UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

INCLUSIVE LOUISIANA; MOUNT TRIUMPH BAPTIST CHURCH; RISE ST. JAMES, by and through their members	* * *	**CIVIL ACTION NO.: 2:23-cv-00987**
VERSUS	* *	JUDGE: CARL J. BARBIER
ST. JAMES PARISH; ST. JAMES PARISH COUNCIL; ST. JAMES PARISH PLANNING COMMISSION	* * *	MAG. JUDGE JANIS VAN MEERVELD

MOTION TO COMPEL RESPONSES TO SECOND SET OF DISCOVERY

NOW INTO COURT, through undersigned counsel, comes Defendant, St. James Parish, on behalf of itself and the St. James Parish Council and St. James Parish Planning Commission ("**St. James Parish**"), which respectfully submits this Motion to Compel. St. James Parish requests an order compelling Plaintiffs, RISE St. James, Inclusive Louisiana, and Mount Triumph Baptist Church to provide complete responses to the *Second Set of Requests for Production of Documents* propounded by St. James Parish on June 19, 2026. Specifically, the following requests have not been responded to fully:

- RISE St. James: Request for Production Nos. 15 and 16
- Inclusive Louisiana: Request for Production Nos. 21 and 22
- Mount Triumph Baptist Church: Request for Production Nos. 21 and 22

WHEREFORE, Defendant, St. James Parish, respectfully requests that this Honorable Court grant this Motion to Compel and order Plaintiffs to provide a full response to RISE St. James: Request for Production Nos. 15 and 16, Inclusive Louisiana: Request for Production Nos. 21 and 22, and Mount Triumph Baptist Church: Request for Production Nos. 21 and 22.

RESPECTFULLY SUBMITTED,
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Attorneys for St. James Parish

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NOTICE OF SUBMISSION

PLEASE TAKE NOTICE that the attached Motion to Compel is hereby set for submission on October 14, 2026, before Magistrate Judge Janis Van Meerveld, United States District Court, Eastern District of Louisiana, 500 Poydras Street, New Orleans, Louisiana 70130.

Respectfully submitted, this 25th day of September, 2026.

RESPECTFULLY SUBMITTED,
By Attorneys:

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MEMORANDUM IN SUPPORT OF MOTION TO COMPEL RESPONSES TO SECOND SET OF DISCOVERY

MAY IT PLEASE THE COURT:

Defendant, St. James Parish ("**St. James Parish**" or the "**Parish**"), respectfully submits this Memorandum in Support of its Motion to Compel Responses to Second Set of Discovery. Specifically, St. James Parish requests an Order compelling Plaintiffs, RISE St. James ("**RISE**"), Inclusive Louisiana ("**Inclusive**"), and Mount Triumph Baptist Church ("**Mount Triumph**") to provide complete responses to the *Second Set of Requests for Production of Documents* ("**Second Set**") propounded by St. James Parish on June 19, 2026. In the Second Set, St. James Parish requested from each Plaintiff financial statements and federal and state tax returns from 2014 to the present (the "**Requests**"). However, Plaintiffs have failed to provide, and continue to refuse to provide, documents in response to the Requests.

Specifically, Plaintiffs have failed to provide, and continue to refuse to provide, documents in response to the following:

- RISE: Request for Production Nos. 15 and 16
- Inclusive: Request for Production Nos. 21 and 22
- Mount Triumph: Request for Production Nos. 21 and 22

I. PROCEDURAL BACKGROUND

A. The Original Complaint

The original complaint was filed March 21, 2023. Doc. 1. In essence, Plaintiffs allege that St. James Parish has steered industrial development into the Parish's predominantly Black Districts 4 and 5 as part of a long-standing pattern or practice of racial discrimination. Plaintiffs allege seven claims, as follows:

i. Claim I - Thirteenth Amendment: alleging the Land Use Plan currently in place in the Parish continues a badge or incident of slavery.

ii. Claim II - Fourteenth Amendment (Equal Protection): alleging the parish-wide (now repealed) Solar Moratorium, the unconsidered Petrochemical Moratorium Request, the review of land use applications by the Planning Commission and Parish Council, and the related tax exemptions are state actions that deny the equal protection of the laws to Blacks.

iii. Claim III - Fourteenth Amendment Substantive Due Process (Bodily Safety and Integrity): alleging the Parish is violating Plaintiffs' right to bodily safety and integrity by allowing industrial development in Districts 4 and 5.

iv. Claim IV - 42 U.S.C. § 1982 (Property Rights of Black Citizens): alleging the Parish has implemented a land use system that violates Plaintiffs' rights to "inherit, purchase, lease, sell, hold, and convey real and personal property on equal terms as white citizens in the Parish, . . ."

v. Claim V - 42 U.S.C. §2000cc Religious Land Use and Institutionalized Persons Act (Substantial Burden): alleging the Land Use Plan in the Parish is substantially burdening Plaintiffs' religious exercise and ability to pray upon the unmarked cemeteries of enslaved ancestors by permitting industrial development.

vi. Claim VI - 42 U.S.C. §2000cc Religious Land Use and Institutionalized Persons Act (Discrimination): alleging the Land Use Plan discriminates against Black and Protestant churches on the basis of religious denomination by permitting industrial development near those churches.

vii. Claim VII - Louisiana Constitution, Article XII, Section 4, Preservation of Cultural Origins: alleging St. James Parish violated their right to preserve, foster, and promote their historic and cultural origins by implementing a land use plan that has resulted in the destruction and desecration of purported burial sites.

viii. Request for Declaratory Judgment: requesting a judgment declaring the Parish's approvals granted to Formosa and South Louisiana Methanol invalid.

