

CIVIL DOCKET
UNITED STATES DISTRICT COURT

THREE JUDGE COURT: JUDGE AINSWORTH, JUDGE HENGE, AND JUDGE CASSIDY
Jury demand date:

67-243

D. C. Form No. 104A Rev.

TITLE OF CASE

ATTORNEYS

RICHARD E. SOBOL, GARY DUNCAN,
ISAAC REYNOLDS, for themselves and
all other persons similarly situated

VERSUS

LEANDER H. PEREZ, SR., Chairman of
the Plaquemines Parish Council;
LEANDER H. PEREZ, JR., District Attorney
for the Twenty-Fifth Judicial District
of Louisiana; Hon. Eugene E. Leon,
Judge of the Twenty-Fifth Judicial District
Court of Louisiana

Robert A. Carter
Barbara A. Morris
20 West 40th St.
New York, N.Y. 10018
FOR: Amicus Nat'l. Association
for the Advancement of Colored
People

Jack Greenberg
Melvyn Zarr
10 Columbus Circle
New York, N. Y. 10019
For: Amicus NAACP Legal
Defense & Educational Fund, Inc.

STICE
20530
of La.
Bldg., 333 St.

FOR DEFENDANT:

✓ John P. Dowling, 2538 Tulane
✓ William F. Wessel, 1605 NBC Bldg.
- Thomas C. Wicker, Jr., 307-118/68
- 304-Cotton-Exchange-Bldg.-

All in proper person and as
attys. for the Criminal Courts
Bar Association, intervenors for
the Deft. sq.

St. Alvin R. Christovien, Esq.
Cicero C. Sessions, Esq.

STATISTICAL RECORD

COSTS

DATE

NAME OR
RECEIPT NO.

REC.

DISB.

J.S. 5 mailed

Clerk

2-23-68 Lawyers C.D.C.
2-24-68 C.D.# 56

15 00

15 00

J.S. 6 mailed

Marshal

Basis of Action:

Docket fee

FOR A PRELIMINARY INJUNCTION,
ETC.

Witness fees

Action arose at:

Depositions

DATE	PROCEEDINGS	Date Order Judgment No
2/22/67	Flg. complaint. Issg. 3 summons.	1
2/23/67	Flg. certificate of three-judge Court by Pltf.	2
2/23/67	Flg. motion of Pltf. for a preliminary injunction.	3
2/24/67	Flg. Motion for a Temporary Restraining Order by Pltfs.	4
2/27/67	Flg. motion of Pltfs. and ORDER that Alvin J. Bronstein and Anthony G. Amsterdam be permitted to appear as associate counsel for Pltf. Ent. 3/8/67. Issg. notice.	5
2/27/67	Flg. amended complaint by Pltf.	6
3/8/67	Flg. M.R. on summons. (serv. Eugene E. Leon in person on 2/23/67).	7
3/9/67	Flg. M.R. on summons. (serv. Leander H. Perez, Jr., and Leander H. Perez, Sr. in person on 2/27/67).	8
3/23/67	Flg. motion of Leander H. Perez, Sr. for summary judgment; notice of hearing on 3/29/67. Affidavit and Memo in support.	9
3/28/67	ORDER that motion of defendant, Leander H. Perez, Sr. for summary judgment, fixed for hearing on 3/29/67, be CONTINUED INDEFINITELY. (F.J.C.) Ent. 3/28/67. Issg. notice.	10
6/15/67	Flg. Defendant's notice that the Deposition of the Plaintiff will be take on 6/22/67	11
6/15/67	Flg. Defendants request for subpoenas to be issued.	12
6/16/67	Flg. ORDER designating a Three-Judge Court, Judges Ainsworth, Heebe & Cassibry. Ent. 6/16/67. Issg. notice.	13
6/19/67	Flg. Plaintiff's request for subpoenas to be issued. Issg. 3 sets.	14
6/19/67	Flg. Pltf's notice to take oral depositions of the Defts on 6/23/67.	15
6/19/67	Flg. Motion to continue deposition pending disposition of plaintiff's objections to subpoena duces tecum. Notice of hearing on 6/21/67. Unsigned Order, Memo in support and subpoena attached. Motion made by the Plaintiff	16
6/19/67	Flg. Motion to continue depositions by the Defendant. Notice of hearing on 6/21/67. Memo in support attached.	17
6/23/67	Flg. M.R. on Deposition Subpoena, Serv Richard B. Sobol thru his agent on 6/16/67.	18
6/29/67	Flg. Plaintiffs motion to limit scope of examination. Notice of hearing 7/5/67. Memo in support of motion attached.	19
6/29/67	Flg. Plaintiff's motion to quash subpoena for the production of Documents. Notice of hearing on 7/5/67. Memo in support of motion attached.	20
6/21/67	Hearing and ORDER that motion of plaintiffs to continue deposition pending disposition of plaintiffs' objections to subpoena duces tecum is GRANTED. It is further ORDERED that motion of defendants to continue depositions is GRANTED. (FJC) Ent. 7/7/67. Issg. notices.	17A
7/10/67	Hearing and ORDER motion of Pltf., to quash subpoena for the production of documents was substituted by parties in open court, a motion by the Deft. to produce documents under Rule 34, FRCP. Therefore pltf's motion to quash etc. became MOOT. ORDERED that judgment be entered on defendants' motion for the production of documents as follows herein etc., (FJC) Ent. 7/11/67. Issg. notices.	21
7/5/67	Hearing on motion of Pltfs. to limit scope of examination and motion of pltf., to quash et al. Is hereby SUBMITTED. (FJC) Ent. 7/12/67.	20A
7/14/67	Flg. Deft's. notice to take oral deposition of Richard B. Sobol on 7/18/67.	22

