

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

FRANK LIVERMORE, ET AL

CIVIL ACTION

VERSUS

NUMBER 10-507-FJP-CN

JOEL ARNOLD, ET AL

ORDER

Although there are pending motions for summary judgment filed herein, the Court questions whether the Middle District of Louisiana is the proper venue for this action since most if not all of the alleged acts occurred in Independence, Louisiana.

Therefore,

IT IS ORDERED that on or before February 10, 2012, the parties shall set forth:

- (1) The parish in which the property involved herein is located.
- (2) If the property was located in Independence, Louisiana, what authority did the Sheriff and Deputies from Livingston Parish have to be involved in this matter?
- (3) The name of the parish where most of the witnesses live.
- (4) The location of the parish where most exhibits are located.
- (5) Why the Middle District of Louisiana is the Court of the proper and most convenient venue.

IT IS FURTHER ORDERED that the parties shall set forth the

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specific federal claims asserted herein.

IT IS FURTHER ORDERED that the parties shall assert the specific state law claims involved herein.

IT IS FURTHER ORDERED that the parties shall set forth the specific statute(s) conferring federal subject matter jurisdiction herein.

IT IS FURTHER ORDERED that since the defendants have asserted qualified immunity as a defense herein, have the plaintiffs filed a reply as required by the Fifth Circuit in *Schultea v. Wood*, 47 F.3d 1427 (5th Cir. 1995)?

IT IS FURTHER ORDERED that if state law claims are involved in this case, why the Court should exercise its discretion under 28 U.S.C. § 1367 to hear these claims.

Baton Rouge, Louisiana, February 1, 2012.



FRANK J. POLOZOLA
MIDDLE DISTRICT OF LOUISIANA