

**JOSEPH R. MCMAHON, ET
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VERSUS

CITY OF NEW ORLEANS

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NO. 2018-CA-0842

COURT OF APPEAL

FOURTH CIRCUIT

STATE OF LOUISIANA

CONSOLIDATED WITH:

**DARLENE WASHINGTON-
WAPEGAN, CAROLYN
BLACKMAN, JOSEPH E.
ALVEREZ, AND CORINNE
DUCRE**

VERSUS

CITY OF NEW ORLEANS

CONSOLIDATED WITH:

DAVID C. JARRELL

VERSUS

CITY OF NEW ORLEANS

CONSOLIDATED WITH:

DAVID C. JARRELL

VERSUS

CITY OF NEW ORLEANS

CONSOLIDATED WITH:

**DOUGLAS M. KLEEMAN AND
GREGORY J. MCDONALD**

VERSUS

CITY OF NEW ORLEANS

CONSOLIDATED WITH:

NO. 2018-CA-0843

CONSOLIDATED WITH:

NO. 2018-CA-0844

CONSOLIDATED WITH:

NO. 2018-CA-0845

CONSOLIDATED WITH:

NO. 2018-CA-0846

BROWN, J., CONCURS WITH REASONS.

I write separately to acknowledge the overall impact this decision will have on the City of New Orleans (the “City) as a result of repayment of the fees and fines collected from the issuance of ATEs tickets. As noted by the majority, DPW’s enforcement of traffic regulations, pursuant to ATEs ordinances, was in violation of the City’s home charter rule. As a result of the invalid ordinances, the affected citizenry, who were erroneously mandated to pay the City these fees and fines, are entitled to be made whole.