

**23rd JUDICIAL DISTRICT COURT
PARISH OF ASCENSION
STATE OF LOUISIANA**

**RURAL ROOTS LOUISIANA and
LOUISIANA BUCKET BRIGADE,**

Plaintiffs,

versus

**ASCENSION ECONOMIC
DEVELOPMENT CORPORATION
AND KATE MACARTHUR,
CHIEF EXECUTIVE OFFICER**

Defendants

Civil Action No. _____

Division: _____

Filed: _____

Deputy Clerk _____

**PETITION FOR WRIT OF MANDAMUS
UNDER THE LOUISIANA PUBLIC RECORDS LAW**

NOW INTO COURT, through undersigned counsel, come Rural Roots Louisiana and the Louisiana Bucket Brigade (collectively, “Plaintiffs”), who, pursuant to Art. XII, Sec. 3 of the Louisiana Constitution of 1974 and La. R.S. 44:35(A), and other applicable law cited herein, request that this Court (1) issue a Writ of Mandamus directing the Respondents, Ascension Economic Development Corporation (“AEDC”) and its CEO Kate MacArthur to provide Plaintiffs with public records in their possession, and (2) set an expedited hearing within 10 days of service of this petition, as required by La. Code of Civ. Proc. Art. 3782, as well as La. R.S. 44:35(C), which provide that any suit brought to enforce the provisions of the Public Records Law “shall be tried by preference and in a summary manner.”

In support thereof, Plaintiffs state as follows:

SUMMARY

1. Ascension Economic Development Corporation operates as an extension and instrumentality of the Ascension Parish Government in carrying out economic development activities on its behalf, for which it receives significant public funding, and is thus subject to the Public Records Law. AEDC was created by the Ascension Parish government and City of

Gonzales specifically to pursue economic development and is “principally funded by public appropriations.”¹ AEDC, however, claims it is not subject to the Public Records Law because it was established as a non-profit corporation.² But the law pursuant to which AEDC was established explicitly mandates that such corporations *are* subject to the public records law with regard to their use and receipt of public funds over \$10,000.00 in a calendar year. *See* La. R.S. 33:9024(E)(2). As set forth below, AEDC has received more than \$300,000.00 per year from Ascension Parish, for at least the past three years, and is thus clearly subject to the Public Records Law.

2. Moreover, the Louisiana Supreme Court has long held that even purely private entities, i.e. corporations not founded by government entities for a public purpose, are subject to the Public Records Law when they operate as instrumentalities of the government and receive public funding for those services. *New Orleans Bulldog Society v. LSPCA*, 2016-C-1809 (La. 2017) 222 So.3d 679; (Animal advocacy nonprofit subject to Public Records Law when it functioned as an instrumentality of a municipal government and received public funds for its services in fulfillment of a Cooperative Endeavor Agreement); *See also State ex rel Guste v. Nicholls College Foundation and Donald L. Peltier*, 564 So.2d 682 (La. 1990) (nonprofit foundation subject to the Public Records Law because of its “close affiliation” with state university, its “purpose to promote the University,” use of university resources, and receipt of University funds). As such, AEDC is subject to the Public Records Law and Plaintiffs respectfully request they be ordered to comply.

PARTIES

3. Petitioner Rural Roots Louisiana (“Rural Roots”) was founded in 2023, in Donaldsonville, Louisiana. Its mission is to introduce kids to environmental justice, provide literacy and promote community stewardship and earth care; make their communities aware and educate kids on social justice by teaching art and gardening and by engaging in efforts to stop further industrial expansion in their community. All of Rural Roots’ members live in Ascension Parish.

¹ AEDC “Who We Are” Webpage, annexed hereto as Exhibit 1.

² AEDC Email of Nov. 20, 2025, annexed hereto as Exhibit 3, p. 2.

4. Petitioner, Louisiana Bucket Brigade (“Bucket Brigade”), is a Louisiana nonprofit organization, based in New Orleans, that works for environmental health and justice with communities in Louisiana located near heavy industry, including oil refineries and chemical plants. The organization works to achieve a healthy, prosperous, pollution-free and just state where people and the environment are valued over profit. The Bucket Brigade has staff who work in Ascension Parish.

5. Plaintiffs are “persons” within the meaning of La. Rev. Stat. § 44:31. *See also Indep. Weekly, LLC v. Pope*, 201 So.3d 951, 953 (La. App. 3 Cir. 2016) (holding that “person” includes a body of persons, whether incorporated or not and that the courts must presume that the reference to ‘person’ in La. Rev. Stat. § 44:1 *et seq.* “refers to not only natural persons, but to corporations or companies.”)

