Association. Program materials supplied.

December 7, 2009: "Quality of Life and Work Balance," Speaker, seminar sponsored by the Quality of Life Committee of the Louisiana State Bar Association. Program materials supplied.

September 10, 2009: Chair and Moderator, "Mediation Workshop," sponsored by the New Orleans Chapter of the Federal Bar Association. I have no notes, transcript or recording, but I wrote an account of the workshop entitled, *FBA Sponsors Mediation Workshop at Federal Court*, and supplied a copy in response to Question 12(a).

June 25, 2009: "Drafting Alternative Dispute Resolution Laws," 2009 International Legislative Drafting Institute at Tulane Law School. Presentation slides supplied.

April 24, 2009: "Negotiating for Yourself," presented in CLE seminar sponsored by the Louisiana State Bar Association CLE directed to Women Attorneys, section entitled, Running with the Big Dogs without Running Away. I have no notes, transcript, or recording. The address of the Association is 601 St. Charles Avenue, New Orleans, Louisiana 70130.

February 27, 2009: "What Clients and Participating Attorneys Expect from Mediators" and "Ways to Maximize Your Mediator's Effectiveness," Sponsored by Region V of the National Bar Association in Shreveport Louisiana. I have no notes, transcript, or recording. The address of the NBA is 1225 11th Street, NW Washington, D.C. 20001.

September 19, 2008: "Collaborative Law, Interest-based Negotiation and Value-added Solutions as used in Mediation," Lafayette Bench Bar Conference. Presentation slides supplied.

June 19, 2008: "Drafting Alternative Dispute Resolution Laws," 2008 International Legislative Drafting Institute at Tulane Law School, 6329 Freret Street, New Orleans, Louisiana 70118. Presentation slides supplied.

March 13, 2008: Moderator, *Powell v. Alabama*, 75th Anniversary Symposium presented by the New Orleans Federal Bar association. I supplied a copy of the article I wrote for the symposium in response to Question 12(a). The article was entitled, *75th Anniversary of Powell v. Alabama Commemorated*.

November 19, 2007: "Closing the Deal: A Mediator's Perspective on Negotiating Agreement," presented at Tulane Law School, 6329 Freret Street New Orleans, Louisiana 70118. I used an earlier version of the presentations supplied for the June 19, 2008, June 25, 2009, and June 24, 2010 events.

March 31, 2006: Panelist, "Toxic Torts and Katrina," Hurricane Katrina: Environmental Impact and Lessons on Public Health and Justice Symposium, Thurgood Marshall School of Law, Texas Southern University. I have no notes, transcript, or recording. The address of the school is 3100 Cleburne Street, Houston, Texas 77004.

November 16, 2004: Louisiana Special Education Law, National Business Institute, "Special Education Law Update," "Successful ways to Handle Disciplinary Actions for Special Needs Students," and "Ethics." I have no notes, transcript or recording. The address of the National Business Institute is P.O. Box 3067, Eau Claire, Wisconsin 54702.

Fall 2003 and Fall 2004: "Using Evidence at Trial," presenter for skills course, Loyola Law School. I have no notes, transcript or recording. Patricia Phipps is the Director of the Law Skills program at Loyola University New Orleans and can be contacted at 7214 Saint Charles Avenue, Campus Box 905, New Orleans, Louisiana 70118.

April 30, 2004: School Law in Louisiana, National Business Institute, "First Amendment and Other Constitutional Issues," "Divulging School Records: What is Confidential, What is not?" and "Ethics." I have no notes, transcript, or

recording. The address of the National Business Institute is P.O. Box 3067, Eau Claire, Wisconsin 54702.

October 3, 2003: "Professionalism and the Boomerang Effect, A Day in Federal Court," Louisiana State Bar Association. I have no notes, transcript, or recording. The address of the Louisiana State Bar Association is 601 Saint Charles Avenue, New Orleans, Louisiana 70130.

April 11-13, 2003: "Tiptoeing Towards Trial; Pre-Trial and Discovery Issues," New Orleans Bar Association CLE, Biloxi, Mississippi. I have no notes, transcript, or recording. The address of the New Orleans Bar Association is The Poydras Center, 650 Poydras Street, Suite 1505, New Orleans, Louisiana 70130.

March 6, 2003: "The Fiduciary Responsibilities and Obligations Pursuant to State and Federal Environmental Regulations," New Orleans Bar Association CLE, Seaside, Florida. I have no notes, transcript, or recording. The address of the New Orleans Bar Association is The Poydras Center, 650 Poydras Street, Suite 1505, New Orleans, Louisiana 70130.

February 14, 2002: Recent Developments in Environmental Law, New Orleans Bar Association CLE, Seaside, Florida. I have no notes, transcript, or recording. The address of the New Orleans Bar Association is The Poydras Center, 650 Poydras Street, Suite 1505, New Orleans, Louisiana 70130.

October 20, 1999: "Environmental Racism: Does it really exist?" Loyola Law School, Louis Westerfield Society Speaker Series, New Orleans, Louisiana. I have no notes, transcript, or recording. The address of the society is Loyola University New Orleans, 7214 Saint Charles Avenue, New Orleans, Louisiana 70118.

October 2, 1998: "Basic Issues in Environmental Law," Continuing Legal Education Seminar, Southern University Law Center, Baton Rouge, Louisiana. I have no notes, transcript, or recording. The address of the Southern University Law Center is 2 Roosevelt Steptoe Drive, Baton Rouge, Louisiana 70813.

July 31, 1998: Panel on Environmental Justice, National Association of Black Journalist Conference, Washington, D.C. I have no notes, transcript, or recording. The address of the Association is 1100 Knight Hall, Suite 3100, College Park, Maryland 20742.

April 1, 1998: "Environmental Justice: Balancing the Scales," Air & Waste Management Association, Spring Technical Conference, Baton Rouge, Louisiana. I have no notes, transcript, or recording. The address of the association is One Gateway Center, 3rd Floor, 420 Fort Duquesne Boulevard, Pittsburgh, Pennsylvania 15222.

September 18, 1996: St. Peter Claver Chapter of All Congregations Together meeting. I have no notes, transcript, or recording, but press coverage is supplied.

April 20, 1996: League of Women Voters leadership seminar for high school and college students, Loyola University. I have no notes, transcript, or recording, but press coverage is supplied.

April 16, 1996: Discussion on trash pickup, Aurora Community Association meeting, St. Stephen Lutheran Church. I have no notes, transcript, or recording.

Spring 1995: "Current Urban Environmental Law Issues, Solving the Garbage Crisis," Tulane University Law School Environmental Conference, New Orleans, Louisiana. I have no notes, transcript, or recording. The address of Tulane University Law School is 6329 Freret Street, New Orleans, Louisiana 70130.

October 26, 1994: Panelist, "Update on Recycling," Women for a Better Louisiana meeting. I have no notes, transcript, or recording. The address of the organization is P.O. Box 8361, Metairie, Louisiana 70011.

September 12, 1994: Little Woods Community meeting, Eastshore Village Community Association, Curran Place Community Room. I have no notes, transcript, or recording.

July 6, 1994: Announcement of "Clean Team" proposal, Gallier Hall, New Orleans, Louisiana. I have no notes, transcript, or recording, but press coverage is supplied.

April 5, 1992: Speaker at Andrew Bell Junior High, importance of libraries and reading in my profession. I have no notes, transcript, or recording.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

Michelle Krupa, *As New Orleans Seeks to Rework Two Trash Deals, Landrieu Says: Other Parishes Get Job Done for Far Less*, Times-Picayune, Nov. 11, 2010. Copy supplied.

