

**STATE OF LOUISIANA**  
**COURT OF APPEAL, FIRST CIRCUIT**

JOSEPH ALLEN, STEVEN AYRES,  
ASHLEY HURLBURT, RORY KEVIN  
GATES, JAMES HOWARD, DEMARCUS  
MORROW, RODNEY WALLER, KEITH  
ARCEMENT, FREDERICK BELL,  
GENARO CRUZ GOMEZ, SAM YBARRA,  
MICHAEL CARTER, AND JAMES  
PARK, ON BEHALF OF THEMSELVES  
AND ALL OTHERS SIMILARLY  
SITUATED

NO. 2017 CW 1581

VERSUS

JOHN BEL EDWARDS IN HIS  
OFFICIAL CAPACITY AS GOVERNOR  
OF THE STATE OF LOUISIANA,  
ZITA JACKSON ANDRUS, CHRIS L.  
BOWMAN, FLOZELL DANIELS, JR.,  
THOMAS D. DAVENPORT, JR.,  
PATRICK J. FANNING, W. ROSS  
FOOTE, KATHERINE E. GILMER,  
MICHAEL C. GINART, JR., FRANK  
HOLTHAUS, DONALD W. NORTH, AND  
MOSES JUNIOR WILLIAMS, IN  
THEIR OFFICIAL CAPACITIES AS  
MEMBERS OF THE LOUISIANA  
PUBLIC DEFENDER BOARD; AND  
JAMES T. DIXON, JR., IN HIS  
OFFICIAL CAPACITY AS THE  
LOUISIANA STATE PUBLIC  
DEFENDER

**FEB 06 2018**

---

In Re: John Bel Edwards, In his official capacity as Governor  
of the State of Louisiana, et al., applying for  
supervisory writs, 19th Judicial District Court,  
Parish of East Baton Rouge, No. 655079.

---

**BEFORE: GUIDRY, WELCH, HIGGINBOTHAM, CRAIN AND THERIOT, JJ.**

**WRIT DENIED.**

**MRT  
JMG  
WJC**

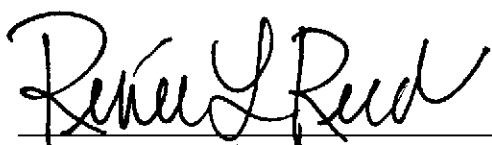
**Welch and Higginbotham, JJ.**, dissent and would grant relator's writ application, in part, to reverse that portion of the trial court's October 24, 2017 judgment denying the defendants' exception raising the objection of lack of subject matter jurisdiction as it pertains to the plaintiffs' causes of action for injunctive relief under Louisiana law. We would grant the defendants' exception raising the objection of lack of subject matter jurisdiction, in part, and dismiss the plaintiffs' causes of action for injunctive relief under Louisiana law only. See La. R.S. 13:4062 and La. Code Civ. P. art. 3601. Thus, we would deny the writ application in all other

**STATE OF LOUISIANA**  
**COURT OF APPEAL, FIRST CIRCUIT**

2017 CW 1581  
Page 2

respects, finding the criteria set forth in **Herlitz Construction Co., Inc. v. Hotel Investors of New Iberia, Inc.**, 396 So.2d 878 (La. 1981) (*per curiam*), are not met.

COURT OF APPEAL, FIRST CIRCUIT

A handwritten signature in black ink, appearing to read "Renee L. Reed". The signature is written in a cursive style and is positioned above a horizontal line.

DEPUTY CLERK OF COURT  
FOR THE COURT