6. Defendant, AEDC, asserts it is a private, nonprofit corporation formed under Internal Revenue Service Code 501(c)(6) and “Chapter 27 of Part I, of Title 33” of the Louisiana Revised Statutes of 1950, which are codified at La. R.S. 33:9020 *et seq.*³ AEDC was established by the Parish of Ascension, the Ascension Chamber of Commerce, and the City of Gonzales, Louisiana in 2005, “with the mission of fueling sustainable growth in Ascension Parish.” *Id.*

7. Defendant, Ms. Kate MacArthur, is the President and CEO of AEDC, and, as such, she is the custodian of records for the company, pursuant to La. Rev. Stat. § 44:1(A)(3).

8. Defendant is an instrumentality of parish and municipal government and a public or quasi-public body, as defined by La. Rev. Stat. § 44:1(A)(1), and as discussed further in Plaintiffs’ Memorandum of Law filed in support of this Petition.

JURISDICTION AND VENUE

9. This court has jurisdiction to issue a writ of mandamus ordering the production of improperly withheld public records, and to award attorneys’ fees and costs in connection therewith, under La. Rev. Stat. § 44:35.

³ Exhibit 1; See also, email from AEDC attorney, Exhibit 4; AEDC Secretary of State Documents, annexed hereto as Exhibit 5.

10. Venue is proper in this court, as AEDC’s principal business establishment is located in Gonzales, Louisiana, in Ascension Parish. La. R.S. 44:35(A).

FACTS

11. On November 19, 2025, counsel for Plaintiffs mailed and emailed a public records request to AEDC, annexed hereto as Exhibit 2.

12. Plaintiffs sought “all records relating to the development of the RiverPlex MegaPark, including, but not limited to, any communications with any agent, employee, or representative of Hyundai Steel, CF Industries, and/or Clean Hydrogen Works / Ascension Clean Energy, the Louisiana Office of Economic Development (LED), and/or any member of city, parish, or state government concerning the same.” *Id.*

13. The request further specifically included, “but [was] not limited to”:

- i. All drafted or executed Cooperative Endeavor Agreements (“CEAs”), either by Ascension Economic Development Corporation, or on behalf of the state of Louisiana or Ascension Parish government, and Hyundai Steel Company;
- ii. All public notices of CEAs, either by Ascension Economic Development Corporation, or on behalf of the state of the Louisiana and/or Ascension Parish government, and Hyundai Steel Company; and
- iii. All meeting minutes referencing CEAs, either by Ascension Economic Development Corporation, or on behalf of the state of Louisiana or Ascension Parish government, and Hyundai Steel Company.

Id.

14. Defendant, Ms. MacArthur, responded one day later on Nov. 20, 2025, asserting: “[AEDC] “is a private, nonprofit organization and is not a public agency or political subdivision, nor does it exercise governmental authority. Because of this, AEDC is not subject to the Louisiana Public Records Law (La. R.S. 44:1 *et seq.*) or federal FOIA requirements and will not be supplying any of the requested information.” Email Correspondence Between Parties, annexed hereto as Exhibit 3, p. 2.

15. Plaintiffs responded on November 24, 2025, asserting their view that AEDC is not exempt from the Public Records Act, given the entity’s “origins, founding entities, purpose, and function” and cited the Louisiana Supreme Court’s ruling in *New Orleans Bulldog Soc’y v.*

Louisiana Soc'y for the Prevention of Cruelty to Animals, 2016-1809 (La. 5/3/17); 222 So.3d 679.
Id. at p. 1.

16. Plaintiffs further requested a litigation hold on all documents and information related to the records requested. *Id.*

17. On December 4, 2025, counsel for AEDC emailed a follow-up letter stating that the organization “is not subject to the La. R.S. 44:1 et seq., and the public records request parameters.” Letter from AEDC Counsel, annexed hereto as at 4. The letter further stated, “[t]his organization was established under La. R.S. 33:9024 which exempts it from your request.” *Id.*

18. However, the same statute cited by counsel for AEDC provides that corporations like AEDC *are* subject to the public records law when they receive \$10,000 or more in any calendar year. Specifically, La. R.S. 33:9024(E)(2) states:

Without altering the private nature of economic development corporations, any economic development corporation which obtains funds from the state or any agency or subdivision thereof of ten thousand dollars or more in any calendar year shall, as a condition to the receipt or expenditure of such public funds, maintain all of its books and records with respect to the use or receipt of any public funds as public documents and make them available for inspection and copying pursuant to the provisions of the public records law, R.S. 44:1 et seq., hold any and all meetings of such corporation with respect to the receipt or expenditure of public funds in public after due notice thereof in accordance with the provisions of the Open Meetings Law, and comply with any conditions of funding.

