

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

IN RE: COUPEL, ET AL.

CIVIL ACTION

No. 16-1070

SECTION "E"

Related Case:

IN RE: COUPEL, ET AL.

CIVIL ACTION

No. 16-1075

SECTION "E"

Applies to: Both Cases

ORDER AND REASONS

This matter came before the Court on July 12, 2016, at 10:00 a.m., for a show cause hearing on the motions for contempt filed by Appellee, Elie Kfoury, in the above-captioned matters.¹ After hearing the testimony of the witnesses and receiving evidence, the Court **GRANTED** Kfoury's motions and found the Appellants, Larry L. Coupel and Natalie A. Coupel, in civil contempt. As stated on the record, the Court hereby imposes the following civil contempt sanctions against Larry L. Coupel and Natalie A. Coupel:

- A fine of \$100 per day, beginning on July 13, 2016, is imposed for each day that use of the predial servitude in accordance with the July 20, 2009 judgment is denied.
- If the days on which use is denied exceed seven (7), the fine will be increased to \$1,000 per day.
- The days on which use is denied need not be consecutive to be counted for the purpose of increasing the fine imposed.
- Any fines incurred pursuant to these sanctions shall be payable to Elie Kfoury.

¹ No. 16-1070, R. Doc. 7; No. 16-1075, R. Doc. 9.

- If the days on which use is denied exceed thirty (30), Kfoury may petition the court for the imposition of criminal contempt sanctions against the Coupels. If the Court finds the Coupels in criminal contempt, the Court may impose criminal fines payable to the Court and/or imprisonment. A finding of intent is necessary to hold a party in criminal contempt of the court. The Coupels are hereby informed that reliance on the testimony of their surveyor, Mr. Woodard, will not negate a finding that they intended to violate the orders of this Court and the orders of the 23rd Judicial District Court for the Parish of Assumption, State of Louisiana.
- The Court also awards attorneys' fees to Kfoury in connection with his motions for contempt. Kfoury is directed to file a motion for attorneys' fees, referable to the assigned magistrate judge, within 10 days of this date.

IT IS SO ORDERED.

New Orleans, Louisiana, this 12th day of July, 2016.



SUSIE MORGAN
UNITED STATES DISTRICT JUDGE