

JOSEPH ALLEN, STEVEN AYRES : NUMBER 655,079 SECTION 27  
ASHLEY HURLBURT, RORY KEVIN  
GATES, JAMES HOWARD, DEMARCUS  
MORROW, RODNEY WALLER, KEITH  
ARCEMENT, FREDERICK BELL,  
GNEARO CRUZ GOMEZ, SAM YBARRA,  
MICHAEL CARTER, AND JAMES PARK *on*  
*Behalf of themselves and all others similarly* : 19TH JUDICIAL DISTRICT COURT  
*Situated*

Versus

JOHN BEL EDWARDS, in his official capacity  
As GOVERNOR OF LOUISIANA, ZITA  
JACKSON ANDRUS, CHRIS L. BOWMAN,  
FLOZELL DANIELS, JR., THOMAS D. : PARISH OF EAST BATON ROUGE  
DAVENPORT, JR., PATRICK J. FANNING, W.  
ROSS FOOTE, KATHERINE E. GILMER,  
MICHAEL C. GINART, JR., FRANK  
HOLTHAUS, DONALD W. NORTH AND  
MOSES JUNIOR WILLIAMS *in their official*  
*Capacities as members of the Louisiana Public*  
*Defender Board; AND JAMES T. DIXON, JR.*  
*In his capacity as THE LOUISIANA STATE*  
PUBLIC DEFENDER : STATE OF LOUISIANA

### RULING ON PLAINTIFF'S PETITION FOR CLASS CERTIFICATION

This matter came before the court for hearing on June 12, 2018. After the hearing, the matter was taken under advisement.

The plaintiff filed a Verified Petition for Class Certification and Declaratory and Injunctive Relief against the defendants seeking class certification for all persons who are indigent and now facing criminal charges in Louisiana of a non-capital criminal offense; excluding those who are *pro se* or represented by private counsel and juveniles whose cases are assigned only to the juvenile courts. Plaintiffs argue that this lawsuit is exactly what is contemplated in La. C.C. P. article 591(B)(2) and/or La. C.C.P. article 591(B)(1)(a) because the claims of plaintiffs do not seek monetary damages of individualized relief but rather class declaratory and injunctive relief to remedy the policies and procedures of the defendants.

The defendants have opposed the request for class certification by plaintiffs arguing that after analyzing this procedural request, the court should deny the request as inappropriate as a matter of law.

The question presented to the Court is purely procedural and whether the procedural device of class certification is appropriate in light of the evidence presented at the hearing of this cause. The Court finds it is necessary to name and appoint a representative and/or representatives of the class of persons asserted in plaintiff's petition. The persons contained within this class

all have similar and/or common interests against each of the named defendants and the number of plaintiffs is too numerous that it would be impracticable to require each one to individually appear before this Court in pursuit of their claims.

Accordingly, the Court, after considering the evidence presented at the hearing of this cause and the law applicable to the relief sought by plaintiffs, **grants** the plaintiff's request for class certification and orders that the law firm of Jones Walker, LLP and the Southern Poverty Law Center be appointed as Co-Lead Counsel for the class.

Judgment shall be submitted to the court consistent with this ruling for signature pursuant to Uniform District Court Rule 9.5.


Signed in Chambers on this 17<sup>th</sup> day of August, 2018.



TODD W. HERNANDEZ, JUDGE  
19th Judicial District Court  
Parish of East Baton Rouge  
State of Louisiana

I hereby certify that on this day a copy of the written reasons for Judgment was mailed by me, with sufficient postage affixed to.

Done and signed on

August 20, 2018  
  
Deputy Clerk of Court

FILED

AUG 17 2018

  
DEPUTY CLERK OF COURT