Frank Donze, *Former City Hall Employee Honored*, Times-Picayune, Nov. 6, 2010. Copy supplied.

Frank Donze, *Landrieu to Rebid Garbage Contracts*, Times-Picayune, Nov. 5, 2010. Copy supplied.

Interviews with all major television and radio stations regarding the City's Traffic Camera Program considering Civil District Court Judge's issuance of stay order and Fourth Circuit's lifting of stay, on or about October 5, 2010. I have been unable to obtain copies of these recordings, but press coverage reflecting some of my comments is supplied below.

Staff, Ruling on Traffic Cameras Awaited; Appeals Court Keeps Them Online Until Then, Times-Picayune, Oct. 5, 2010. Copy supplied.

New Orleans Catches Up to Speed, Katrina Connection (blog), Oct. 5, 2010. Copy supplied.

Curt Sprang, *Brief: Appeal Court Extends Cameras' Run*, WGNO-TV, Oct. 4, 2010. Copy supplied.

N.O. Traffic Cameras to Stay – For Now, WWLTV.com, Oct. 4, 2010. Video news story available at <http://www.wwltv.com/news/local/NO-traffic-cams-to-stay---for-now-104279894.html>.

Bruce Egglar, *Traffic Cameras Survive, So Far*, Times-Picayune, Oct. 2, 2010. Copy supplied.

Louisiana: New Orleans Traffic Cameras Under Legal Pressure, theNewspaper.com, Oct. 2, 2010. Copy supplied.

Traffic Camera Violations Still Valid, States News Service, Oct. 1, 2010. Copy supplied.

Statement from City Attorney on Traffic Camera Preliminary Injunction, States News Service, Oct. 1, 2010. Copy supplied.

Appeals Court: Traffic Cameras Again Ticketing in Orleans, WWL.com, Oct. 1, 2010. Copy supplied.

Page Turners – People to Watch in 2010, New Orleans Magazine, Sept. 2010. Copy supplied.

Interview with Lucy Bustamante, WWL television station regarding City's Volunteer Hearing Officer Training for Blight Hearings. August 2010. I have been unable to obtain a copy of this recording.

Mayor Landrieu Plans to Open Full Service Hospital in New Orleans East by Fall 2013, BestofNewOrleans.com Blog of New Orleans, July 16, 2010. Copy supplied (quoting July 15 press conference noted below).

Press Conference to announce renegotiation of City's purchase of Methodist Hospital from UHS from \$40 million to \$15.2 million, July 15, 2010, Mayor's Press Room. I have been unable to obtain a copy of a transcript or recording.

What Makes Lawyers Successful?, The Complete Lawyer, July/August 2008. I have been unable to obtain a copy of this article.

Road Home Becomes a Little Smoother with Help of Loyola's Mediation Clinic, Loyola at a Glance, May 30, 2008. Copy supplied.

Susan Finch, *Ag Street Landfill Case Gets Ruling*, Times-Picayune, Jan. 27, 2006. Copy supplied.

Gordon Russell, *Landfill's Reopening is Raising New Stink; Gentilly Site has Environmental Problems, Say Senators, Others*, Times-Picayune, Nov. 21, 2005. Copy supplied.

Jeanmarie Mayfield, *Algiers Family Makes World Their Oyster*, Times-Picayune, July 21, 2005. Copy supplied.

Deon Roberts, *Eastern New Orleans Residents Upset that their Superfund Site is Taken Off EPA Priorities List*, New Orleans CityBusiness, Nov. 8, 2004. Copy supplied.

Stephanie Grace, *Company Touts its Bid for Sewer, Water Contract; Cost is Higher, but it's Better Deal, Firm Says*, Times-Picayune, Feb. 28, 2002, at Metro p. 1. Copy supplied.

Joe Gyan, Jr., *"Environmental Racism" Global, Experts Believe*, The Advocate, July 31, 2001. Copy supplied.

WDSU, Channel 2, Baton Rouge, LA: *Fourth Amendment Issues Involved in Edwin Edwards Trial*, May 5, 2000. I have been unable to obtain a copy of this recording.

Coleman Warner, *Many Residents Prefer to Check Just One Box on Form*, Times-Picayune, Feb. 27, 2000. Copy supplied.

Vicki Ferstel, *Environmental Feud Involves Shintech*, The Advocate, Nov. 13, 1998. Copy supplied.

Vicki Ferstel, *EPA Official Confirms Pro-Shintech Pair's Ouster*, The Advocate, Nov. 10, 1998. Copy supplied.

Henry Payne, *Green Redlining: How Rules Against "Environmental Racism" Hurt Poor Minorities Most of All*, Reason, Oct. 1, 1998. Copy supplied.

Danielle Knight, *U.S.-Environment: Problems of "Environmental Racism"*, Inter Press Service, Sept. 17, 1998. Copy supplied.

Henry Payne, *Green Nonsense. Black Losses*, The Weekly Standard, Aug. 3, 1998. Copy supplied.

Lolis Eric Elie, *Standing Up for Shintech*, Times-Picayune, June 24, 1998. Copy supplied.

Lolis Eric Elie, *Taking Risks to Do Better*, Times-Picayune, June 22, 1998. Copy supplied.

Clark Political Report, taped March 8, 1998, New Orleans, Louisiana, Current Environmental Law Issues. I have been unable to obtain a copy of this recording.

Chris Gray, *Shintech Foes, Supporters Face Off*, Times-Picayune, Jan. 23, 1998. Copy supplied.

Sara Shipley, *Race, Jobs, Pollution in Bayou*, Christian Science Monitor, Jan. 12, 1998. Copy supplied.

Tracie Reddick, *Environmental Injustice?*, Tampa Tribune, Dec. 14, 1997. Copy supplied.

Chris Gray, *State Favors Shintech Plant, Opponents Say*, Times-Picayune, Dec. 9, 1997. Copy supplied.

Dennis Cauchon, *Racial, Economic Divide in La.*, USA Today, Sept. 9, 1997. Copy supplied.

John McMillan, *Hearing Called a Victory*, The Advocate, Sept. 3, 1997. Copy supplied.

Frank Esposito, *Shintech PVC Plant Steeped in La. Politics*, Plastics News, Aug. 18, 1997. Copy supplied.

Maria Giordano, *Groups Intervene to Back Shintech; Jobs are Needed, Attorney Says*, Times-Picayune, Aug. 9, 1997. Copy supplied.

Mark Schleifstein, *City Drops Fine on Trash Collectors; N.O. Settles for Litter Cans Instead*, Times-Picayune, Dec. 17, 1996. Copy supplied.

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Recycling Nearing Reality, Times-Picayune, July 14, 1995. Copy supplied.

Christopher Cooper, *N.O. Faces Crisis over Garbage Disposal*, Times-Picayune, July 9, 1995. Copy supplied.

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Jason Berry, *Solving the Garbage Crisis: Eastern New Orleans Residents and the Sanitation Department Grapple with Waste Management Problems*, New Orleans City Business, June 19, 1995. Copy supplied.

Matt Scalan, *Landfill in Jeff Might be Open Into 1999*, Times-Picayune, May 19, 1995. Copy supplied.

Regional Answer for Landfills, Times-Picayune, May 19, 1995. Copy supplied.

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Valerie Faciane, *Nationwide Cleanup to Begin Saturday*, Times-Picayune, Apr. 6, 1995. Copy supplied.

Mark Schleifstein, *N.O. Lacks Plan for Trash Crisis*, Times-Picayune, Mar. 13, 1995. Copy supplied.

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Clean Team Sets Sights on East Bank, Times-Picayune, Nov. 18, 1994. Copy supplied.

