

GRAVITY DRAINAGE DISTRICT
8 OF WARD 1

VS. 2009-003889

LARRY DOIRON, INC.,
BROUSSARD CONSTRUCTION
CO. OF ACADIANA, LLC, &
WESTERN SURETY COMPANY

14TH JUDICIAL DISTRICT COURT

PARISH OF CALCASIEU

STATE OF LOUISIANA

CONSOLIDATED WITH

BROUSSARD CONSTRUCTION
CO. OF ACADIANA, LLC.,
Individually and as a Subrogee of
Larry Doiron, Inc.

VS. NO. 2009-004425

GRAVITY DRAINAGE DISTRICT
8 OF WARD 1

FILED: 3-30-15

14TH JUDICIAL DISTRICT COURT

PARISH OF CALCASIEU

STATE OF LOUISIANA

Shelbi Lynn Hardy
DEPUTY CLERK OF COURT

24c

CLERK OF COURT
2015 MAR 30 PM 4:13
CALCASIEU PARISH, LA.

PI
overnot

JUDGMENT

On the 23rd day of March, 2015, a Petition for Injunctive Relief filed on behalf of the Gravity Drainage District 8 of Ward 1 and the Calcasieu Parish Police Jury came before the Honorable David Ritchie, 14th Judicial District Judge, Division E. Present in court were: Russell J. Stutes, Jr. on behalf of the Gravity Drainage District 8 of Ward 1; Samuel B. Gabb on behalf of the Calcasieu Parish Police Jury; and Billy Broussard.

Considering the law, evidence and arguments of counsel and Billy Broussard:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that a Permanent Injunction is hereby issued, effective March 23, 2015, restraining, enjoining, and prohibiting BILLY BROUSSARD and any of his entities or representatives from having any communication with or making any requests for information from any of the employees and/or board members of the Gravity Drainage District 8 of Ward 1 and/or any of the employees and/or police jurors of the Calcasieu Parish Police Jury with respect to the Indian Bayou/Little Indian Bayou debris removal project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the request for attorneys' fees by the Gravity Drainage District 8 of Ward 1 and the Calcasieu Parish Police Jury is denied.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all costs of these proceedings are taxed to BILLY BROUSSARD



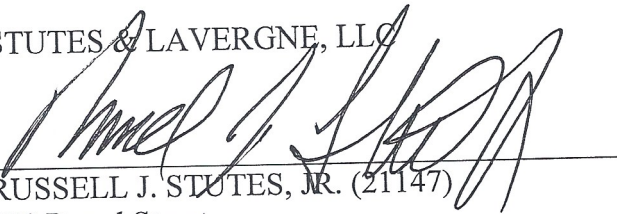
JUDGMENT RENDERED, READ AND SIGNED in Chambers on this 30th day of March, 2015, in Lake Charles, Louisiana.


HONORABLE DAVID RITCHIE

Respectfully submitted:

STUTES & LAVERGNE, LLC


By:


RUSSELL J. STUTES, JR. (21147)
600 Broad Street
Lake Charles, LA 70601
Telephone: (337) 433-0601
Facsimile: (337) 433-0601
Email: rusty@stuteslaw.com

Attorney for Gravity Drainage District 8 of Ward 1

PLAUCHE, SMITH & NIESET, LLC

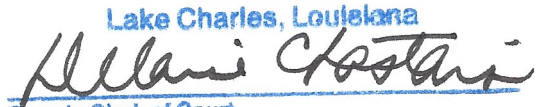
By:


SAMUEL B. GABB (#22378)
1123 Pithon Street
Lake Charles, LA 70601
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Facsimile: (337) 436-9637
Email: sgabb@psnlaw.com

Attorney for Calcasieu Parish Police Jury

Please Serve:

Billy Broussard
1307 South Main
Breux Bridge, LA 70517

A TRUE COPY
Lake Charles, Louisiana

Deputy Clerk of Court
Calcasieu Parish, Louisiana

APR 07 2015

GRAVITY DRAINAGE DISTRICT 8
WARD 1
VS. 2009-003889
DOIRON, LARRY INC



State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA

Exempt

TO: BILLY BROUSSARD
1307 SOUTH MAIN
BREAUX BRIDGE, LA 70517

Parish of Saint Martin, Louisiana, Witness in said suit:

YOU ARE HEREBY ORDERED TO SHOW CAUSE before this Honorable Court at the Courthouse in Lake Charles, Louisiana, at 9:00 A.M. on the 23rd day of March 2015, why:

THE RULE FOR CONTEMPT FILED ON BEHALF OF THE GRAVITY DRAINAGE DISTRICT 8 OF WARD 1 SHOULD NOT BE GRANTED

ALL IN ACCORDANCE WITH THE CERTIFIED COPY ATTACHED HERETO AND MADE A PART HEREOF

Witness the Honorable Judges of said Court, at Lake Charles, Louisiana, this 26TH day of FEBRUARY 2015.