19. AEDC acknowledges on its website that it is “principally funded by public appropriations.” Exhibit 1.

20. AEDC recently renewed a Cooperative Endeavor Agreement (“CEA”) with Ascension Parish, which was approved by the Parish Council on Nov. 20, 2025, and confirmed that AEDC would receive \$322,800.00 from the Parish to “promote and develop industry, commerce, and economic development in the Parish of Ascension.” CEA, annexed hereto as Exhibit 6. AEDC has entered into similar agreements with Ascension Parish in previous years, which also provided Parish funding in the amount of \$322,800.00 for AEDC’s economic development services.⁴

⁴ See e.g., Ascension Parish Council meeting agendas and approvals with annexed CEAs with AEDC, available at <https://ascensionparishla.portal.civicclerk.com/event/1565/files/agenda/7900> (Oct. 17, 2024), <https://ascensionparishla.portal.civicclerk.com/event/1395/files/agenda/7342> (Nov. 21, 2023), <https://ascensionparishla.portal.civicclerk.com/event/1329/files/agenda/5407> (Nov. 17, 2022).

21. Ms. MacArthur also provides quarterly updates to Ascension Parish on AEDC's economic development initiatives in the Parish.⁵

22. As AEDC receives more than \$10,000 in a calendar year from Ascension Parish it is subject to the Public Records Law for records relating to its "use and receipt" of those funds. *See New Orleans Bulldog Soc'y*, 222 So.3d at 687 (noting that "the Public Records Law is purposefully broad and 'all inclusive'").

23. Pursuant to La. Rev. Stat. § 44:35(A), after five days, a person who has been denied the right to inspect or copy records, either by the agency's final determination or by the passage of time, may institute expedited proceedings for the issuance of a writ of mandamus and attorney's fees and costs.

24. Pursuant to La. Rev. Stat. § 44:1 *et seq.*, this court is authorized to issue a writ of mandamus, compelling Defendants to produce the requested documents being withheld from Plaintiffs, to declare Plaintiffs entitled to inspect the identified public records, and direct Defendant to preserve the requested records in the same form and substance they existed at the time of the request.

25. As stated, Defendants indicated their belief that the records are not subject to disclosure under the Public Records Act. Plaintiffs respectfully request an expedited hearing be scheduled within ten days of the service of this Petition, pursuant to La. Rev. Stat. § 44:35, which requires that this action be tried by preference and in a summary manner.

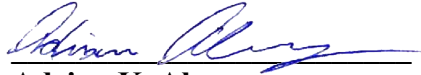
PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray that a writ of mandamus be issued, directing Defendants to disclose the records requested, or show cause why they should not be ordered to do so. Plaintiffs also pray for an award of attorney's fees, costs, damages, and civil penalties, as provided by law.

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⁵ *See, e.g.*, Ascension Parish Finance Committee Agenda and Meeting Packet, Oct. 7, 2025, <https://ascensionparishla.portal.civicclerk.com/event/1763/files/agenda/9532>.

Respectfully submitted,



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Counsel for Plaintiffs

PLEASE SERVE:

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Kate MacArthur
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VERIFICATION


Before me, the undersigned Notary Public, personally came and appeared,

ADRIAN ALPAY

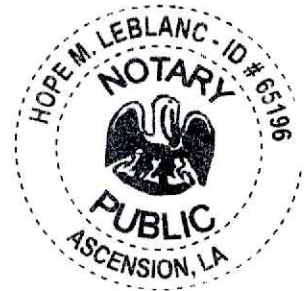
who, after being duly sworn, did depose and say that he is attorney for the Petitioners in the above-captioned civil action, that he has read the foregoing Petition and that all of the allegations contained therein are true and correct to the best of his knowledge and belief. Alpay further affirms that all exhibits annexed to the Petition are true and correct copies of the documents referenced.


ADRIAN ALPAY

Sworn to and subscribed before me, the undersigned Notary Public, on the 9th day of
December, 2025.


Notary Public

Hope M. LeBlanc, Notary Public No. 65196



Rural Roots Louisiana, et al. v. Ascension Econ. Dev. Co., et al.

Docket No. _____, Div. ____

Petition for Writ of Mandamus

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RULE TO SHOW CAUSE

The court has received Plaintiffs' Petition for Writ of Mandamus, requesting the disclosure of records requested from Defendants on November 19, 2025, pursuant to the Louisiana Public Records Act, La. Rev. Stat. § 44:1 *et seq.*

Plaintiffs requested an expedited hearing within ten days of the filing of their Petition, pursuant to La. Rev. Stat. § 44:35, which requires that this summary action be tried by preference and in a summary manner. Defendants must show cause on the ___ day of December, 2025, why Plaintiffs' request for writ of mandamus should not be issued, with Defendants directed to disclose the records requested.

Gonzales, Louisiana, this ___ day of _____, 20__.

**HONORABLE JUDGE
23rd JUDICIAL DISTRICT COURT**