Paul Atkinson, *Algiers Litter Cleanup Recruiting Volunteers*, Times-Picayune, Nov. 11, 1994. Copy supplied.

Alfred Charles, *N.O. Heaps Praise on Compost Plan*, Times-Picayune, Sept. 27, 1994. Copy supplied.

Rhodesia Jackson, *Volunteers Clean Up in East N.O.*, Times-Picayune, Aug. 14, 1994. Copy supplied.

Dawn Ruth, *Unpaid Fees Stall Morial's Recycling Plans*, Times-Picayune, July 6, 1994. Copy supplied.

Dennis Persica, *Club's Trash Dumped in Lap of City*, Times-Picayune, June 29, 1994. Copy supplied.

Alfred Charles, *N.O. in Urgent Need of Landfill, Panel Says*, Times-Picayune, June 27, 1994. Copy supplied.

Karen Gravois, *New Machine Touted as Answer to Tire Troubles*, Times-Picayune, May 12, 1994. Copy supplied.

Bill Grady, *Patrol Down in Dumps about Poor First Year*, Times-Picayune, May 9, 1994. Copy supplied.

Courtroom Advocate Program Launched, Times-Picayune, May 6, 1991. Copy supplied.

13. **Judicial Office:** State (chronologically) any judicial offices you have held, including positions as an administrative law judge, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

I have never held judicial office.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment? _____

- i. Of these, approximately what percent were:

jury trials:	_____%
bench trials:	_____% [total 100%]

civil proceedings:	_____%
criminal proceedings:	_____% [total 100%]

- b. Provide citations for all opinions you have written, including concurrences and dissents.
- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).
- d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.
- e. Provide a list of all cases in which certiorari was requested or granted.
- f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.
- g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.

- h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.
 - i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.
14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have never been a judge.

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
- b. a brief description of the asserted conflict of interest or other ground for recusal;
- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

15. **Public Office, Political Activities and Affiliations:**

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

I was appointed to the position of City Attorney for the City of New Orleans in May 2010, by Mayor Mitchell Landrieu. I currently serve in that position.

I was appointed to the position of Director of the Department of Sanitation for the City of New Orleans in May 1994, by Mayor Marc H. Morial. I served in that position until the end of 1996.

I have had no other candidacies for elective office or nominations for appointed office.

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

I have never held membership in or rendered services to any political party or election committee that I can recall. I have allowed my name to be listed as a supporter for a number of state court judicial campaigns in Louisiana over the years. Although I cannot recall each instance in which I did so, I believe I was listed as a supporter in the following campaigns: Louisiana Supreme Court Judge Bernette Johnson, Fourth Circuit Court of Appeal Judges Rosemary Ledet (also when she was elected district court judge), Terri Love (also when she was elected district court judge), Patricia Murray, Madeline Landrieu (also when she was elected district court judge), Joan Bernard Armstrong, Charles Jones, Edwin Lombard and Dennis Bagneris; Civil District Court Judges Kern Reese, Tiffany Chase, Michael Bagneris, Piper Griffin, Herbert Cade, Ethel Simms Julian, Nadine Ramsey and Yada McGee; Criminal District Court Judges Arthur Hunter, Camille Buras and Laurie White.

From 1994 to 1996, I recall handing out pamphlets on the weekends prior to elections. I have searched the Secretary of State website to identify which elections I would have been involved with and to the best of my recollection, I believe I handed out pamphlets for the campaigns of Louisiana Supreme Court Justice Bernette Johnson, Fourth Circuit Court of Appeal Judge Patricia Murray and Civil District Court Judge, Orleans Parish, Terry Love. I also believe I was involved in the campaign for a referendum regarding renewal of a bond issue dedicated to infrastructure improvements of Orleans Parish Schools.

16. **Legal Career:** Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:

- i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I have not served as a clerk to a judge.

- ii. whether you practiced alone, and if so, the addresses and dates;

Except for the occasional pro bono advice or acceptance and then referrals to other lawyers made while I was teaching law, I have never practiced law alone. I may have filed one or two cases while I was teaching law just prior to referring to other counsel to preserve the rights of a party.

- iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

1988 – 1992
Adams & Reese, LLP
4500 One Shell Square
Suite 4500
701 Poydras Street
New Orleans, Louisiana 70136
Associate Attorney

1992 – 1994
Tulane Law School
Tulane Environmental Law Clinic
6329 Freret Street
New Orleans, Louisiana 70118
Environmental Law Teaching Fellow

1994
Christovich & Kearney, LLP
602 Poydras Street
Suite 2300
New Orleans, Louisiana 70130
Of Counsel

1996 – 1998
Onebane Law Firm
1200 Camelia Boulevard, #300
Lafayette, Louisiana 70502
Associate Attorney

1998 – 2000
Southern University Law Center
2 Roosevelt Steptoe Drive
Baton Rouge, Louisiana 70111
Assistant Professor of Law

2000 – 2003
Milling, Benson, Woodward, LLP
909 Poydras Street, #2300
New Orleans, Louisiana 70112
Special Counsel (2000 – 2002)
Equity Partner (2003)

2003 – 2004

Hoffman, Siegal, Seydel, Bienvenu and Centola, LLP
650 Poydras Street
Suite 2100
New Orleans, Louisiana 70130
Special Counsel

2003 – 2007; 2009 – 2010

Chaffe, McCall, LLP
1100 Poydras Street, Suite 2400
New Orleans, Louisiana 70163
Special Partner (and I consulted on a case by case basis while teaching in
Mediation Clinic at Loyola Law School)

2007 – 2009

Loyola College of Law, Law Clinic, Mediation Section
6363 Saint Charles Avenue
New Orleans, Louisiana 70118
Visiting Assistant Clinical Professor of Law

May 2010 – present

City of New Orleans
Mayor Mitchell J. Landrieu
1300 Perdido Street, Suite 5E03
New Orleans, Louisiana 70112
The City Attorney for the City of New Orleans

- iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I served as a mediator in the Louisiana Hurricane Mediation Program in 2006 and 2007. After Hurricane Katrina, the Louisiana Department of Insurance established a mediation program to help resolve disputes between insurers and Louisiana policy holders arising from damages to residential property caused by Hurricanes Katrina and Rita. The mediations were paid for by the insurance company and were free to policyholders. I estimate that I mediated more than 100 cases.

As a founding member of Loyola University of New Orleans College of Law Mediation Clinic, I mediated disputes between homeowners and contractors arising out of home repairs and renovations resulting from damages caused by Hurricanes Katrina and Rita and the levee breach. I served as a teaching aid for third year law students, and we mediated over 100 such cases that were referred to us by the Attorney General's Office of the State of Louisiana. Also as part of the Loyola clinic, I mediated

child custody matters referred to us by the Civil District Court for the Parish of Orleans. Child custody issues were exacerbated after Hurricanes Katrina and Rita because many parents ended up in different cities or states from each other and lived and worked under different circumstances. I mediated dozens of child custody cases in an effort to help families resolve such difficult issues in a manner that made the best interest and welfare of the child the first priority.

Working with Criminal District Court Judges for the Parish of Orleans, the New Orleans District Attorney's Office, the State Attorney General's Office, when appropriate, and the New Orleans Public Defender's Office, I also mediated restitution claims involving alleged contractor fraud. These mediations provided a more streamlined and expeditious process to these parties in an effort to relieve an overburdened and badly depleted criminal justice system post-Katrina and Rita.