Initially, the Parish filed a Motion to Dismiss the claims. Doc. 20. In response, the Plaintiffs filed their first Amended Complaint. Doc. 24/29. The Parish re-filed its Motion to Dismiss. Doc. 33.

Originally, all claims were dismissed by this Court on the basis of a lack of standing or prescription. After appeal, the Fifth Circuit found Plaintiffs did have standing based on their allegations. On remand, the Plaintiffs filed their Second Amended Complaint. Doc. 104.

B. The Second Amended Complaint and Answer

In the Second Amended Complaint, Plaintiffs directly allege that St. James Parish has harmed, impaired, or otherwise affected Plaintiffs' economic well-being and that of their members. The Plaintiffs, who are comprised of members of "historically Black communities," claim they and their members currently face, and will continue to face, the exact same "economic exploitation" as their ancestors. The Plaintiffs allege that "economic exploitation" is current and present in the community.

The Plaintiffs allege that "members of Plaintiff organizations" and "generations of their families" have sought "economic equality" while faced with "a steady stream of governmental and private efforts to suppress their political and economic empowerment that persist to this day." Doc. 104, ¶ 2 (emphasis supplied). In this context, "their" refers to the "members of the Plaintiff organizations." The Plaintiffs allege that "more economic exploitation and more trauma will follow in these historically Black communities struggling for the liberation and safety of their communities much like their ancestors did." Doc. 104, ¶ 11 (emphasis supplied). Additionally, Plaintiffs take issue with the alleged "legacies of violence, economic exploitation, and harm that slavery and its modern vestiges have imposed on his community." Doc. 104, ¶ 19 (emphasis supplied).

Also, there are multiple allegations throughout the Second Amended Complaint regarding alleged decreases in property values. As one example, the Plaintiffs allege that "the St. James Parish land use practices intentionally continue to deplete property values of Black residents." Doc. 104, ¶ 15. As another, the Plaintiffs allege that the "discriminatory land use system has also resulted in diminution in the value of property owned by Plaintiffs, their members and congregants." Doc. 104, ¶ 686.

In response, the Parish filed its answer. Doc. 120. In addition to addressing many incorrect assertions, the Parish asserts a claim for attorneys' fees pursuant to 42 U.S.C. 1988, alleging that Plaintiffs' claims are brought "in bad faith and for the purposes of harassment, with a specific intention of creating a hostile land use environment, intimidating land use applicants, and preventing the submission of additional applications." Doc. 120, p. 4. The Parish also contends "[t]his action has also been brought against Defendant for the inappropriate purpose of creating press opportunities for Plaintiffs, as demonstrated by their actions of using filings as press quotes immediately after filing and organizing their own press conferences for every court event, at the expense of a public entity incurring litigation costs." Doc. 120, p. 4.

C. Plaintiffs Request an Injunction and Allege Limited Financial Resources.

During this proceeding, Plaintiffs filed a Motion for Temporary Restraining Order seeking to restrain a specific action by the Parish council and planning commission. Doc. 132. In their Motion, Plaintiffs requested the District Court set any bond amount at $0, stating "As local nonprofit organizations and a community church, Plaintiffs possess limited financial resources and would be unable to pay a substantial bond." Doc. 132-1, p. 26.

The Parish opposed the request for restraining order (and de facto request for an injunction). In opposing the request for no bond, the Parish asserted that the Plaintiffs had provided

no documentation to support their assertion of limited financial resources. Moreover, the Parish cited three articles that indicate Plaintiffs have received substantial funds originating from out-of-state entities. Doc. 135, p. 24, n.3, 4, and 5. One September 20, 2023, NY Times article, titled *Michael Bloomberg Dials Up a War on Plastics*—confirms Mr. Bloomberg has directed money to RISE St. James, which Ms. Lavigne acknowledges in the article. Doc. 135, p. 24, n.5. Also, the Parish cited numerous assertions from parish residents stating they view Plaintiffs as improper "paid protestors" not representing their interest and similarly asserting Plaintiffs have been funded by outside interest money. Doc. 135-4, pp. 126, 132; Doc. 135-5, pp. 19, 54, 56, 60, 78-82. Ultimately, the District Court denied Plaintiffs' request, but stated " Nothing in this order should be construed as precluding Plaintiffs from filing a motion for injunctive relief in the future should it become necessary." Doc. 140, p. 5.

To uncover facts regarding these allegations, St. James Parish submitted requests for production of documents to the Plaintiffs (the "**Requests**") in the Second Set, copies of which are attached as Exhibits "A", "B", and "C". The Requests were straightforward and directed to the Plaintiff organizations themselves.[1] Specifically, each was requested to produce the following:

- all financial statements of Plaintiffs from 2014 to the present, including but not limited to balance sheets, income statements, profit and loss statements, statements of cash flows, annual reports, audit reports, and budgets; and
- all federal and state tax returns and tax filings of Plaintiffs from 2014 to the present, including but not limited to all IRS Forms 990, schedules, attachments, amendments, and supporting documentation.

[1] In addition to the fact that the organizations are the Plaintiffs' and are thus subject to discovery requests, another reason the Requests were directed to the organizations was Plaintiffs' refusal to provide a complete list of their members.

In response, the Plaintiffs objected asserting: 1) the Requests are not relevant, 2) the Requests seek information protected by the First Amendment, 3) the Requests are harassing, and 4) the Requests are not proportional to the needs of the case. Copies of Plaintiffs' responses to the Parish's Second Set of Requests for Production are attached as Exhibits "D", "E", and "F".

St. James Parish requested a discovery conference, which was held on September 1, 2026. No progress was made on these issues. To date, the Plaintiffs have not produced the requested documents. A Motion to Compel is now in order.

