

Defended the State of Louisiana and its agencies against constitutional and statutory challenges in education matters.

September 11, 2017

Obtained defense verdict in a class action brought against the State of Louisiana, Department of Education by approximately 7,600 former teachers and other permanent employees of the Orleans Parish School Board following a six-week trial and appeals to the Louisiana Supreme Court. Following Hurricane Katrina, the Orleans Parish School Board terminated all employees due to the emergency closure of schools and subsequent lack of revenues. The State took over the Orleans' former schools and slowly began opening them as they were repaired and students returned. The plaintiffs claimed the State violated their due process rights by taking over schools and failing to give priority consideration for new positions. The trial court found in favor of the plaintiffs entering a judgment estimated to exceed two billion dollars. The Louisiana Supreme Court reversed and rendered judgment in favor of the State of Louisiana, dismissing the suit and the United States Supreme Court denied certiorari. *Oliver v. Orleans Parish School Bd., et al*, 2012-1520 (La. App. 4 Cir. 1/15/14), 133 So.3d 38, *reversed*, 2014-0329 (La. 10/31/14), 156 So.3d 596, *cert denied*, 135 S.Ct. 2315 (5/18/15).

Dismissed on summary judgment a suit brought by multiple school districts against the State of Louisiana, Department of Education alleging that Minimum Foundation Program (MFP), which is the formula used by the State to fund billions of dollars for public education was unconstitutional. The trial court granted summary judgment in favor of the State on all issues finding the MFP constitutional, this decision was affirmed by the Appellate Court. *Jones v. State Bd. Of Elementary and Secondary Educ.*, 927 So.2d 426, 2005-0668 (La. App. 1 Cir 11/4/05).

Dismissed suits by parents, teachers, and a teachers' union challenging the authority of the Department of Education to take over failing schools. In both cases, the trial courts granted a motion to dismiss in favor of the State on all issues, and the decisions were affirmed by the Appellate Court. *United Teachers of New Orleans v. State Bd. Of Elementary and Secondary Educ.*, 2007-0031 (La. App. 1 Cir

3/26/08), 985 So.2d 184 and *Triplett v. State Bd. Of Elementary and Secondary Educ.*, 2009-0691 (La. App. 1 Cir. 7/13/09), 21 So.3d 401.