1. Louisiana Hurricane Mediation Program/AAA Mediation: House that once sat on stilt pilings overlooking Lake Ponchartrain was completely destroyed after Hurricane Katrina; only the pilings remained. Home owners' insurance initially paid nothing claiming house destroyed by rising waters which topped 15 feet and because of the flood exclusion in the homeowner's policy. Homeowner needed to demonstrate wind damage was caused as a result of wind before flooding occurred in order to recover any money. Expert reports were submitted by both parties. Eventually wind versus flood damage issue was compromised and settlement reached.

2. Louisiana Hurricane Mediation Program/AAA Mediation: Multiple mediations were held between insurance companies represented by insurance adjusters and homeowners holding insurance policies. Those homeowners with attorneys, it appeared, were able to negotiate better settlements, but had to offset their settlements with attorney fees. Therefore, a new business arose: public adjusters assisting homeowners with preparation of their claims for a lower fee than attorneys. While whether public adjusters were practicing law without a license was being decided by the Louisiana Supreme Court, the role public adjusters could play in hurricane mediations became a big issue in settlement negotiations. At times they were kept out of the mediations, and at others they were only allowed to assist in presenting damages. Monitoring the role of the public adjuster and mediating their presence became significant issues in post-Katrina insurance mediations.

3. Louisiana Hurricane Mediation Program/AAA Mediation: Property owner made claim for damaged property inside her home due to roof damage during Hurricane Katrina. The property owner produced receipts for the original property, including "price tags" for expensive

oriental rugs that allegedly were damaged by water leaking into the home from the damaged roof. The insurance adjuster had photos from a previous claim by the homeowners suggesting that the rugs were not as unique and expensive as the tags and receipts offered by the homeowner showed. Further, it seems the expensive tags had been taken from rugs in a Magazine Street, New Orleans, rug shop. The tags were traceable and the rugs had never been purchased. A resolution was reached.

4. Louisiana Hurricane Mediation Program/AAA Mediation: Homeowners in a gated community in Eastern New Orleans lost everything in their home to Hurricane Katrina and/or flood damages following storm surge and/or levee breach, and had no flood insurance. Their homeowners' insurance company claimed 15 feet of water was cause for entire damage to two story home and personal property and therefore denied coverage. Parts of roof had been torn from the home, allowing negotiation of amounts owed for what could have been destroyed as a result of the wind damage to the roof before flooding occurred. A settlement of a little over a million dollars was reached.

5. Attorney General Alleged Contractor Fraud Mediation: Contractor from Texas came to New Orleans to rebuild homes for people without insurance, relying on money from the federally funded Road Home Program to rebuild their homes. Contractor low bid on many projects, causing him to run out of money before he could complete the home of this elderly St. Bernard Parish woman. The homeowner's five children were persistent in pursuing this contractor because they did not want their aging and now seriously ill mother to die before returning to their family home. The parties agreed to an independent third party contractor who would provide an estimate of the cost and time for completion. The family agreed not to ask that the contractor's license be revoked so that he could go to work for a relative who advanced him nearly \$100,000 to pay the third party contractor to complete the home.

6. Alleged Contractor Fraud Restitution Mediation: There were five alleged victims. The contractor was from out of state. I mediated a ceiling and a floor for restitution and other parameters that would satisfy the judge and the prosecutor and fell within a range to which the contractor and his lawyer could agree. I mediated a consolidated figure among the victims for which restitution would be made and mediated how it would be distributed among the victims. The contractor entered a half-way house and employment was secured so payment could be made to the victims. A compromise was reached.

7. Alleged contractor fraud: Parties agreed that homeowner's expectations of what the contractor could deliver for price paid was

unreasonable after consulting with three independent contractor “experts.” The matter was resolved without involvement of the court or prosecutors.

8. Alleged contractor fraud: Mediated a schedule of work and payment between the homeowner and the contractor. The job was completed pursuant to the schedule and the contractor was paid.

9. Alleged contractor fraud: Contractor was member of same church congregation as homeowner. He allegedly ran off with renovation money without completing job. In addition to mediating a schedule of repayment of the money owed, the homeowner wanted the contractor to apologize in front of the Congregation. Contractor agrees under the condition that the other church member would help him regain the trust of the Congregation so that he and his family could return to the Church as members.

10. Visitation Mediation: Family separated during evacuation prior to Hurricane Katrina. I mediated father’s contribution to purchase of mother’s home in New Orleans and to tuition at the schools he wanted the children to attend. Father dropped claim for sole custody and attempt to move children to another state. As part of the negotiated settlement the family agreed to enter into professional counseling.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.

From 1988 to 1992, the character of my law practice was that of a large corporate defense firm. I practiced in the areas of financial litigation, commercial litigation, toxic tort litigation, health care law and environmental law and litigation.

From 1992 to 1994, the character of my law practice changed to public interest law and teaching. I represented state, local and national environmental and energy conservation organizations, in opposing permits, policies and laws my clients believed were injurious to the human health and environment of the state.

In 1994, I briefly returned to a corporate defense practice before being appointed as the Director of Sanitation for the City of New Orleans.

From 1996 through May 2010, when I was not teaching, I practiced law with mid-to-large firms defending public bodies, railroads, corporations, businesses and individuals in real estate, environmental, personal injury, insurance, commercial and other business related matters.

In 2006, I began mediating significantly. From 2007 to 2009, when I was not teaching mediation and negotiation, I was primarily a mediator in the public interest area or for parties who could not otherwise afford to litigate or pursue resolution to their disputes.

On May 3, 2010, I was appointed by Mayor Mitchell J. Landrieu to the position of City Attorney for the City of New Orleans. My practice has changed in many respects and expanded in depth and character. As the City's Chief Legal Officer, I am directly involved in the negotiation of all major real estate transactions, cooperative endeavor agreements and other property and tax related and collection and enforcement matters affecting the City and which are largely considered transactional in nature. I am also directly involved in litigation in state and federal courts defending the City in claims ranging from civil rights and other constitutional violations in federal court, to property damage and personal injury as well as appeals from administrative decisions, in state court. I supervise the drafting of city ordinances and city-wide provisions and enforce zoning and other municipal regulatory law. I am directly involved in public records requests and other freedom of information matters.

As the City's chief prosecutor of municipal code and traffic violations, I am responsible for prosecuting 70% of all criminal charges filed in Orleans Parish as well as the staffing and supervision of municipal and traffic court prosecutors.

Finally, in situations when it is necessary to protect the City's interest, we serve as plaintiff's counsel on behalf of the City to pursue lost revenue, exercise duly negotiated contract clauses, and seek compensation for losses sustained by the City due to actions of others.

- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

From 1988 and through 1992, my typical clients were financial institutions in foreclosures and other financial litigation matters, oil and gas companies and various commercial businesses. I was also involved in commercial litigation defending a variety of corporations and businesses in complex litigation. Finally, I defended oil and chemical companies in environmental and toxic tort litigation and in permitting matters.

From 1992 to 1994 I represented public interest and environmental groups in environmental permitting matters, administrative rule making procedures and in public hearings on the siting and permitting of regulated facilities and in regulatory compliance matters.

During the remainder of my practice, until my most recent appointment, I have represented railroad companies in FELA litigation, public bodies in environmental litigation and a variety of companies and business in environmental and real estate matters, developers in land use and construction- related disputes and other corporations and businesses in a variety of business-related transactional and litigated matters ranging from contractual disputes to personal injury to employment-related matters.

Currently, I represent governmental entities and political subdivisions; specifically, the Mayor, City Council for the City of New Orleans, sixteen departments and twenty-three Boards and Commissions, in a wide variety of matters including drafting ordinances, collecting taxes, enforcing city codes and ordinances, negotiating real estate transactions, defending constitutional and civil rights matters, drafting, implementing and enforcing policies, election and voting rights approvals and related issues, defending the city in property and personal injury cases, workers' compensation matters and a variety of other claims and disputes. I am responsible for the prosecution of municipal and traffic matters.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

My practice over the years has required me to appear in court frequently.