over

versus

LEANDER H. PEREZ, SR. ET AL.

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D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date of Judgment
7/20/67	Flg. Motion to set hearing date, by the Plaintiff. Memo in support of motion attached.	23
8/25/67	Flg. Motion for summary judgment by the Defendants. Notice of motion for summary judgment. Statement of facts, memo in support and Affidavits in support attached.	24
9/19/67	Flg. Motion of U.S. to intervene as pltf.; Notice of Hearing, 9/27/67, at 11 A.M. Complaint in Intervention; Memo of Points & Authorities in support annexed.	25
9/20/67	Flg. deposition of Judge Leander H. Perez, Jr.	x
9/20/67	Flg. deposition of Judge Eugene E. Leon.	x
9/20/67	Flg. deposition of Leander H. Perez, Jr.	x
9/20/67	Pre-Trial Conf. held this date. Ent. 9/25/67. Issg. notices.	26
9/25/67	Flg. Motion & ORDER that Owen M. Fiss be permitted to participate as co-counsel for the Applicant for intervention in this case. (FJC - 9/20/67) Nnt. 9/25/67. Issg. notices.	27
9/26/67	ORDERED that the motion of the U.S. of A. to intervene as Pltf., will be submitted on briefs 9/27/67. Ent. 9/28/67. Issg. notices.	28
10/2/67	Flg. Deposition of Richard B. Sobol, taken on 8/11/67.	X
10/9/67	ORDERED that the Motion of the Law Firm, Arnold & Porter, etc., requesting permission to file Amicus Curiae Briefs in this matter, is GRANTED; Ent. 10/11/67 Issg. notices.	29
10/9/67	Flg. Motion for Leave to file Brief of Amici Curia by G. Duane Vieth, etc.	28-A
10/12/67	Flg. Motion to Intervene as Party Deft.-Intervenor by St. of La., Jack P. F. Grenillion; Notice of Hearing, 10/18/67, 11 A.M.	30
10/16/67	ORDERED that Hearing, fixed for 10/18/67, is RESET to 10/25/67, at 11 A.M.; the Clerk will notify Governor and Atty. Gen'l. by Registered Mail or Certified Mail immediately, etc. Ent. 10/16/67. Issg. notices.	31
10/17/67	Flg. Notice to take deposition of Hon. A.P. Tureaud, 10/24/67, 3 P.M.	32
10/18/67	Flg. Affidavit filed by XXXXXXXXXXXXXX Attorney Leander H. Perez.	33
10/30/67	Flg. Motion for leave to file brief Amicus Curiae of NAACP and NAACP Legal Defense & Educational Fund, Inc.; ORDER granting Motion, FJC, 10/30/67, Issg. notices. Ent. 11/1/67. Issg. notices.	34
10/18/67	Hearing this day and ORDERED that motion of State of La. to intervene as party deft.-intervenor, is GRANTED. Ent. 11/6/67. Issg. notices.	35
10/25/67	Hearing this day and SUBMISSION on motion of U.S. to intervene as Pltf. Ent. 11/7/67.	36
11/2/67	Flg. Opinion by the Court, that the motion of the U. S. To intervene as a party-plaintiff is GRANTED, for reasons herein etc., (RAA, FJTH, SFJC) Ent. 11/8/67. Notices issued.	37
11/2/67	Flg. Complaint in intervention by the U. S. of A.	38
11/9/67	ORDERED that a pre-trial conference be held on 11/29/67. Ent. 11/15/67. Issg. notices.	39
11/20/67	Flg. ANSWER by the defendant, intervenor, the State of Louisiana.	40
11/29/67	Pre-Trial Conf. held this date; ORDERED that trial be set for 1/22/68, 10 A.M., Etc. Ent. 12/5/67. Issg. notices.	41
12/5/67	Flg. Motion by Defts., to Dismiss; Notice of Hearing on a date to be fixed by the Court; Memo in support annexed.	42

