

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

MINUTE ENTRY
NOVEMBER 29, 2006
BRADY, J.

ENTERTAINMENT SOFTWARE
ASSOCIATION AND ENTERTAINMENT
MERCHANTS ASSOCIATION

CIVIL ACTION

VERSUS

NO. 06-431-D

CHARLES C. FOTI, JR., ET AL.

This matter came on this day for oral argument and evidentiary hearing on the Motion (doc. 41) by plaintiffs for Summary Judgment and the Motion (doc. 44) by plaintiffs to Certify a Defendant Class.

PRESENT: James A. Brown, Esq.
Katherine A. Fallow, Esq.
George Denegre, Jr.
Counsel for plaintiff

David Glen Sanders, Esq.
Counsel for State of Louisiana

Doug Moreau, Esq.
In his official capacity on behalf of himself
as District Attorney for the Parish of East
Baton Rouge, and on behalf of a class of
similarly situated individuals in their
official capacities

The parties present argument related to the motion for class certification.

Exhibit P-1 is filed into the record.

The court GRANTS the motion for class certification finding that the Rule 23 requirements are met. The class will consist of duly elected District Attorney's of the State of Louisiana and their agents and employees.

The parties present argument related to the Motion for Summary Judgment.

For the reasons set forth in the ruling on the preliminary injunction, the court GRANTS the motion for summary judgment and will enter a declaratory judgment against the Attorney General, his agents and assigns, and all the elected District Attorneys in the State of Louisiana, their agents and employees.

The court GRANTS permanent injunction against all the District Attorneys in the State of Louisiana, their agents and employees prohibiting enforcement of La. R.S. 14:91.14.

The court will not issue any ruling on attorney fees at this time, but reserves the right for the prevailing parties to petition the court at a later time.

The parties shall submit a proposed final judgment to the court.

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S. Thompson/reporter

c: CV 25a; T-30 mins.