- i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|-----|
| 1. federal courts: | 45% |
| 2. state courts of record: | 45% |
| 3. other courts: | |
| 4. administrative agencies: | 10% |

- ii. Indicate the percentage of your practice in:

- | | |
|--------------------------|-----|
| 1. civil proceedings: | 75% |
| 2. criminal proceedings: | 25% |

- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

I have tried to verdict approximately 12 cases as chief counsel, and tried to verdict, judgment or final decision approximately 40 as associate counsel.

- i. What percentage of these trials were:

- | | |
|--------------|-----|
| 1. jury: | 10% |
| 2. non-jury: | 90% |

- e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have not practiced before the Supreme Court of the United States.

17. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. *Texaco Exploration v. AmClyde Engineered*, USDC, Eastern District of Louisiana, No. 2:99-cv-03623, filed 12/2/99; trial court judgment issued April 5, 2002. During what was the heaviest offshore lift of its time, McDermott dropped Texaco's Petronius Offshore Module, estimated at a loss of \$500 million, into the Gulf of Mexico during the lift. Lloyd's Register of Shipping ("LR"), the oldest classification society in the world, had classed the vessel and had surveyed it prior to the lift. I was co-counsel at trial; prior to trial, I handled all aspects of the case on a day-to-day basis including drafting and editing all pleadings, memoranda and motions, arguing all motions before Magistrate Judge Alma Chasez and taking depositions, including those of experts. I also examined and cross-examined witnesses, and otherwise presented evidence at trial. I made closing arguments (opening statements were waived). We won a judgment in favor of LR and were also granted costs after a six-week trial on the merits. Before an appeal was lodged, we settled. The case was later retried against the remaining defendants. I was involved in the representation from August 1999 through trial and post-trial cost assessment. The case was heard in U.S. District Court Eastern District of Louisiana, Judge Ivan L.R. Lemelle.

My co-counsel were Kenneth Gordon, of Gordon Gordon and Schnapp, P.C., 437 Madison Avenue, 39th Floor, New York, New York 10022, (212) 355-3200; and Richard M. Leslie (retired), Shutts & Bowen, LLP, 100 South Ashley Drive, Suite 1500 Tampa, Florida 33602, (813) 229-8900. Counsel

for Texaco Exploration and Production Inc. and Marathon Oil Company was S. Gene Fendler, Liskow and Lewis, 701 Poydras Street, Suite 5000, New Orleans, Louisiana 70139, (504) 556-4122; Counsel for AmClyde Engineered Products, Inc. was A. Kirk Gasperecz, Adams and Reese, L.L.P., 701 Poydras Street, Suite 4500, New Orleans, Louisiana 70139, (504) 585-0408; Counsel for Williamsport Wireworks Inc. and Lowry Brothers was David F. Beinvenue, Simone, Peragine, Smith and Redfearn, L.L.P., 30th Floor - Entergy Centre, 1100 Poydras Street, New Orleans, Louisiana 70163, (504) 569-2030.

2. *Johnson v. Orleans Parish Sch. Bd.*, No 93-1433 c/w 94-5446, 94-12996 and 95-13271, Civil District Court for the Parish of Orleans, filed 8/31/93. I was lead counsel from 2002 to May 2010, representing Orleans Parish School Board in this class action filed in 1995 against the Board, the City of New Orleans and the Housing Authority of New Orleans ("HANO"). The plaintiffs alleged negligence in the closing of Agriculture Street Landfill, the development of a neighborhood and the construction of Motion School on the site of a former municipal solid waste landfill. Hundreds of millions of dollars were claimed to be due residents, students and former employees of the school (as the class had been certified prior to my involvement in the case). I was successful in minimizing the liability of the School Board to a \$12,000 judgment in favor of the school class representative to be shared by all three defendants, *in solido*, and only for damages due to emotional distress for her fear of contracting cancer. All three defendants and insurers of the Housing Authority appealed; the Fourth Circuit Court of Appeal found the emotional distress damages to be excessive and reduced it by fifty per cent. Judge Nadine Ramsey presided over the twenty-four day trial.

My co-counsel was Katherine Young, the associate on the file; she no longer lives in Louisiana. (I have been unable to determine her current contact information.) Counsel for plaintiffs was Joseph M. Bruno, Bruno & Bruno, 855 Baronne Street, New Orleans, Louisiana 70113, (504) 525-1353; Counsel for Insurers was Marshall J. Simien Jr., The Simien Law Firm, 1 Lakeshore Drive, #1110, Lake Charles, Louisiana 70629, (337) 497-0022.

3. *Rathborne v. Exxon Mobil Corp.* (2001-1201.Div. N); *Bailey v. Exxon Mobil Corp.* (2003-35, Div. B); *Brown v. Exxon Mobil Corp.*, No. 01-12081, Civil District Court for the Parish of Orleans, filed 7/25/01, prior to consolidation, resolved while pending in Civil District Court for the Parish of Orleans, and in various sections based on same successful exception. I represented the primary insurers of Intracoastal Tubular, Inc., an oil field pipe cleaning company, that worked for Exxon and other oil drilling companies in the 1970s. The case involved Technologically Enhanced Radioactive Material ("TERM") exposure and contamination to property and persons during pipe cleaning operation as part of the oil drilling process. Although various venue exceptions had been advanced prior to my entry into the litigation, I

successfully achieved dismissal on a venue exception based on Louisiana Direct Action statute and La. C.C.P. art. 42, providing leverage to settle the case before plaintiffs would have to refile in the proper venue, which they believed would not be as favorable to their case. I was involved in this litigation from 2005 to 2007.

Counsel for plaintiffs were Michael Stag and Catherine Cummins, Smith Stag Attorneys at Law, 365 Canal Street, Suite 2850, New Orleans, Louisiana 70130, (504) 593-9600; Counsel for Exxon Mobil Corporation was Glen M. Pilie, Adams and Reese, 701 Poydras Street, Suite 4500, New Orleans, Louisiana 70139, (504) 581-3234; Counsel for North River Insurance Company was David F. Bienvenue, Simone, Peragine, Smith and Redfearn, L.L.P., 30th Floor - Entergy Centre, 1100 Poydras Street, New Orleans, Louisiana 70163, (504) 569-2030; and Counsel for Grey Insurance Company was Etienne Balart, Jones Walker, Waechter, Poitevent Carrere and Denegre, L.L.P., 201 Saint Charles Avenue, New Orleans, Louisiana 70170, (504) 582-8000.

4. *In re Shintech: Saint James Citizens for Jobs v. La. State Env'l Quality Dep't*, Case # C442229, 19th Judicial District Court for the Parish of East Baton Rouge, filed 8/29/97; administrative matter before the Louisiana Department of Environmental Quality. I was lead attorney in the representation of area African-American businesses, local African-American elected officials and the Louisiana Chapter of the National Association for the Advancement of Colored People (NAACP), in support of permits applied for and ultimately granted to Shintech Corp. to build a \$700 million chemical manufacturing plant in Convent, Louisiana, St. James Parish, and in subsequent litigation by environmental organizations, as interveners, appealing the Louisiana Department of Environmental Quality's (LDEQ) decision to issue air permits and local land use permits to Shintech. The United States Environmental Protection Agency delayed issuance of the final and necessary water permit while it considered a complaint of alleged civil rights violations made by environmental organizations against the LDEQ regarding its processes for the issuance of the permits. My clients did not intervene in the EPA procedure. Due to the extensive delays, Shintech withdrew from the St. James project and built a smaller plant in Plaquemines Parish. I was involved in the representation from 1996 to 1998. The appeals from the permitting decisions of the LDEQ were heard by the Honorable Janice Clark, Judge, Nineteenth Judicial District Court, East Baton Rouge, Louisiana.