O V E R

DATE	PROCEEDINGS	Date Order of Judgment Noted
1/14/67	Flg. Motion by John P. Dowling, William F. Wessel, & Thomas C. Wicker, to Intervene as Deft.; Notice of Hearing, 12/20/67, 11 A.M.	43
12/18/67	Flg. Opposition by Pltfs. to Motion to Dismiss	44
12/18/67	Flg. ORDERED that defendants motion to dismiss will be heard on briefs. It is further ORDERED that all respondents file whatever further pleadings and responsive briefs they desire to file in opposition to this motion on or before 1/10/68. Ent. 12/20/67. Notices issued.	45
2/21/67	Flg. Motion of La. State Bar Association for Leave to Intervene as Deft; Notice of Hearing, 12/27/67. 11 A.M.; Memo in support annexed.	46
1/2/68	Flg. ANSWER of Intervenor La. State Bar Association to xxxxxxx Pltfs.'s complaint as amended	47
2/26/67	Flg. MOTION and ORDER that the taking of depositions as follows, are cancelled until such time as the court passes upon the attached objections: Richard Millspaugh on 12/29/67 in Opelousas, La. and Louis Berry on 1/2/68, in Alexandria, La. FJC, 12/26/67. Ent. 12/26/67. Issg. notices.	48
2/21/67	Flg. Notice to take depositions of Richard Millspaugh on 12/29/67, 10:30 A.M. & Marion White at 2 P.M.; on 1/2/68, Louis Berry, at 2 P.M.; on 1/4/68, James Sharp, Jr., at 9 A.M.; on 1/4/68, Paul H. Kidd at 3 P.M.	49
2/26/67	Flg. ANSWER by Defts.	50
2/26/67	Flg. ANSWER to Complaint in Intervention	51
1/27/67	Flg. Pltfs.'s Opposition to Motion by La. State Bar Ass'n. to Intervene	52
1/26/67	Flg. Defts.' Objections to Taking Depositions; Notice of Hearing, 1/3/68, 11 A.M.; Memo in support annexed.	53
1/27/67	ORDERED that a pre-trial conf. be held in this matter on 1/10/68, 4 P.M. Ent. 12/29/67. Issg. notices.	54
1/29/67	ORDERED that hearing previously set for 1/3/68, on Pltfs.' objection to Defts.' notice to take depositions has now become MOOT, etc. Ent. 12/26 1/2/68. Issg. notices.	55
2/20/67	HEARING THIS day and SUBMISSION on motion of John P. Dowling, William F. Wessel, Thomas C. Wicker, for leave to intervene as Deft. Ent. 1/3/68.	56
2/28/67	Flg. Notice to take depositions of Richard Millspaugh, 10:30 A.M. and Marion White, 2 P.M., on 1/5/68; Louis Berry, 1/8/68, 2 P.M. at Alexandria La.; James Sharp, Jr., 1/11/68, 9 A.M., at Monroe La.; and Paul H. Kidd, 1/11/68, 3 P.M. at Ruston, La.	57
2/31/67	Flg. ORDER that Mr. Ray J. Hanrahan, be appointed an officer to administer oaths in this matter, etc. FJC, 12/31/67. Ent. 1/3/68. Issg. notices.	58
1/2/68	Flg. Order that the motion of La. State Bar Ass'n. to Intervene is GRANTED; FURTHER ORDERED that the answer of said Deft., attached to its motion to intervene be filed as its answer to Pltfs.' complaints and the complaint in intervention of U.S. of A. as Pltff. FJC, 12/31/67. Ent. 1/3/68. Issg. notices.	59
1/2/68	Flg. ORDER that the motion of John P. Dowling, William F. Wessel, Thomas C. Wicker, for leave to intervene as Defts. is GRANTED. FJC, 12/31/67. Ent. 1/3/68. Issg. notices.	etc., 60
1/2/68	Flg. Motion of John P. Dowling, et al, and Complaint of Intervention	61
1/4/68	Flg. Motion of U.S. of A. for the Production of Documents; Notice of Hearing, 1/10/68, 11 A.M.	62
1/5/68	Flg. Motion of Intervenor La. State Bar Assn., for protective Order that deposition not be taken; Notice of Hearing, 1/10/68, 4 P.M.; Supportive Memo annexed.	63
CONTINUED ON SHEET #3		