II. ARGUMENT

A. The Requests Are Relevant To Plaintiffs' Allegations and The Parish's Answer.

Parties may obtain discovery regarding any nonprivileged matter that is relevant to any party's claim or defense. Fed. R. Civ. P. 26(b)(1). Evidence is relevant if "it has any tendency to make a fact more or less probable than it would be without the evidence" and "the fact is of consequence in determining the action." Fed. R. Evid. 401. Information within this scope of discovery need not be admissible in evidence to be discoverable. Fed. R. Civ. P. 26(b)(1). A party resisting discovery "must show specifically how […] each interrogatory is not relevant or how each question is overly broad, burdensome or oppressive." *McLeod, Alexander, Powel & Apffel, P.C. v. Quarles*, 894 F.2d 1482, 1485 (5th Cir. 1990). Merely asserting that an interrogatory is "overly broad, burdensome, oppressive and irrelevant" is inadequate, and unsupported recitations of expense and burdensomeness are merely conclusory. *Id.*

1. The Requests are relevant based on economic allegations in the Second Amended Complaint.

The Plaintiffs have specifically and directly alleged that they have been subjected to "economic exploitation" as well as the suppression of "their political and economic empowerment

that persists to this day." Doc. 104 ¶¶ 2, 11, and 19. This alleged economic exploitation and suppression of economic empowerment includes not only the Plaintiffs but also "members of Plaintiff organizations," "generations of their families," "these historically Black communities," and the "community" of Pastor Harry Joseph. Doc. 104, ¶¶ 2, 11, and 19.

The financial statements and tax returns of the Plaintiffs are relevant. The Plaintiffs brought this action, claiming economic exploitation and suppression of economic empowerment. The financial information of these organizations may prove or disprove these claims. At the very least, the financial information of these organizations has a tendency to shed some light on these allegations and make these claims more or less probable. Further, the financial information is of consequence in determining whether these allegations are true and whether these organizations have been economically exploited or had their economic empowerment suppressed.

The allegations of economic exploitation and suppression of economic empowerment include also the "members of Plaintiff organizations," "generations of their families," and "these historically Black communities." Doc. 104, ¶¶ 2, 11, and 19. The extent to which any of the individuals included within these cohorts have benefited financially from the Plaintiffs is directly relevant to whether these individuals have been economically exploited and/or had their economic empowerment suppressed. In fact, to the extent they benefited, their economic empowerment has not at all been suppressed.

2. <u>The Requests are relevant to Plaintiffs' assertion of limited finances.</u>

The Plaintiffs have resorted recently to filing for summary relief regarding actions of the Parish planning commission and council with which it disagrees. In doing so, the Plaintiffs specifically alleged they are entities of limited financial means. This assertion is contrary to information presented by parish residents and discussed in public newspaper articles. Also, the

District Court has invited Plaintiffs to file again for an injunction in the future. As such, the Parish is entitled to conduct discovery on Plaintiffs' financial means to both test the veracity of Plaintiffs' assertion and to be prepared for any future proceeding.

3. The Requests are relevant to the Parish's Answer and request for fees.

The Parish has requested its attorneys' fees on the basis that Plaintiffs are inappropriately using the lawsuit against it as a harassment of industry and to seek press opportunities. Considering Michael Bloomberg, a billionaire and owner of a major international press and news agency, has publicly admitted a campaign against plastics-focused industry and publicly admitted funding RISE St. James, this information is directly relevant.

4. The motivation and bias of parties and witnesses is always relevant.

The motivation and bias of Plaintiffs and its representatives is always relevant. In addition to Plaintiffs' motivation being the basis for the Parish's request for fees pursuant to 42 U.S.C. 1988, the Parish is entitled to conduct discovery regarding the Plaintiffs' and their representatives' motives and biases. As numerous parish residents have submitted that Plaintiffs' representatives are being improperly motivated as paid protestors, concerned with money rather than the substance of this litigation, the Parish is entitled to discover if there is any truth to those assertions.

"A party clearly has the right to inquire as to the bias or prejudice of any witness." *Woodard v. Diamond Offshore Drilling, Inc.*, No. CIV. A. 99-1661, 2000 WL 275797, at *1 (E.D. La. Mar. 9, 2000) (citing *United States v. Maynard*, 476 F.2d 1170, 1174 (D.C.Cir.1973) (court allowed external facts, such as familial, employment or litigious relationship, to be introduced to impeach a witness)); *see also Harris v. Celadon Trucking Servs., Inc.*, No. CV 18-03317, 2019 WL 13223693, at *4 (E.D. La. Aug. 28, 2019).

"Parties shall be allowed discovery reasonably calculated to lead to relevant evidence about personal bias, prejudice or motive from potential witnesses herein, including witnesses' attitudes . . ." *United States v. Morvant*, No. CIV. A. 93-3251, 1994 WL 419873, at *1 (E.D. La. July 28, 1994) (ordering requested discovery be provided); *see also Sanchez v. Dow, Inc.*, No. 7:19-CV-00341, 2020 WL 6365525, at *4 (S.D. Tex. Apr. 13, 2020) (granting motion to compel plaintiffs to produce documents resulting from other lawsuits to discover credibility of plaintiffs' claims, "as well as reasonably calculated to lead to the discovery of admissible evidence regarding witness motives or bias.").