My co-counsel was James Diaz (retired), Onebane Law Firm, 1200 Camelia Boulevard #300, Lafayette, Louisiana 70508, (337) 237-2660 (Mr. Diaz can now be reached at: (337) 233-6200); Counsel for Shintech and its Affiliates was Robert E. Holden, Liskow & Lewis, 701 Poydras Street, Suite 5000, New Orleans, Louisiana 70139, (504) 581-7979; Counsel for Plaintiffs (Intervenors) were Robert Kuehn and Lisa Lavie Jordan, Tulane

Environmental Law Clinic, 6329 Freret Street, New Orleans, Louisiana 70118, (504) 865-5789; Counsel for Louisiana Department of Quality was Meredith Hoag Lieux, P.O. Box 822, Baton Rouge, Louisiana 70884.

5. *In Re Supplemental Fuels*, Docket # AHD-HX-93054, State of Louisiana Department of Environmental Quality, decision filed 1/24/94. Supplemental Fuels, Inc. ("SFI") sought permits from the Louisiana Department of Environmental Quality ("LDEQ"), and sued when those permits were denied. As a teaching fellow and staff attorney at the Tulane Environmental Law Clinic, I was co-counsel in the representation of Neighbors Assisting Neighbors (NAN), Louisiana Coalition for Tax Justice, and Louisiana Environmental Action Network, in its successful efforts to prevent SFI from receiving the permits to build a massive hazardous waste storage facility in the Carrville/St. Gabriel area, a predominantly African-American community that was already home to ten large chemical plants. As part of the strategy to stop the plant from being built, we filed the first administrative complaint under Title VI of the Civil Rights Act of 1964, as amended, with the United States Environmental Protection Agency, alleging that the Act prohibits discrimination on the basis of race, color or national origin in programs and activities receiving federal financial assistance, and that the LDEQ had demonstrated discrimination in the siting of facilities in African-American communities and in how it treated those communities regarding notice of hearings, production of public records requests and in other instances relating to its processes in awarding permits. I was involved in the representation from 1992 to January 1994, when the LDEQ denied the permits to SFI. Kai Midboe was the Secretary of the Louisiana Department of Environmental Quality and the ultimate agency decision maker.

My co-counsel was Robert Kuehn, now Professor of Law and Co-Director of the Interdisciplinary Environmental Clinic, Washington University Law School, One Brooking Drive, St. Louis, Missouri 63130, (314) 935-5706. Counsel for SFI was William Treeby, Stone Pigman Walther Wittman and Hutchinson, 546 Carondelet Street, New Orleans, Louisiana 70130, (504) 581-3200.

6. *Alday v. CSX Transp., Inc.*, No 03-08154 (N-8) Civil District Court of the Parish of Orleans, filed 5/23/03. I represented CSX Railroad against a FELA claim brought by a plaintiff who sought over \$3 million in damages from injuries sustained when a railcar fell upon her. The plaintiff was the conductor and thus had complete responsibility for the casualty and any alleged negligence that may have occurred. We obtained a directed verdict for our client before the Honorable Ethel Simms Julien, Judge.

My co-counsel was Brent Talbot, Chaffe, McCall, LLP, 2300 Energy Centre, 1100 Poydras Street, New Orleans, Louisiana 70163, (504) 585-7000.

Plaintiff's counsel was Benjamin B. Saunders, Davies-Saunders Law Firm, 400 Mariner's Plaza Drive, Suite 401, Mandeville, Louisiana 70448, (985) 612-3070.

7. *City of New Orleans v. Bellsouth Telecomms., Inc.*, 2:09-cv-00151, USDC, Eastern District of Louisiana. In May 2010, when I began my tenure as City Attorney for the City of New Orleans, this matter was already set for trial. The case involves the question whether the City waived its right to charge a franchise fee to Bellsouth, now AT&T, because the City failed to come to an agreement with Bellsouth as to an alternative method of calculating the fee pursuant to the terms of a prior settlement agreement. After being advised by our transition team that the previous administration budgeted only \$2 million in expected settlement, we changed the strategy of the case. I worked with the Mayor to set out the negotiation strategy and drafted a mediation plan. I fully participated in the mediation, orchestrating the Mayor's participation, identifying the interests of the parties and identifying the parties' best alternatives to a negotiated agreement. Although the case did not resolve in mediation, the process allowed us to change the previous strategy of the case to increase the City's chances for a larger judgment. I directed the strategy, made all decisions and participated in all negotiations associated with the trial of the case. On November 15, 2010, Judge Eldon Fallon ruled in the City's favor, increasing the City's recovery from the anticipated settlement of \$2 million to an estimated \$15 million in back payment and about a 3% per year yield on a telecommunications fee.

Counsel for AT&T Services, Inc. is Carmen Shindala Ditta, 365 Canal Street, Suite 3060, New Orleans, Louisiana 70130, (504) 528-2003.

8. *Gov't Computer Sales v. State of Louisiana*, No. C44589; Nineteenth Judicial Court, for the Parish of East Baton Rouge, filed 12/30/97. With me as lead trial attorney, we successfully represented the lowest responsive bidder, Logicom Systems, Inc., on a state computer hardware contract valued at more than \$3 million against challenges by another bidder.

My co-counsel were Gerald L. Walter, Jr., Taylor Porter Brooks Phillips, P.O. Box 2471, Baton Rouge, Louisiana 70821, (225) 387-3221; Division of Administration, Office of General Counsel, P.O. Box 94095, Baton Rouge, Louisiana 70804; George John Grazioso, Louisiana Office of State Purchasing, 1201 North Third Street, Suite 2-160, P.O. Box 94095, Baton Rouge, Louisiana 70804. Opposing Counsel was Charles Patin, Jr., Kean, Miller, Hawthorne, P.O. Box 3513, Baton Rouge, Louisiana 70821, (225) 387-0999.

9. *Collins v. State of Louisiana*, No. 237-931, Criminal District Court for the Parish of Orleans. I was appointed by Judge Calvin Johnson to represent an inmate who had been in Angola State Penitentiary for thirty-two years, since he was convicted of aggravated rape at age 17. Collins had been convicted

and sentenced by a jury to life in prison with benefit of parole. At the time his sentence was imposed, however, Louisiana law had been changed to prohibit parole when a life sentence had been imposed for aggravated rape. Collins thus had been issued an illegal sentence under the law. I argued that under the circumstances, the state should be ordered to arrange a parole hearing for Collins, retry him, or release him. Judge Johnson ruled that Mr. Collins must be released.

Opposing counsel was the Assistant District Attorney at the end of Harry Connick's term as District Attorney. I have been unable to determine counsel's name or contact information.

10. *Ford v. Murphy Oil Co.*, 703 So. 2d 542 (La. 1997). I was a member of a team of litigators defending Murphy Oil Company in a proposed class action toxic tort arising out of explosion at the Murphy Oil Refinery in Chalmette, Louisiana and other continuing nuisance claims filed by neighboring residents. I conducted research and drafted supporting memoranda and pleadings and attended hearings. The case became a landmark decision in Louisiana class action and environmental law.

My co-counsel were Samuel LeBlanc and Joel Borrello of Adams and Reese (both now retired). Plaintiff's counsel were Sidney Torres, III and Roberta Burns 8301 West Judge Perez Drive Suite 303, Chalmette, Louisiana 70043, (504) 271-8422.

18. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

1. Between June and July 2010, I represented the City of New Orleans, and with only a 30 day window before closing, renegotiated the purchase of Methodist Hospital in New Orleans, down from \$40 million dollars to \$15.25 million to save the tax payers millions of recovery dollars that now can be used on other projects.
2. Lead negotiator for the City of New Orleans, in the renegotiation of three garbage collections contracts entered into by the previous administration and extended during transition into our administration. We expect that the newly negotiated contracts will save the city several millions of dollars for the year 2011 and for the remainder of the contract term. Not only did we negotiate a lower garbage collection price (as of this date we have renegotiated all three collection contracts), the new lower price includes recycling – a service the City of New Orleans has not been able to provide to its citizens since before Hurricane Katrina, five years ago.

3. Member of a working group of Criminal Justice Leaders in the City of New Orleans examining the reduction of the size of the jail as new construction is required due to massive flooding damages sustained as a result of Hurricane Katrina.
 4. In conjunction with the City Council Criminal Justice Committee, Criminal Justice leaders, including me, offered amendments to the City Code that would make state misdemeanor charges municipal violations, thereby freeing the police, the District Attorney and the criminal courts to focus on more violent crimes. The amendments were adopted by the New Orleans City Council on December 16, 2010.
 5. Working with the United States Department of Justice to address systemic problems in the New Orleans Police Department.
 6. Lead Counsel, negotiator and strategist in civil rights actions filed against the City of New Orleans as a result of alleged actions taken by police officers in the days immediately following Hurricane Katrina.
 7. As Director of Sanitation for the City of New Orleans from 1994 to 1996, I managed the city's department responsible for collection, transportation and disposal of municipal solid waste, waste tire program, and started the City's first curb-side recycling program. I was responsible for enforcement of the City's Sanitation code and for putting closure plans in place for two solid waste disposal facilities owned or operated by the city. Additionally, I was responsible for the supervisions of eight departmental divisions consisting of 175 employees and an annual budget of \$23 million and contractual commitments of over \$100 million. I led negotiations with regulatory bodies, drafted bid specifications and agreements, testified before governmental bodies, drafted and negotiated contracts and was a consensus builder on key environmental issues in the city.
 8. From 2004 to 2010, I served on the Louisiana Attorney Disciplinary Board. During this time, I served on hearing committees and participated in writing recommendations of appropriate disciplinary action.
19. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.
- 1992 – 1994: Tulane Law School, Tulane Environmental Law Clinic, Teaching Fellow
This clinical course covered Environmental Law and Advocacy, Civil Procedure, Administrative Procedure, Evidence, Professional Responsibility, and Trial Skills.
I do not have a copy of the syllabus.
- 1998 – 2000: Southern University Law Center, Assistant Professor of Law. I do not have copies of the syllabi for these courses.

Environmental Law and Toxic Tort – This course covered federal Clean Water Act, Clean Air Act, Solid Waste Disposal Act or RCRA, CERCLA, NEPA and other federal laws regulating pesticides and other toxins; it also distinguished between environmental law and regulation and toxic tort cases employing principals of negligence and property law and environmental justice principals

Federal Civil Procedure was taught using the Rules of Federal Procedure and case law applying the FRCP

Sale and Lease of Property was taught using the Louisiana Civil Code and case law applying the Code

Professional Responsibility was taught using the Model Code of Professional Conduct as a guide and casebook with case study examples and word problems

Family Law was taught using the Louisiana Civil Code and casebook

Conflicts of Law was taught using casebook which provided guiding principles to apply when deciding the laws of the case

2007 – 2009: Loyola Law School, Stuart H. Smith Law Clinic and Center for Social Justice

Clinical Instruction was in the Mediation Section of the Law Clinic (Syllabus supplied)

Mediation & Arbitration was taught with a casebook and interactive problem-solving exercises (Syllabus supplied)

20. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

I do not expect to receive any deferred income or future benefits from any sources of my own income, other than retirement benefits.

21. **Outside Commitments During Court Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

I have no plans, commitments or other arrangements to pursue outside employment during my service with the court should I be chosen to serve.

22. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

See attached Financial Disclosure Form.

23. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, categories of litigation, and financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

If I am confirmed, I would submit to the clerk of court a list of parties, interests and financial arrangements that should trigger automatic recusal. Examples of such matters would be those involving my husband, who is an attorney, the company for which he works, and the City of New Orleans (my current employer) for a specified amount of time. In addition, in an effort to identify other potential conflicts of interest that are not apparent or known to me at the time of my submitting a list of automatic recusals, I would review the general facts of each assigned case and, guided by the principals embodied in Canon 3 of the Code of Conduct for United States Judges, 28 U.S.C. § 455, and other applicable provisions, I would make an initial determination as to whether a conflict of interest exists.

- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

I will follow the guidance embodied in Canon 3 of the Code of Conduct for United States Judges, 28 U.S.C. § 455, and other applicable provisions.

25. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

There have been many times over the course of my career where I have devoted my practice to serving those who would not otherwise have meaningful access to the legal processes. Further, I have offered my services for reduced fee rates to governmental entities and in other instances where parties were in some way disadvantaged and unable to pay the full rate for my services. Moreover, the types of mediation services I have provided in the past are aimed at providing a mechanism of conflict resolution to those who are least able to otherwise engage in a process that would allow their concerns to be

heard because of the cost of such litigation and the scarcity of lawyers who could spend such time on a resolution without compensation.

Finally, in the past I have readily offered pro bono advices to families with children with learning differences to help them identify the available resources and empower them with the knowledge of what services and accommodations are mandated in favor of their children.

26. Selection Process:

- a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

I received a call last summer inviting me to participate in an informal interview process established by Senator Mary Landrieu, conducted by a committee she assembled to do her initial vetting. The interview occurred on August 7, 2010. Several weeks after the interview, I received a call from Senator Landrieu's office informing me that I had been recommended to her by the committee and to set up a meeting with the Senator. On October 14, 2010, I met with Senator Landrieu to discuss my background, experiences and interest in the position. On November 2, 2010, I received a call from Senator Landrieu informing me that she had chosen to recommend me for consideration by President Barack Obama for appointment as Judge to the United States District Court for the Eastern District of Louisiana.

Since November 9, 2010, I have been in contact with pre-nomination officials at the U.S. Department of Justice. On December 16, 2010, I interviewed with attorneys from the White House Counsel's Office and the Department of Justice in Washington, DC. The President submitted my nomination to the Senate on March 2, 2011.

- b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

No.

AO 10
Rev. 1/2010

FINANCIAL DISCLOSURE REPORT NOMINATION FILING

Report Required by the Ethics
in Government Act of 1978
(5 U.S.C. app. §§ 101-111)

1. Person Reporting (last name, first, middle initial) Jolivette Brown, Nannette V.	2. Court or Organization U.S. District Court, Eastern District of Louisiana	3. Date of Report 03/10/2011
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. District Judge	5a. Report Type (check appropriate type) ☒ Nomination, Date 03/02/2011 ☐ Initial ☐ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/1/2010 to 3/10/2011
7. Chambers or Office Address Law Department City of New Orleans 1300 Perdido Street, Suite 5E03 New Orleans, Louisiana 70112	8. On the basis of the information contained in this Report and any modifications pertaining thereto, it is, in my opinion, in compliance with applicable laws and regulations. Reviewing Officer _____ Date _____	
IMPORTANT NOTES: The instructions accompanying this form must be followed. Complete all parts, checking the NONE box for each part where you have no reportable information. Sign on last page.		

