

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

DANIEL GUMNS, MICHAEL
VIDEAU, TREVON WILEY,
IAN CAZENAVE, REGINALD
GEORGE, LIONEL TOLBERT,
OTTO BARRERA, KENTRELL
PARKER, MICHAEL ROBINSON,
JULIUS ALLEN, ERNEST ROGERS,
ALFOANSO GARNER, BRADLEY
WINTERS, KENDRICK WILSON, and
JAMES HUGHES, on behalf of themselves
and all similarly situated individuals,
Plaintiffs,

VERSUS

CIVIL ACTION NO. 3:20-cv-00231-
SDD-RLB

JOHN BEL EDWARDS, in his official
capacity as Governor of the State of
Louisiana; LOUISIANA DEPARTMENT
OF PUBLIC SAFETY & CORRECTIONS;
JAMES LEBLANC, in his official capacity
as Secretary of the Department of Safety and
Corrections; JOHN MORRISON, in his
official capacity as Medical Director of the
Department of Safety and Corrections;
LOUISIANA DEPARTMENT OF HEALTH;
and STEPHEN R. RUSSO, in his official
capacity as Interim Secretary of the
Louisiana Department of Health,
Defendants,

CLASS ACTION

MEMORANDUM IN OPPOSITION TO
PLAINTIFFS’ MOTION FOR TEMPORARY RESTRAINING ORDER

NOW INTO COURT, through undersigned counsel, come Defendants, Louisiana Department of Health (“LDH”) and Stephen R. Russo in his official capacity as Interim secretary of DHH (“Russo”) (collectively, Defendants), which oppose the plaintiffs’ emergency motion to restrain defendants from transferring COVID-19 carriers to Louisiana State Penitentiary. In

support of this motion Defendants adopt and incorporate herein the opposition filed by the Louisiana Department of Public Safety & Corrections, James LeBlanc and John Morrison. (R. Doc 24)

For all of these reasons, Defendants respectfully request that the Court deny the relief sought by the plaintiffs in the instant motion.

Respectfully Submitted:

MCGLINCHEY STAFFORD, PLLC

/s/M. Brent Hicks

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JUSTON M. O'BRIEN, #26447

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Attorneys for Louisiana Department of Health and Hospitals and Stephen R. Russo, Interim Secretary for Louisiana Department of Health and Hospitals

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing was filed electronically with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent to all counsel by operation of the court's electronic filing system.

Baton Rouge, Louisiana, this 28th day of April, 2020.

/s/M. Brent Hicks

M. Brent Hicks