The 2000 Advisory Committee Notes to Rule 26 explicitly recognize that "information that could be used to impeach a likely witness, although not otherwise relevant to the claims or defenses, might be properly discoverable." Fed. R. Civ. P. 26. This advisory commentary confirms that impeachment-related financial information — including evidence of a plaintiff's financial interest or motive — falls within the permissible scope of discovery. Therefore, "discovery of facts which may tend to prove bias are discoverable under Rule 26, Fed.R.Civ.P., as reasonably calculated to lead to the discovery of admissible evidence." *Woodard v. Diamond Offshore Drilling, Inc.*, No. CIV. A. 99-1661, 2000 WL 275797, at *1 (E.D. La. Mar. 9, 2000), cited by *Rogers v. Crosby Tugs, Inc.*, No. CV 12-2453, 2016 WL 9406114, at *1 (E.D. La. Jan. 22, 2016) (ordering discovery on topics of witness bias).

Here, published sources indicate that Plaintiffs' actions are part of a national "war on plastics" waged by a press-owning billionaire, in which St. James Parish is his latest target. These potential motivations or biases of the Plaintiffs are highly relevant to this matter. The Parish is entitled to review Plaintiffs' finances to determine if such a connection is present and, if so, to conduct appropriate discovery on how that connection is driving this litigation.

5. The Requests are relevant based on property ownership.

As noted above, the Plaintiffs have made claims regarding an alleged decrease in property values to themselves and their members. The Plaintiffs flatly state: "The discriminatory land use system has also resulted in diminution in the value of property owned by Plaintiffs." Doc. 104, ¶ 686. The alleged decrease in property values is central to Claim No. I regarding the Thirteenth Amendment and Claim No. IV regarding § 1982. Doc. 104, ¶¶ 686 and 706.

Inclusive owns property in St. James Parish. Inclusive "believes that the value of its property is impacted." *See* Excerpts of Inclusive's Responses to the Parish's First Set of Interrogatories, Requests for Production, and Requests for Admission attached as Exhibit "G", Int. No. 10, at p. 15. Until recently, Mount Triumph owned property in St. James Parish. *See* Excerpts of Mount Triumph's Responses to the Parish's First Set of Interrogatories, Requests for Production, and Requests for Admission attached as Exhibit "H", Int. No. 6, at p. 9.[2] "Pastor Joseph believes that the property value of Mount Triumph Baptist Church … has decreased." *Id.*, Int. No. 9, at p. 12.

The financial statements include documents that are relevant to these claims: balance sheets, which will indicate the value placed on the properties owned by Plaintiffs; income statements, which will indicate if the property is producing income via rent or some other means, which impacts the overall value of the property; and tax returns, which will include information as to whether the Plaintiffs claimed depreciation on the properties owned by Plaintiffs. As a result, the financial information sought is directly relevant to the claims of property valuation.

[2] Mount Triumph Baptist Church donated its property to Pastor Harry Joseph on December 30, 2025. St. James Parish Conveyance Records, Book 541, Page 146, Instrument No. 199018. In that document, Pastor Harry Joseph claims to be domiciled in St. James Parish, which contradicts his statement that he has resided in Donaldsonville "his entire life," except for two periods of time. Mount Triumph Response, Int. No. 6.

The Plaintiffs also flatly state: "The discriminatory land use system has also resulted in diminution in the value of property owned by … their members and congregants." Doc. 104, ¶ 686.

At least one member of RISE, Sharon Lavigne, admits to owning four properties in St. James Parish. *See* Excerpts of RISE's Responses to the Parish's First Set of Interrogatories, Requests for Production, and Requests for Admission attached as Exhibit "I", Int. No. 8, at p. 11.[3] Ms. Lavigne "alleges that she has suffered a decrease in property values as a result of the Parish's actions." *Id.*, Int. No. 11, at p. 14. Inclusive Louisiana members (Barbara Washington and Gail LeBoeuf) own at least three properties in St. James Parish. Exhibit G, Int. No. 7, at pp. 9-10. Ms. Washington "believes that the value of her properties is being impacted." Exhibit G, Int. No. 10, at pp. 14-15. Ms. LeBoeuf "believes that her property … is losing its value." *Id.*

The financial statements will include information regarding whether Plaintiffs have any connection to the properties owned by its members and whether Plaintiffs funded (or currently funds), subsidized (or currently subsidizes), or paid (or pays) costs and expenses for any property owned by its members, particularly since property ownership was an issue raised challenging Plaintiffs' standing. As a result, any of these financial connections or payments have a direct impact on property valuations, making these financial statements relevant to their claims.

