

Division A  
CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

66-71

D. C. Form No. 106A Rev.

SECTION A  
TITLE OF CASEUNITED STATES OF AMERICA, by  
NICHOLAS deB. KATZENBACH,  
ATTORNEY GENERAL OF THE  
UNITED STATES

VERSUS

PLAQUEMINES PARISH SCHOOL  
BOARD; E. J. ELIZEY, President;  
S.A. MONCLA, Superintendent;  
SIDNEY J. GLEASON; ANTHONY MALTESE;  
CLARENCE RAGAS; H. F. S. McLAUGHLIN, JR.  
DALLAS A. PICOU; MRS. BERCHMANS J.  
PEREZ, MRS. LORENA E. EAKRIGHT;  
FREDERICK G. DEILER; CLARENCE KIRBY,  
Members

## ATTORNEYS

For plaintiff: *for L. H. Provensal, Jr.*  
 Nicholas deB. Katzenbach  
 Atty. General - Dept. of Justice  
 Washington, D.C.  
 John Doug - JERRE L. HOWARD  
 Asst. Atty. General - Dept. of Justice  
 Louis C. La Cour  
 U.S. Atty. - 400 Royal St., N.O., La.  
 Dr. Robert Owen, Atty.  
 U.S. Dept. of Justice, Washington, D.C.  
 ✓ Hugh W. Fischer, T.A. Frank D. Allen Jr.  
 Dept. of Justice - Washington, D.C.  
 ✓ Raymond Terry  
 Robert Moore and Patrick Hardin  
 Attorneys for Dept. of Justice Wash, D.C.

## For defendant:

✓ Leander H. Perez, Jr.  
 District Atty. - Courthouse Bldg.  
 Pointe-a-la-Hache, La.  
 and  
 ✓ L. H. Perez  
 1806 Commerce Bldg.  
 and  
 ✓ Sidney W. Provensal, Jr.  
 1914 Whitney Bldg.  
 ✓ and Luke A. Petrovich  
 P.O. Box 200  
 Buras, La. for Plaquemines Parish Comm.

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed	Clerk	8-10-66	S. Provensal	5 00	(Appeal)
		8-12-66	C.D.#13	5 00	5 00
J.S. 6 mailed JAN 1975	Marshal	7-22-66	L.A. Petrovich	5 00	(Appeal)
		7-23-66	C.D.#22	5 00	5 00
		7-24-67	L.A. Petrovich	5 00	(Appeal)
		7-31-67	C.D.#7	5 00	5 00
		8-17-67	L.A. Petrovich	5 00	(Appeal)
		8-18-67	C.D.#10	5 00	5 00
		APR 22 1968	L.A. Petrovich	5 00	(Appeal)
		EX 20 68	O.D. #54		5 00

Basis of Action: FOR  
 PRELIMINARY INJUNCTION ENJOINING AND RESTRAINING  
 DEFTS. FROM DISCRIMINATING ON THE BASIS OF RACE OR COLOR IN  
 PLAQUEMINES  
 Action arose at:  
 PARISH SCHOOL SYSTEM, ETC.