I. POSITIONS. (Reporting individual only; see pp. 9-13 of filing instructions.)

☐ NONE (No reportable positions.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. Director	Federal Bar Association, New Orleans Chapter
2.	
3.	
4.	
5.	

II. AGREEMENTS. (Reporting individual only; see pp. 14-16 of filing instructions.)

☒ NONE (No reportable agreements.)

<u>DATE</u>	<u>PARTIES AND TERMS</u>
1.	
2.	
3.	

FINANCIAL DISCLOSURE REPORT
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Name of Person Reporting
Jolivet Brown, Nannette V.

Date of Report
03/10/2011

III. NON-INVESTMENT INCOME. *(Reporting individual and spouse; see pp. 17-24 of filing instructions.)*

A. Filer's Non-Investment Income

☐ NONE *(No reportable non-investment income.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>INCOME</u> <i>(yours, not spouse's)</i>
1. 2011 (YTD)	City of New Orleans-salary	\$28,984.50
2. 2010	City of New Orleans-salary	\$88,484.09
3. 2010	Chaffe, McCall LLP-salary	\$41,666.64
4. 2009	Chaffe, McCall, LLP-salary	\$46,866.64
5. 2009	Loyola University-salary	\$55,532.25

B. Spouse's Non-Investment Income - *If you were married during any portion of the reporting year, complete this section.
(Dollar amount not required except for honoraria.)*

☐ NONE *(No reportable non-investment income.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>
1. 2011	Entergy Services, Inc.-salary
2. 2010	Entergy Services, Inc.-salary
3.	
4.	

IV. REIMBURSEMENTS - *transportation, lodging, food, entertainment.*

(Includes those to spouse and dependent children; see pp. 25-27 of filing instructions.)

☐ NONE *(No reportable reimbursements.)*

<u>SOURCE</u>	<u>DATES</u>	<u>LOCATION</u>	<u>PURPOSE</u>	<u>ITEMS PAID OR PROVIDED</u>
1. Exempt				
2.				
3.				
4.				
5.				

FINANCIAL DISCLOSURE REPORT
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Name of Person Reporting
Jolivet Brown, Nannette V.

Date of Report
03/10/2011

V. GIFTS. *(Includes those to spouse and dependent children; see pp. 28-31 of filing instructions.)*

☐ NONE *(No reportable gifts.)*

	<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
1.	Exempt		
2.			
3.			
4.			
5.			

VI. LIABILITIES. *(Includes those of spouse and dependent children; see pp. 32-33 of filing instructions.)*

☐ NONE *(No reportable liabilities.)*

	<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE</u>
1.	U.S. Department of Education	Student Loan	K
2.			
3.			
4.			
5.			

FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

Joliette Brown, Nannette V.

Date of Report

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VII. INVESTMENTS and TRUSTS -- Income, value, transactions (Includes those of spouse and dependent children; see pp. 34-60 of filing instructions.)

☐ NONE (No reportable income, assets, or transactions.)

A. Description of Assets (including trust assets) Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1) Amount Code 1 (A-F)	(2) Type (e.g., div., rent, or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g., buy, sell, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-F)	(5) Identity of buyer/seller (if private transaction)
1. Entergy Common Stock		None	J	T	Exempt				
2. U.S. Savings Bonds		None	K	I					
3. Riverland Credit Union Checking and Money Market	A	Interest	L	T					
4. First Bank and Trust Checking Account	A	Interest	J	T					
5.									
6.									
7.									
8.									
9.									
10.									
11.									
12.									
13.									
14.									
15.									
16.									
17.									

1. Income Gain Codes: (See Columns B1 and D4)	A = \$1,000 or less F = \$50,001 - \$100,000 J = \$15,000 or less N = \$250,001 - \$500,000 P3 = \$25,000,001 - \$50,000,000	B = \$1,001 - \$2,500 G = \$100,001 - \$1,000,000 K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	C = \$2,501 - \$5,000 H1 = \$1,000,001 - \$5,000,000 L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000 P4 = More than \$50,000,000	D = \$5,001 - \$15,000 H2 = More than \$5,000,000 M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	E = \$15,001 - \$50,000
2. Value Codes (See Columns C1 and D3)	Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	S = Assessed W = Estimated	T = Cash Market	
3. Value Method Codes (See Column C2)					

FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS. *(Indicate part of Report.)*

FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

Jolivet Brown, Nannette V.

Date of Report

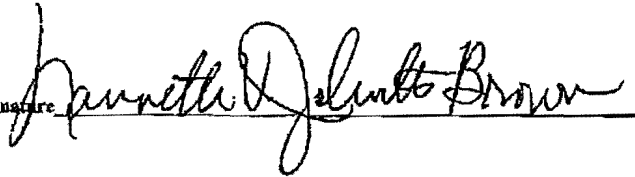
03/10/2011

IX. CERTIFICATION.

I certify that all information given above (including information pertaining to my spouse and minor or dependent children, if any) is accurate, true, and complete to the best of my knowledge and belief, and that any information not reported was withheld because it met applicable statutory provisions permitting non-disclosure.

I further certify that earned income from outside employment and honoraria and the acceptance of gifts which have been reported are in compliance with the provisions of 5 U.S.C. app. § 501 et. seq., 5 U.S.C. § 7353, and Judicial Conference regulations.

Signature



NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILFULLY FALSIFIES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C. app. § 104)

FILING INSTRUCTIONS

Mail signed original and 3 additional copies to:

Committee on Financial Disclosure
Administrative Office of the United States Courts
Suite 2-301
One Columbus Circle, N.E.
Washington, D.C. 20544

FINANCIAL STATEMENT

NET WORTH

Provide a complete, current financial net worth statement which itemizes in detail all assets (including bank accounts, real estate, securities, trusts, investments, and other financial holdings) all liabilities (including debts, mortgages, loans, and other financial obligations) of yourself, your spouse, and other immediate members of your household.

ASSETS				LIABILITIES			
Cash on hand and in banks		80	000	Notes payable to banks-secured (auto)		21	000
U.S. Government securities-Series EE bonds		42	000	Notes payable to banks-unsecured			
Listed securities				Notes payable to relatives			
Unlisted securities				Notes payable to others			
Accounts and notes receivable:				Accounts and bills due			
Due from relatives and friends				Unpaid income tax			
Due from others				Other unpaid income and interest			
Doubtful				Real estate mortgages payable - see schedule	1	025	000
Real estate owned-see schedule	1	200	000	Chattel mortgages and other liens payable			
Real estate mortgages receivable				Other debts-itemize:			
Autos and other personal property		335	000	- student loan		52	000
Cash value-life insurance							
Other assets itemize:							
- Entergy vested stock options		125	000				
				Total liabilities	1	098	000
				Net Worth		684	000
Total Assets	1	782	000	Total liabilities and net worth	1	782	000
CONTINGENT LIABILITIES				GENERAL INFORMATION			
As endorser, cosigner or guarantor				Are any assets pledged? (Add schedule)	No		
On leases or contracts				Are you defendant in any suits or legal actions?	No		
Legal Claims				Have you ever taken bankruptcy?	No		
Provision for Federal Income Tax							
Other special debt							

FINANCIAL STATEMENT

NET WORTH SCHEDULES

Real Estate Mortgages Payable

Personal residence	\$ 893,000
Home equity line of credit	<u>132,000</u>
Total Real Estate Mortgages Payable	\$ 1,025,000

AFFIDAVIT

I, Nannette Jolivette Brown, do swear
that the information provided in this statement is, to the best
of my knowledge, true and accurate.

2/28/2011
(DATE)

Nannette Jolivette Brown
(NAME)

Dawn E. Segura
(NOTARY)

Dawn E. Segura
LSP #25497
My commission is for life