Issued and delivered March 3, 2015

Darnell Richmond
Darnell Richmond
Deputy Clerk of Court

SERVICE INFORMATION

Received on the _____ day of _____ 20____, and on the _____ day of _____ 20____, served the above named party as follows:

PERSONAL SERVICE on the party herein named _____

DOMICILIARY SERVICE on the party herein named by leaving the same at his domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his residence at the time of said service.

RETURNED:

PARISH OF _____ this _____ day of _____ 20____

SERVICE \$ _____

BY: _____
Deputy Sheriff

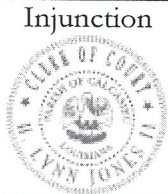
MILEAGE \$ _____

TOTAL \$ _____

Party No. P001



GRAVITY DRAINAGE DISTRICT 8
WARD 1
VS. 2009-003889
DOIRON, LARRY INC



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA

TO: BILLY BROUSSARD ***EXEMPT***
1307 SOUTH MAIN
BREAUX BRIDGE, LA 70517.

Parish of, Louisiana, in said suit:

By virtue of a/an PRELIMINARY INJUNCTION rendered in the above numbered and entitled suit, dated the 26TH day of FEBRUARY 2015, at 3:00 P.M. and in the name of and by the authority of the State of Louisiana and of said Court.

ALL IN ACCORDANCE WITH THE CERTIFIED COPY OF THE PRELIMINARY INJUNCTION ATTACHED HERETO AND MADE A PART HEREOF

You, or any other persons, entities, firms, corporation or partnerships acting or claiming to act in his/her behalf, are hereby commanded, enjoined and restrained, until further notice from this Court.

And fail not to obey this PRELIMINARY INJUNCTION under penalty of the law.

Witness the Honorable Judges of said Court, at Lake Charles, Louisiana, this 26TH day of FEBRUARY 2015.

Issued and delivered March 3, 2015


Darnell Richmond
Deputy Clerk of Court

SERVICE INFORMATION

Received on the _____ day of _____ 20____, and on the _____ day of _____ 20____, served the above named party as follows:

PERSONAL SERVICE on the party herein named _____

DOMICILIARY SERVICE on the party herein named by leaving the same at his domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his residence at the time of said service.

RETURNED:

PARISH OF _____ this _____ day of _____ 20____

SERVICE \$ _____

BY: _____
Deputy Sheriff

MILEAGE \$ _____

TOTAL \$ _____

Party No. P001



C M S 4 7 1 8 4 4 0
Filing Date: 03/03/2015 03:59 PM Page Count: 1
Case Number: 2009-003889
Document Name: Injunction

GRAVITY DRAINAGE DISTRICT : 14TH JUDICIAL DISTRICT COURT
8 OF WARD 1
VS. 2009-003889 : PARISH OF CALCASIEU
LARRY DOIRON, INC., : STATE OF LOUISIANA
BROUSSARD CONSTRUCTION
CO. OF ACADIANA, LLC, &
WESTERN SURETY COMPANY

CONSOLIDATED WITH

BROUSSARD CONSTRUCTION : 14TH JUDICIAL DISTRICT COURT
CO. OF ACADIANA, LLC.,
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Larry Doiron, Inc.
VS. NO. 2009-004425 : PARISH OF CALCASIEU
GRAVITY DRAINAGE DISTRICT : STATE OF LOUISIANA
8 OF WARD 1
FILED: FEB 26 2015 : *Allison Cryer*
DEPUTY CLERK OF COURT

OFFICE OF CLERK OF COURT
2015 FEB 26 PM 3:09

RULE FOR CONTEMPT AND PETITION FOR INJUNCTIVE RELIEF

NOW INTO COURT, through undersigned counsel, come GRAVITY DRAINAGE DISTRICT 8 OF WARD 1 (the "District") and the CALCASIEU PARISH POLICE JURY ("CPPJ"), who respectfully represent as follows:

1.

On December 30, 2010, this Honorable Court executed a Judgment in the above captioned matter, whereby the Motion for Summary Judgment filed by Broussard Construction Company of Acadiana, LLC (hereinafter, "Broussard") was denied; the Motions for Summary Judgment filed by the District and by Larry Doiron, Inc. were granted; all claims filed in this suit on behalf of Broussard were dismissed in their entirety; Broussard's lien bearing Clerk's file number 2914183 was cancelled; and the District was awarded Fifty-Nine Thousand, Nine Hundred Eighty-Eight and 00/100 Dollars (\$59,988.00) in attorney's fees.

2.

The Judgment was later affirmed by the Third Circuit Court of Appeal, and on February 22, 2013, the Louisiana Supreme Court denied Broussard's Application for Writ of Certiorari.

3.

Seven days later, on March 1, 2013, Billy Broussard, sole member of Broussard Construction Company of Acadiana, LLC, filed a Motion for New Trial, pro se, alleging that this Honorable Court's ruling was contrary to the law and that Broussard discovered new evidence which is detrimental to the case. Said motion was summarily denied.