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DATE	PROCEEDINGS	Date of Judgment
1/4/68	Flg. Motion by Pltfs., for leave to file amended and supplemental complaint; Notice of Hearing, 1/10/68, 11 A.M.; Amended and Supplemental Complaint annexed.	64
1/8/68	Flg. Amended Notice to take deposition of Louis Berry, on 1/12/68, 12:30 P.M., in Alexandria, La.	65
1/8/68	Flg. Notice to take Deposition of Archibald T. LeCesne, on 1/16/68, 4 P.M.	66
1/4/68	Flg. Notice to take depositions of J. J. Vidacovich, 1/13/68, 2 P.M., in Oklahoma City, Okla.	67
1/4/68	Flg. Amended Notice to Take Deposition : On 1/8/68, at Opelousas, La., of Marion White, 8:30 A.M., Richard Millspaugh, 11:30 A.M., Louis Berry, 2:30 P.M.; on 1/11/68 at Monroe, La.; James Sharp, Jr., 9 A.M.; on 1/11/68, at Ruston, La., Paul H. Kidd, 3 A.M.	68
1/8/68	Flg. Motion and ORDER that the name of Thomas C. Wicker, Jr., is stricken as one of the attorneys for the proposed intervenors; FURTHER ORDERED that all rights of John P. Dowling & William F. Wessel, etc., are specifically reserved. FJC. 1/8/68. Ent. 1/9/68. Issg. notices. Ordered that Thomas C. Wicker, Jr., is dismissed as party to proposed intervention, individually, and as representative of Criminal Courts Bar Assn.	69
1/8/68	Flg. Request of U.S. Atty. for 1 set of subpoenas for matter set on 1/16/68, 4 P.M. Issued.	70
1/9/68	Flg. Deposition of Richard B. Sobol	X
1/9/68	Flg. Deposition of Judge Leander H. Perez, Sr.	X
1/9/68	Flg. Deposition of Judge Eugene E. Leon	X
1/9/68	Flg. Deposition of Leander H. Perez, Jr.	X
12/27/67	Hearing this day and ORDERED that motion of La. State Bar Ass'n., for leave to Intervene is GRANTED; FURTHER ORDERED that motion of La. Criminal Court's Bar Ass'n. to intervene is GRANTED, etc.; Motion of Defts. to dismiss is SUBMITTED, all parties have until 1/10/68 to file briefs. Ent. 1/10/68. Issg. notices.	56-A
1/10/68	Flg. ANSWER of Intervenor John P. Dowling, William F. Wessel and Criminal Courts Bar Association.	71
1/11/68	Flg. ORDER that the La. State Bar Ass'n., permit the U.S., etc., to inspect, copy, etc., each of documents (as specified in Order); etc; FURTHER ORDERED that copies of documents shall only be used for purposes of this case; FURTHER ORDERED that said documents shall be made available to the U.S., etc., at the earliest possible convenience, etc. FJC, 1/11/68. Ent. 1/11/68. Issg. notices.	72
1/11/68	Flg. ORDER that motion of 1/3/68, by Pltfs., for leave to file an amended and supplemental complaint, is DENIED. FJC, Ent. 1/11/68. Issg. notices.	73
1/12/68	Flg. Motion of Intervenor-Deft., La. State Bar Ass'n., to Dismiss or for judgment on the pleadings dismissing, Pltfs' complaint and the complaint in intervention of U. S. of A.; Notice of Hearing, 1/22/68, 10 A.M.; Supporting memo annexed.	74
1/9/68	Flg. Supplemental and amended motion for protective order that deposition not be taken, by intervenor-defendant, La. State Bar Assoc., Notice of hearing on 1/10/68. Order attached and ORDER that since the parties have worked this out by agreement that motion is now moot. Ent. 1/16/68. Issg. notices.	70-A
1/11/68	Flg. Supplemental and amended ANSWER by intervenor-defendant La. State Bar. Assoc.	73-A
1/12/68	Flg. Pre-trial conference held; Ent. 1/16/68. Issg. notices.	75
1/16/68	Flg. OPINION by the Court that since there are serious factual disputes in this case which can be resolved by hearing evidence, IT IS ORDERED that the motions for summary judgment and motion to dismiss filed by Defendants is DENIED. (FJC, RAA, FRH) Ent. 1/18/68. Notices issued.	76

OVER

DATE	PROCEEDINGS	Date Order or Judgment Notes
1/16/68	ORDERED that the motions to dismiss, or for judgment on the pleadings by La. State Bar Assoc., and motion by State of La. for summary judgment and in the alternative to dismiss will be heard on 1/22/68, all briefs in both matters will be submitted by 1/19/68. (FJC) Ent. 1/18/68. Notices issued.	77
1/17/68	Fig. Deposition of Richard Millspaugh taken on 1/8/68.	x