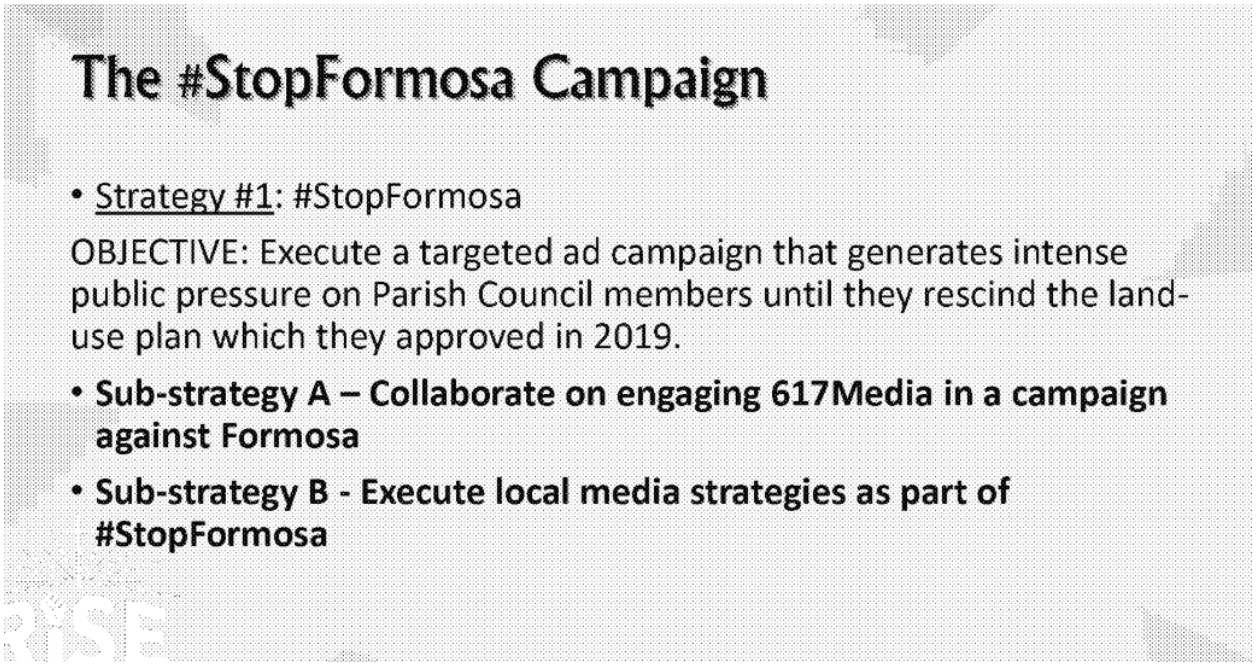
B. The Requests Do Not Violate The First Amendment.

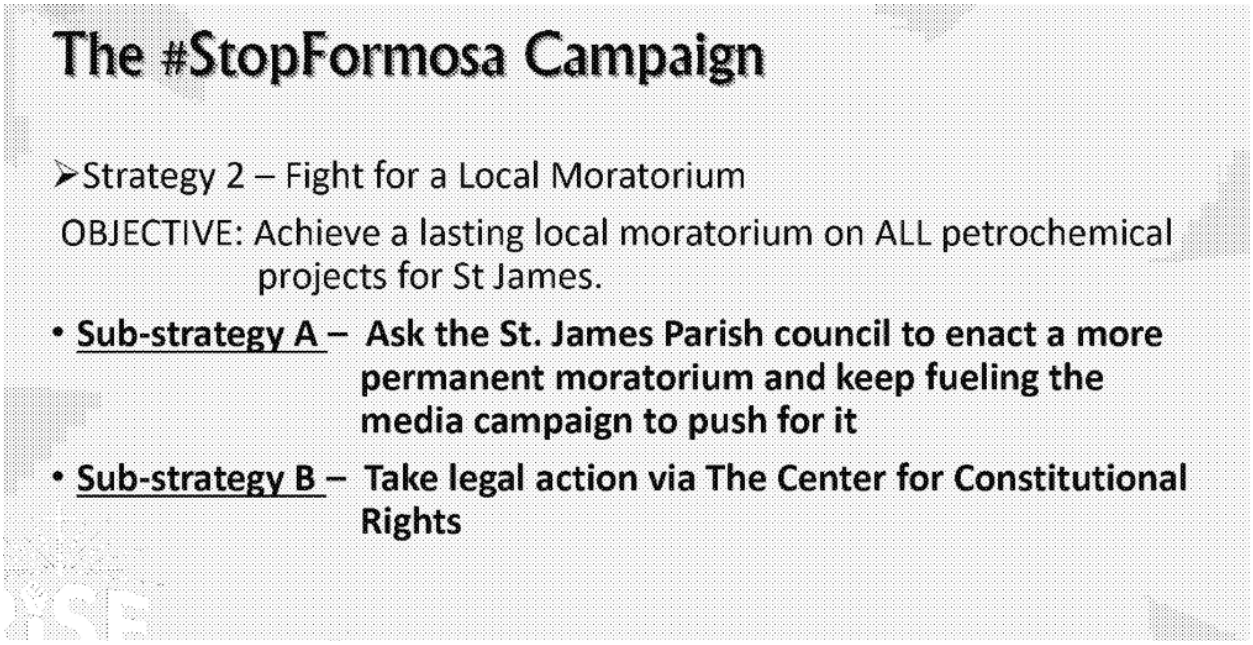
Plaintiffs generally claim that the Requests seek information protected by the First Amendment, and disclosure of Plaintiffs' budget and other financial documents would reveal their internal political strategy and thereby chill their members' work.