Docket fee  
 Witness fees  
 Depositions

15-7-4

SECTION A

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DATE	PROCEEDINGS	Date Order or Judgment Noted
7/21/66	Flg. complaint and motion for preliminary injunction set for hearing on 8/3/66 at 10:00 A.M. memo in support. Issg. 11 summons.	1
7/27/66	Flg. M.R. on summons. (serv. Sidney J. Gleason, Anthony Maltese, Clarence Ragas, E. J. Ellzey, Clarence Kirby in person on 7/22/66, Dallas A. Picou thru agent on 7/22/66, Frederick G. Deiler thru his agent on 7/25/66).	2
7/29/66	Flg. interrogs. propounded to Pltf. by Defts.	3
7/29/66	Flg. motion by Defts. and ORDER that the motion to continue the trial of the motion for preliminary injunction is denied. Ent. 8/1/66. Issg. notice.	4
8/1/66	Flg. request for subpoenas by Pltf. Issg. same.	5
8/2/66	Flg. motion of Defts. except H. F. S. McLaughlin, Jr. and Mrs. Lorena E. Bakright, to dismiss; notice of hearing on 8/3/66. memo in support.	6
8/2/66	Flg. request for subpoenas by Pltf. Issg. same.	7
8/3/66	Flg. Answers and objections of Pltf. to Defts. interrogs.; notice of hearing on 8/5/66.	8
8/4/66	Flg. Defts'. interrogs. propounded to Pltf.	9
8/5/66	Flg. ORDER that Defts. show cause on 8/5/66 why an order should not be made and entered adding the Plaquemines Parish Commission Council, Leander H. Perez, Sr., Clarence T. Kimble, George A. Hero, Jr., Clarence J. Kirby and Luke A. Petrovich as parties Deft., Etc. Ent. 8/5/66.	10
8/5/66	Flg. objections of Pltf. to Defts'. interrogs. served 8/4/66.	11
8/3/66	Hearing and ORDER that the motion of Pltfs. for a Preliminary Injunction; and motion of Defts., with the exception of H. F. S. McLaughlin, Jr., and Mrs. Lorena E. Bakright, to dismiss this action against them be, CONTINUED to 8/5/66. Ent. 8/8/66. Issg. notice.	9-A
8/5/66	Flg. second motion for continuance by Defts.	12
8/5/66	Flg. motion by Defts. for interlocutory appeal.	13
8/5/66	Flg. ANSWER by Defts.	14
8/5/66	Flg. motion for subpoena duces tecum by The School Board of The Parish Of Plaquemines. 15	
8/5/66	Flg. application for an order to show cause and a temporary restraining order by Pltf. 16	
8/5/66	Filing ORDER that Defts. appear on 8/11/66 to show cause, if any why they should not be enjoined and restrained from selling conveying, etc. material to the operation of the Plaquemines Parish Public Schools, Etc. Memo in support. Ent. 8/8/66.	16-A
8/5/66	Flg. ORDER to show cause why certain parties should not be added as parties Deft. and ORDER that such parties be added and the title to this action is amended to list Plaquemines Parish Commission Council; Leander H. Perez, Sr., President; Clarence T. Kimble; George A. Hero, Jr.; Clarence J. Kirby; and Luke A. Petrovich, Members, as additional parties Deft., Etc. Ent. 8/8/66.	17
8/8/66	Flg. H.R. on subpoenas. (14 executed).	18
8/8/66	Flg. request for subpoenas by Pltf. Issg. same.	19
8/8/66	Flg. amended complaint by Pltf. Issg. 6 summons.	20
8/5/66	Hearing and ORDER that the motion of Defts. that this matter be trial at a later date be, OVERRULED; FURTHER ORDER that the objections of Pltf's. certain interrogs., be, SUSTAINED; FURTHER ORDER that the motion of all Defts. excepting H. F. S. McLaughlin, Jr., and Mrs. Lorena E. Bakright, to dismiss this action against them be, DENIED; FURTHER ORDER that the motion of Defts. for leave to file a written motion for Interlocutory Appeal on the basis of the Court's having denied the motion to dismiss be, DENIED. (CONTINUED ON SHEET # 2 - SEE SHEET # 2)	

SHEET # 2 U. S. OF AMERICA vs. PLAQUEMINES PARISH SCHOOL

SECTION A

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D. C. 110A Rev. Civil Docket Contingency

