

**40th JUDICIAL DISTRICT COURT
PARISH OF ST. JOHN THE BAPTIST
STATE OF LOUISIANA**

NO. C-85336

DIV. A

**RURAL ROOTS LOUISIANA, HARRY JOSEPH SR.,
and LOUISIANA BUCKET BRIGADE,**

St. John The Baptist
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Deputy Clerk of Court
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**C-85336
A**

Plaintiffs,

VERSUS

THE PORT OF SOUTH LOUISIANA,

Defendant.

**MOTION FOR LEAVE TO SUPPLEMENT PETITION
FOR DECLARATORY AND INJUNCTIVE RELIEF**

NOW INTO COURT, through undersigned counsel, comes Rural Roots Louisiana, Harry Joseph Sr., and the Louisiana Bucket Brigade (collectively, "Plaintiffs"), who respectfully submit this Motion for Leave to Supplement the Petition for Declaratory and Injunctive relief, pursuant to La. Code Civ. Proc. Art. 1155, and Dist. Ct. R. 9.9((g)(4).

I. Status of Proceedings and Post-Complaint Events.

1. Plaintiffs commenced this matter on April 2, 2026, seeking a judicial determination pursuant to La. Code of Civ. Proc. art. 1871, as to whether the Port of South Louisiana ("Defendant" or "the Port") must publish public notice in the official journal of the State, pursuant to Article VII, Section 8(C) of the Louisiana Constitution, of its resolution preliminarily authorizing the issuance of up to \$400 million in revenue bonds and \$40 million in bond anticipation notes (hereinafter "the Resolution" or "the decision").

2. On April 21, 2026, Plaintiffs filed an amended petition to remove the Chair of the Port Commission from the case caption per Defendant's request.

3. On April 27, 2026, Defendant filed exceptions to the petition along with a motion for sanctions against Plaintiffs and their counsel. No hearing date has been set on these filings.

4. The central issue in this case is where and how the Port must publish notice of its decisions relating to bond issuances and which constitutional provision governing notice applies to the Port.

5. In its exceptions to Plaintiffs' complaint, the Port responded that it published notice in a local newspaper – *L'Observateur* – and that in doing so it complied with what it views as the relevant constitutional provision.

6. As described in paragraphs 18-25 of the Amended Complaint, prior to commencement of this litigation, the Port provided Plaintiffs with an affidavit of publication which indicated that the Port had published minutes of the special meeting held on August 5, 2025, where the Port adopted the resolution in question.

7. The affidavit indicated that the minutes had been published in the October 22nd, 2025, edition of *L'Observateur*.

8. Accepting the Port's affidavit as true, but not seeing the minutes in the October 22, 2025, edition of *L'Observateur* available online, as Defendant's affidavit indicated, nor any other edition of the newspaper, Plaintiffs requested that a subpoena issue to the publisher for an official copy of that edition along with communications with the Port concerning the notices to be published in that edition.

9. On May 26, 2026, the publisher responded with an official copy of the Oct. 22, 2025, edition, and correspondence with the Port about the notices to be published in that edition.

10. The minutes of the special meeting held on August 5, 2025, where the resolution in question was adopted do not appear in the October 22, 2025, edition of *L'Observateur* received by Plaintiffs in response to the subpoena.

11. While the documents received indicate that the Port requested the minutes be published, for reasons unknown to Plaintiffs they were not.

12. In light of this recent development confirming that the minutes of the special meeting were not in fact published in the Oct. 22, 2025, edition, it is necessary for Plaintiffs to supplement their petition with this material fact, set forth in paragraphs 30-36 of the Supplemented Complaint annexed hereto as Exhibit A.

13. The lack of published minutes of the proceedings where the Resolution in question was adopted materially affects the nature of Plaintiffs' claims, as failure to publish minutes of the proceedings of the special meeting violates the Open Meetings Law, the requirement at La. R.S. 43:171 that political subdivisions of the state publish their proceedings in a newspaper, as well as special notice rules relating to bond issuances, and renders the Resolution itself a nullity.

II. Plaintiff's Supplemental Allegations Are Related to the Cause of Action and Defenses Asserted in the Petition.

13. La Code Civ. Proc. Art. 1155 authorizes Plaintiff to "file a supplemental petition [...] setting forth items of damage, causes of action or defenses that have become exigible since the date of filing the original petition or answer, and that are related to or connected with the causes of action or defenses asserted therein."

14. A trial judge's ruling on such a request "will not be disturbed on appeal unless an abuse of discretion has occurred that indicates a possibility of resulting injustice." *Barringer v. Robertson*, 216 So.3d 919, 926, 2015-0698 La.App. 1 Cir. 12/2/15, 10 (La.App. 1 Cir., 2015).

15. The additional allegations Plaintiff seeks to supplement into the complaint clearly relate to their original cause of action and the Parish's defenses thereto with regard to the public notice requirements for decisions as to bond issuances.

16. The supplemental allegations pertain to serious questions around the Port's claim that it published notice of the proceedings where the Resolution in question was adopted, and provide a basis for invalidating the Resolution under the Open Meetings Law for failure to publish written minutes of the proceedings and other special notice requirements for decisions relating to bond issuances whether by state or local entities.

17. Plaintiff asserts that this Court's decision to grant its request for leave to supplement the petition would promote judicial efficiency, help avoid waste of resources, and undue delay.

11. Counsel for the Port indicated that the Port opposes this motion.

CONCLUSION

WHEREFORE, Plaintiff respectfully requests leave to file its Proposed Supplemental Petition for Declaratory and Injunctive Relief pursuant to La. Code Civ. Proc. Art. 1155, and raise additional, related facts and a claim that have become known and exigible since its original Petition was filed.

Respectfully submitted,



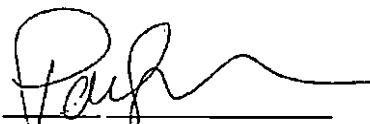
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been served upon all known counsel of record by electronic mail on this 3rd day of June, 2026.


Pamela C. Spees