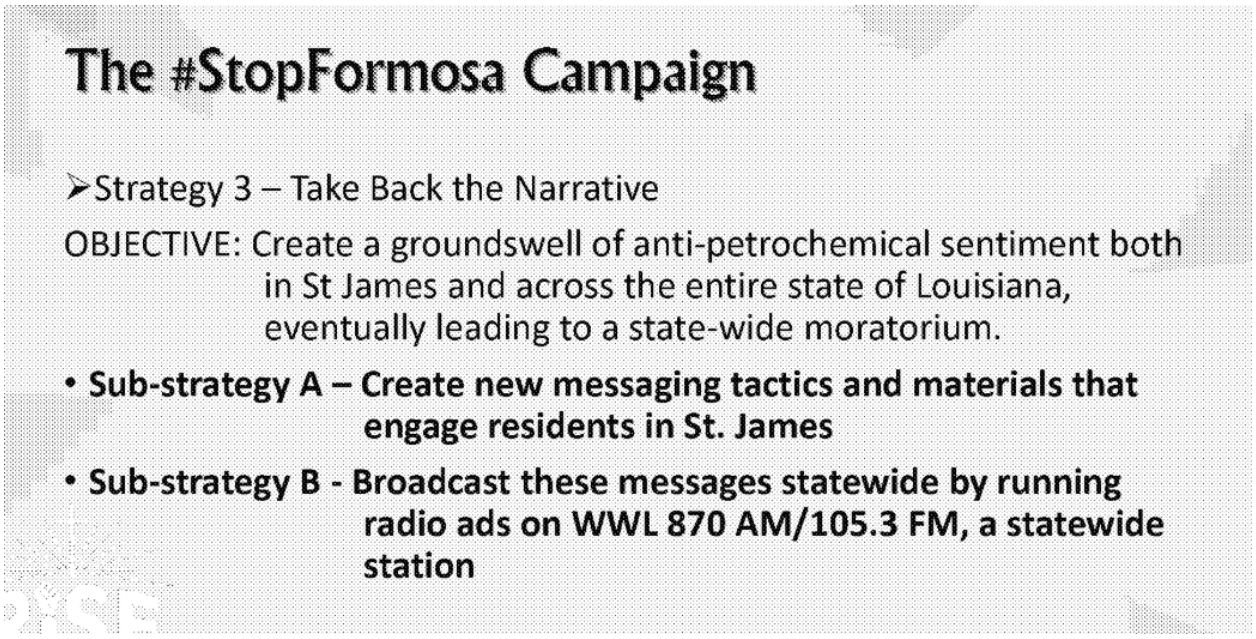
[3] According to information available from the St. James Parish Tax Assessor, Sharon Lavigne owns more property that asserted in discovery responses. As per the St. James Parish Tax Assessor web-site, Ms. Lavigne owns Tract No. 500010800 consisting of 16.85 acres.

However, although they now claim a First Amendment right, Plaintiffs have, on numerous occasions, publicly announced, broadcasted, and communicated its internal strategies and goals. For example, in August 2022, RISE disclosed detailed information about its internal strategies and goals. *See* Figure 1 attached as Exhibit "J".

Figure 1

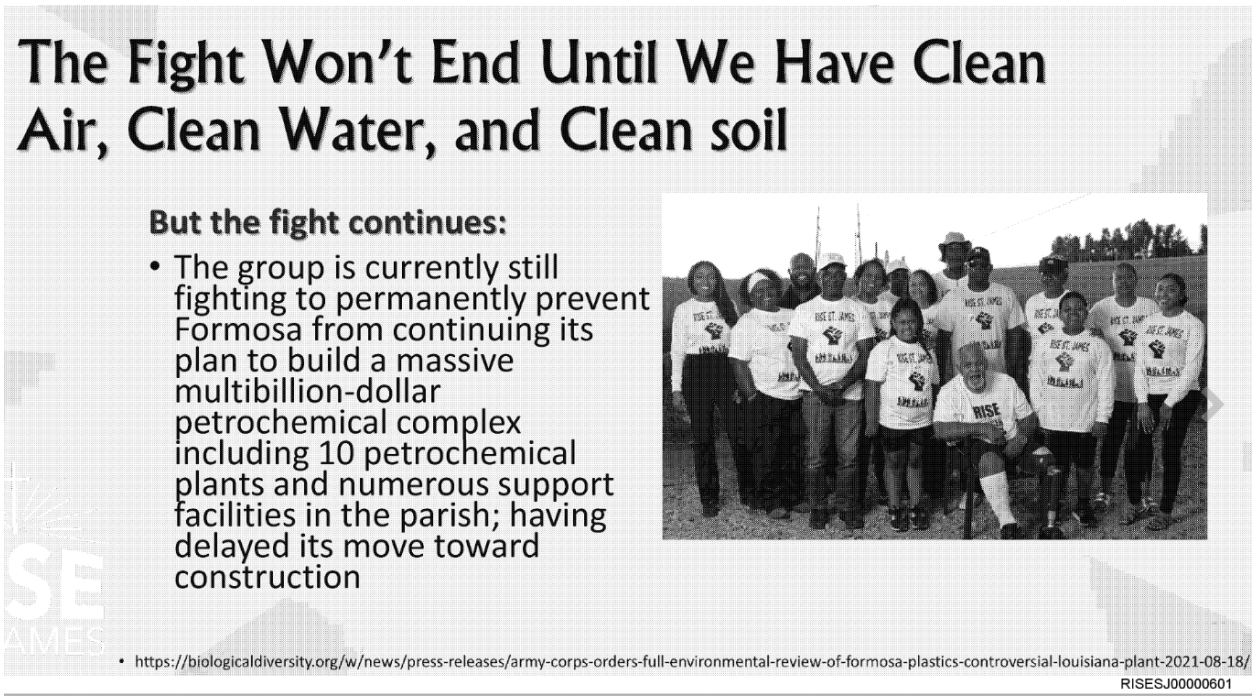






Further, far from chilling the Plaintiffs' work, they have stated in no uncertain terms that the "fight" will not end until clean air, water, and soil exist. *See* Figure 2 attached as Exhibit "K".

Figure 2



Thus, by their own admission, the Requests will not chill any additional activities as they will continue to "fight."

Nevertheless, the Plaintiffs' vague First Amendment claims are without merit. Although not cited or referenced in the Responses, Plaintiffs have relied on *NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449 (1958) to shield information and/or refuse to respond to discovery requests.

However, *NAACP* does not establish an absolute privilege against discovery. In *NAACP*, Alabama demanded the organization's complete membership list even though the identities of its rank-and-file members had little bearing on the underlying dispute. The NAACP also presented an uncontroverted evidentiary showing that prior disclosure had exposed its members to economic reprisals, loss of employment, threats of physical coercion, and public hostility. Based on that record, the Supreme Court concluded that disclosure of the complete membership list would substantially restrain the members' freedom of association. The decision is inapplicable and distinguishable.

