

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS
STATE OF LOUISIANA

No. 2023-1381

Division F – Section 14

EILEEN CARTER, ET AL.,

VERSUS

SANDRA WILSON, IN HER OFFICIAL CAPACITY AS REGISTRAR OF VOTERS FOR
THE PARISH OF ORLEANS, ET AL.

FINAL CONSENT JUDGMENT

1.

The instant case involves a dispute concerning the number of qualified voters in Orleans Parish under La. R.S. 18:1300.2 for a petition to recall the Mayor of New Orleans. Eileen Carter and Beldin Batiste (“**Plaintiffs**”) contend that the voter records for Orleans Parish include persons who either should be listed as inactive voters or removed from the list of eligible voters. The Plaintiffs contend in their First Amended Petition for Writ of Mandamus that there are approximately 32,667 voters that fit into this category.

2.

R. Kyle Ardoin, in his official capacity as Secretary of State of Louisiana (“**Secretary Ardoin**”) (“**Defendant**”), denies Plaintiffs’ allegations. Defendant maintains that his staff properly implemented all requirements under federal and state law to maintain the active and inactive lists of registered voters in Orleans Parish.

3.

Pursuant to La. R.S. 18:1300.2, on August 26, 2022, Secretary Ardoin produced to Orleans Parish Registrar of Voters, Dr. Sandra Wilson, (hereafter Registrar Wilson), a communication asserting that the number of qualified electors as of that same date in the voting area subject to the recall petition was 249,876 electors. The Plaintiffs and Secretary Ardoin have negotiated a settlement by which Secretary Ardoin will issue a new communication to Registrar Wilson revising the number of qualified electors to 224,876. Secretary Ardoin’s consent to this settlement is expressly conditioned on approval by the court.

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FINAL CONSENT JUDGMENT (Continued)

4.

In making and consenting to this settlement Secretary Ardoin does not admit to any wrongdoing or violation of any state or federal law. Consent to this Judgment shall not be construed as an admission by Secretary Ardoin to any of the allegations set forth in Plaintiffs' Petition for Writ of Mandamus or First Amended Petition for Writ of Mandamus. Consent to this Judgment also expressly shall not be interpreted as a finding that Secretary Ardoin engaged in violations of federal or state law or that he failed to take the proper steps required by state or federal law.

5.

This consent Judgment is solely limited to the Parties in the above-captioned matter and shall not be used as an admission or the creation of a presumption or burden of proof in any other matter.

6.

Under the terms of this consent Judgment, Plaintiffs agree to produce to Secretary Ardoin a copy of all evidence and studies supporting their claims in this case.

7.

The Parties represent that they have exercised good faith during the course of this proceeding and that Secretary Ardoin reasonably believe that all of his actions comply with federal and state law, and that all parties are entering this agreement to avoid further legal expenses and avoid protracted litigation.

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FINAL CONSENT JUDGMENT (Continued)

8.

In light of this consent Judgment all claims made by Plaintiffs in their petition as amended, or could have been made, are hereby dismissed with prejudice, with each party to bear their own attorneys fees and costs.

This 1st day of March 2023,

Attorney for Plaintiffs,
**Eileen Carter and
Belden Batiste**

Attorneys for *Defendant R. Kyle
Ardoin, in his official capacity as
Secretary of State of Louisiana*

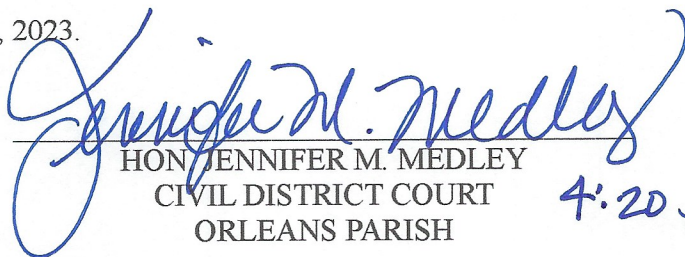
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Approved and signed in New Orleans, Louisiana, this 1st day of March, 2023.


HON. JENNIFER M. MEDLEY
CIVIL DISTRICT COURT
ORLEANS PARISH

4:20 pm.