4.

Then, less than one year later on February 18, 2014, Billy Broussard filed the following, pro se: (i) Motion to Recuse and a Change of Venue, which was summarily denied; (ii) Petition to Annul Judgment alleging fraudulent acts by the District and Calcasieu Parish; and (iii) Motion for Discovery and or Motion to Compel Discovery and Rule to Have Heard.

5.

In response, the District filed the following: (i) Motion to Disqualify Billy Broussard as Attorney for Broussard Construction Company of Acadiana, LLC; (ii) Peremptory Exception of *Res Judicata*; and (iii) Motion for Sanction against Billy Broussard, personally. All of these matters were heard on May 14, 2014. This Court denied all of Broussard's motions; granted the District's Peremptory Exception of *Res Judicata*; dismissed Broussard's Petition to Annul Judgment with prejudice; and granted the District's Motion for Sanction against Billy Broussard, awarding the District attorney fees in the amount of Seven Thousand Four Hundred Six and 25/100 Dollars (\$7,406.25) and litigation expenses in the amount of Four Hundred Fifty-Six and 75/100 Dollars (\$456.75). These Judgments all became final and non-appealable in July of 2014.

6.

Approximately eight (8) months after Billy Broussard was personally sanctioned and his frivolous claims against the District were denied for the third time by this Court, Billy Broussard began harassing employees of the District and the CPPJ regarding the Indian Bayou/Little Indian Bayou debris removal project (hereinafter, the "Project"), which was the subject of this litigation.

7.

Billy Broussard contacted Lesley Impastato, an employee of the District, via telephone and requested to be put on the agenda for the District's February 9, 2015, board meeting to discuss the Project. He contacted Sam Gabb, the CPPJ's attorney, via email and requested a meeting with him to discuss the Project and "work this out." He contacted Lynette Monteith, Assistant Purchasing Agent for the CPPJ, via email and requested to view all documents pertaining to the Project. He contacted Theresa Champeaux, Assistant Director of Public Works for the CPPJ, and requested information regarding the rain gauge and electronic monitor that was on the Project. He has also contacted the Calcasieu Parish District Attorney's office and requested a meeting to discuss the criminal actions of certain individuals who instructed him to remove ineligible debris from the bayou knowing that said debris was not within the scope of the Project. See attached Exhibit "A" *en globo*.

8.

On February 16, 2015, the undersigned counsel for the District sent Billy Broussard a letter, of which the District has confirmation of receipt, regarding the harassment of government employees described in paragraph 7 above. Said letter reminded Billy Broussard of this Court's ruling on May 14, 2014, whereby his Motion for Discovery with respect to the Project was denied and his attempts to revive this case failed. He was also advised that the next time he harassed the employees of the District and/or the CPPJ regarding the Project, further actions would be taken.

9.

Despite the warning described in paragraph 8 above, the fact that Broussard still owes the District over \$65,000.00 for attorney's fees and litigation expenses, and that this matter should have concluded almost two years ago, Billy Broussard continues to subvert this Court's Judgments by harassing government employees for information and documents regarding the Project – the **same and identical** information and documents he received throughout the normal course of litigation.

10.

As a result, the District and the CPPJ request that this Court hold Billy Broussard in contempt for deliberately subverting the Judgments rendered by this Court. The District and the CPPJ further request preliminary and permanent injunctive relief enjoining and barring Billy Broussard, and any person acting on his behalf, from any form of communication, written or verbal, with any employee or representative of the District and the CPPJ pertaining to the Project in accordance with La. Code Civ. P. arts 3601 and 3603.

WHEREFORE, the foregoing considered, GRAVITY DRAINAGE DISTRICT 8 OF WARD 1 and the CALCASIEU PARISH POLICE JURY pray that:

- I. After due proceedings had, this Honorable Court hold BILLY BROUSSARD in contempt for deliberately subverting the Judgments rendered by this Court;
- II. BILLY BROUSSARD be issued and ordered to comply with the enclosed Preliminary Injunction, all pursuant to La. Code Civ. P. arts. 3601 and 3603;
- III. In due course, BILLY BROUSSARD be issued and ordered to comply with a permanent injunction;
- IV. BILLY BROUSSARD be ordered to pay all costs of these proceedings; and

V. GRAVITY DRAINAGE DISTRICT 8 OF WARD 1 and CALCASIEU PARISH POLICE JURY be granted such additional relief as the law, evidence and equity warrants, and this Court is competent to grant.

Respectfully submitted:

STUTES & LAVERGNE, LLC

By: 

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Lake Charles, LA 70601

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Attorney for Gravity Drainage District 8 of Ward 1

PLAUCHE, SMITH & NIESET, LLC

By: 

SAMUEL B. GABB (#22378)

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Attorney for Calcasieu Parish Police Jury

Please Serve:

Billy Broussard
1307 South Main
Breux Bridge, LA 70517