Unlike the membership list sought in *NAACP*, the Requests have a direct relationship to allegations placed at issue by Plaintiffs. In *NAACP*, the identities of rank-and-file members had no substantial bearing on whether the organization was conducting intrastate business. *NAACP*, 357 U.S. at 464-66. Here, as noted above, Plaintiffs have made specific claims regarding economic exploitation, suppression of economic empowerment that persists to this day, and a decrease in their property values and those of its members. Further, as noted in more detail below, there has not been, and will not be, any showing that St. James Parish, or its counsel, will use this information in such a fashion as to result in harassment.

C. The Requests Are Not Harassment.

Plaintiffs claim that the Requests are harassing. This assertion is disingenuous for several reasons.

First, as support for their objection, they make no references to any prior actions *by St. James Parish* that are in any way harassing and make no references to any anticipated or probable future actions by St. James Parish. St. James Parish is merely attempting to obtain facts and potential evidence that will be helpful in defending the broad and sweeping claims made by Plaintiffs.

Instead, the Plaintiffs object to the Requests by relying on and making references to actions and/or statements by entities (Industry Makes and the Louisiana Attorney General) that *are not affiliated with* St. James Parish. *See* e.g., Exhibit D, p. 2. St. James Parish has no control over these non-affiliated entities and their actions are not the actions of St. James Parish.

The Plaintiffs take specific issue with claims that they have received money from non-Louisiana sources and the manner in which Industry Makes and the Louisiana Attorney General characterize that receipt. However, the Pelican Institute for Public Policy, a non-profit organization in New Orleans, reports that RISE received $616,463 in out-of-state donations since 2020 and Inclusive Louisiana received $290,000 in out-of-state donations since 2020.[4] The reference to the truth by Industry Makes and the Louisiana Attorney General does not amount to harassment. Further, the characterizations of Plaintiffs by Industry Makes and the Louisiana Attorney General (not the Parish) based on the receipt of out-of-state donations, pale in comparison to the hateful and inflammatory statements and claims made by Plaintiffs in the Second Amended Complaint

[4] See *Barriers to Louisiana Energy Dominance, 2026*, Pelican Institute for Public Policy, at p. 8, available at https://pelicanpolicy.org/wp-content/uploads/2026/03/Barriers-to-Louisiana-Energy-Dominance-Paper.pdf.

(*see* e.g., Doc. 104, p. 77 of 174 and ¶ 291: the land use plan is a "racial cleansing plan"), the Plaintiffs' Memorandum of Law In Support of a Motion for Temporary Restraining Order (*see* Doc. 132-1, p. 3 of 28: Parish actions would transform an area "into an industrial sacrifice zone"), and in letters or statements in media (*See* RISESJ00002117 attached as Exhibit "L", ("Formosa would be a 'death sentence.'")

Second, RISE claims that the "great thing about a democracy is that every citizen has a voice." *See* RISESJ00000412 attached as Exhibit "M". Although they champion their own right to speak and protest, they now seek to disparage the rights and voices of other residents in St. James Parish who support development and oppose Plaintiffs' efforts.

The Plaintiffs describe their actions as "simply … advocating against industrial expansion in their communities." Exhibit D, p. 2. They have done that, and more. They have exercised their First Amendment rights to speak at public meetings, submit comments to governmental agencies,[5] and garner the attention of out-of-state environmental groups as follows:

[5] Including, without limitation: the St. James Parish Planning Commission, St. James Parish Council, the Louisiana Department of Environmental Quality, the Louisiana Department of Natural Resources (now Department of Conservation and Energy), the State Historic Preservation Officer, and the U.S. Army Corps of Engineers.

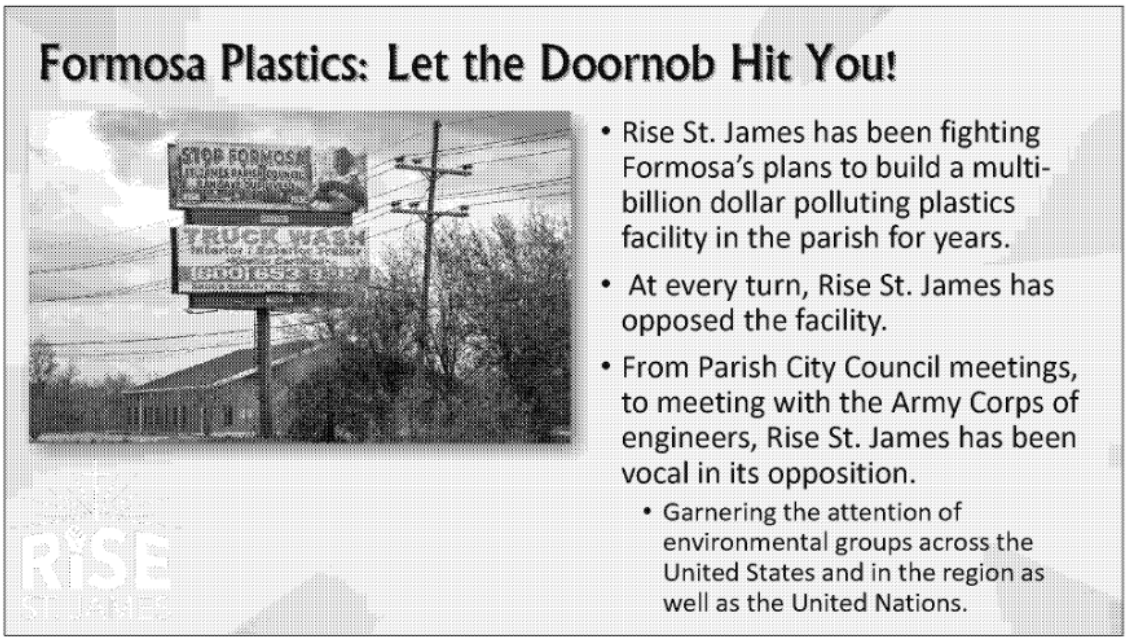


Figure 3, Exhibit J. Signs have been posted across St. James Parish declaring opposition to Formosa Plastics (FG LA, LLC) and billboards have been erected with similar messages against industrial development. RISE also joined with a group named No Formosa Finance and publicly advocated on Facebook: "Let's take action against banks and financiers and tell them to keep DEFUNDING, DENOUNCING, and DIVESTING from Formosa plastics and companies like it!"[6] Sharon Lavigne of RISE has even traveled to Taiwan to protest at and/or attend Formosa's corporate meetings.[7]

Now, though, when residents of St. James Parish, and those who support development, seek to add their voices to the debate regarding development in St. James Parish, the Plaintiffs immediately claim they are being harassed. Residents of St. James Parish, and those who support

[6] RISE St. James Facebook post, June 15, 2024; https://www.facebook.com/risestjames/posts/; *see also* https://risestjames.org/initiative/never-finance-formosa-plastics-petrochemical-project/.
[7] *See*, e.g., https://insideclimatenews.org/news/10062026/diane-wilson-formosa-plastics-taipei-shareholder-meeting/; https://jffv.org/2023/07/08/speaking-out-against-formosa-plastics-wrong-doings-the-world-over-an-interview-with-organizations/; https://newbloommag.net/tag/sharon-lavigne/.

development, have the same rights as the Plaintiffs to speak their mind, point out facts about the Plaintiffs, and support the causes they deem appropriate. Such actions are not harassment.

Third, RISE admits: "[e]ffective Friday, May 1, 2026, RISE St. James Louisiana is no longer fiscally sponsored by Earth Island Institute and is now proud to operate independently as its own 501(c)(3) organization."[8] As a result, RISE must now submit its own Form 990 to the Internal Revenue Service, which will be publicly available and which will contain the information requested by St. James Parish, at least for 2026 (and perhaps the prior year based on the format and required information in Form 990). Thus, the same type of information will be available.

Finally, by signing and sending discovery, an attorney or party certifies that the request is "not interposed for any improper purpose, such as to harass." Fed. R. Civ. P. 26(g)(1)(B)(ii). There is no evidence that St. James Parish, as the Defendants in these proceedings, or its counsel, is violating this certification. The information sought will be used solely to defend the Plaintiffs' claims against the Parish and will not be used in a manner that is in violation of this certification.

D. <u>The Requests Are Proportional To The Needs Of The Case.</u>

The Plaintiffs' proportionality objections are vague, at best: RISE: request is "not proportional to the needs of the case because it bears on a highly sensitive subject matter;" Inclusive Louisiana: request is not "proportional to the needs of the case given the significant privacy concerns implicated;" and Mount Triumph: request is not "proportional to the needs of the case." Exhibits D, E, and F.

An objection is impermissibly boilerplate when it merely states a legal ground without specifying how the request is deficient and how compliance would harm the responding party. *Lee v. Aramark Facility Services, LLC*, No. 20-2049, 2021 WL 6070448, at *3-4 (E.D. La. July 15,

[8] *See* https://risestjames.org/resources/.

2021). A party resisting discovery on proportionality grounds similarly must make a specific objection and provide information addressing the Rule 26(b)(1) factors, including the parties' relative access to the information, the importance of the discovery, and whether the burden or expense outweighs its likely benefit. *Id*. at *2. The Plaintiffs do not address those factors or provide evidence concerning the time, expense, or difficulty associated with answering the Requests.

In this case, the Requests encompass a discrete and finite set of documents, which are readily available to Plaintiffs and likely in an electronic format. As a result, there is very little time and expense associated with providing these documents.

III. RELIEF REQUESTED

St. James Parish and its counsel are also willing to enter into an appropriate protective order or other safeguards to ensure the information is used by them solely as a defense to these proceedings. Regardless, this information is relevant based on Plaintiffs' allegations and claims.

Accordingly, St. James Parish respectfully requests that this Honorable Court grant this Motion and issue an order compelling the Plaintiffs to provide documents responsive to the Request, specifically:

- RISE St. James: Request for Production Nos. 15 and 16;
- Inclusive Louisiana: Request for Production Nos. 21 and 22; and
- Mount Triumph Baptist Church: Request for Production Nos. 21 and 22,

Awarding the Parish all costs and fees of this motion.

RESPECTFULLY SUBMITTED,
By Attorneys:

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

INCLUSIVE LOUISIANA; MOUNT TRIUMPH BAPTIST CHURCH; RISE ST. JAMES, by and through their members	* * *	**CIVIL ACTION NO.: 2:23-cv-00987**
VERSUS	* *	JUDGE: CARL J. BARBIER
ST. JAMES PARISH; ST. JAMES PARISH COUNCIL; ST. JAMES PARISH PLANNING COMMISSION	* * *	MAG. JUDGE JANIS VAN MEERVELD

F.R.C.P. 37 CERTIFICATE

I hereby certify that, in an effort to obtain the discovery at issue without court action, I have conferred in good faith with counsel for Plaintiffs on September 1, 2026. Therein, Plaintiffs' counsel confirmed it would not provide the information requested at issue in this motion.

Baton Rouge, Louisiana, this 25th day of September, 2026.

/s/ Danielle L. Borel
Danielle L. Borel