DATE	PROCEEDINGS	Date Order or Judgment Noted
	Defts. requested in their answer that this cause be tried before a three Judge Court; same was DENIED by the Court; Counsel for Defts. moved for leave of Court to file, at a later date, the two reports which are not available to the Court at this time; same was GRANTED by the Court; FURTHER ORDER that the motion of U.S. for Temporary Restraining Order enjoining the Piquemines Parish Commission Council, and its members as party Defts. be, GRANTED; FURTHER ORDER that this matter be, CONTINUED to 8/11/66. Ent. 8/11/66. Issg. notice.	
8/10/66	Flg. notice of appeal by Defts.	17-A
8/10/66	Flg. statement of points by Defts.	21
8/10/66	Flg. designation of contents of record on appeal by Defts.	22
8/12/66	Hearing and ORDER that the hearing on this matter be, CONTINUED to 8/15/66. Ent. 8/15/66. Issg. notice.	23
8/15/66	Flg. M.R. on summons. (serv. H.F.F. S. McLaughlin, Jr., thru his agent on 8/1/66, S.A. Moncla in person on 7/27/66, Mrs. Berchmans J. Perez, in person on 7/27/66).	24
8/12/66	Flg. ORDER that the Temporary Restraining Order entered on 8/5/66 be extended so as to expire on 8/21/66, unless it is further extended by order of this Court. Ent. 8/16/66. Issg. notice.	25
8/17/66	Flg. memo from Court of Appeals and ORDER that the motion of appellants for an order staying all proceedings in the District Court pending appeal be, DENIED.	24-A
8/15/66	Hearing for order for Defts. to show cause why they should not be enjoined and restrained from selling, conveying, transferring, etc., any real or personal property was this day resumed and SUBMITTED; Parties have until 8/19/66, within which to file briefs. Ent. 8/18/66.	40
8/11/66	Hearing and ORDER that the Temporary Restraining Order be, EXTENDED to remain effective until such time as the Court rules on this trial, ETC.; FURTHER ORDER the hearing on this matter be, CONTINUED to 8/12/66. Ent. 8/19/66. Issg. notice.	25-A
8/23/66	Flg. M.R. on summons. (serv. Clarence T. Kimble, Leander H. Perez, Sr., Clarence J. Kirby, George A. Hero, Jr. in person on 8/9/66, Plaquemines Parish Commission Council thru its agent on 8/9/66, Luke A. Petrovich in person on 8/12/66, and Order to show cause to George A. Hero, Jr., Clarence J. Kirby, Clarence T. Kimble, Leander Perez in person on 8/9/66, Plaquemines Parish Commission thru its agent on 8/9/66).	23-A
8/26/66	Flg. Findings of Fact and Conclusions of Law by the Court. Ent. 8/29/66. Issg. notice.	27
8/26/66	Flg. ORDER that the Defts. be preliminarily enjoined from operating the Public Schools of Plaquemines Parish on a racially segregated basis and from continuing to deny to Negro children in Plaquemines Parish educational opportunities which are available to white children during the school year 1966-67; FURTHER ORDER that Defts. enter the desegregation plan, Etc.; FURTHER ORDER that the costs and disbursements of this action be taxed against Defts. (HWC) Ent. 8/29/66. Issg. notice.	28
8/29/66	Flg. motion of Defts. for new trial; notice of hearing on 8/31/66. memo in support.	29
8/30/66	Flg. motion of Defts. to dissolve Temporary Restraining order and Preliminary Injunction and to dismiss amended complaint. Memo in support; notice of hearing on 8/31/66.	30
8/31/66	Flg. M.R. on subpoenas. (4 executed).	31
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DATE	PROCEEDINGS	Date Order or Judgment Noted
3/30/66	Flg. Supplemental Order by H.W.C.) Ent. 9/1/66. Issg. notice.	33
8/29/66	Flg. motion of Defts. for stay Order and ORDER, dated 8/31/66, denying same. Ent. 9/2/66. Issg. notice.	30-A
9/1/66	Flg. notice of appeal by Defts.	34
9/1/66	Flg. designation of contents of record by Defts.	35
9/1/66	Flg. statement of points by Defts.	36
/6/66	Flg. notice of taking depositions of Mrs. Gladys B. Gressett, Patricia G. Simmons, June V. Williams, Bessie D. Cauthen, Hazel H. Johnson, Aaron E. Boan, Lorna M. Humphrey, Cora J. Burford, Jeanette F. Hardin, Zelma Denson, Nathaniel M. Hale on 9/8/66, Charles R. Simmons, Kenneth Simmons, Frank K. Hardin, Barbara J. Sanders, Beverly Ann W. Ferguson, Jesse K. Denson, Merle Ramsey, Maude L. Kennedy, Beverly Ann McClendon, Marie R. Stivison on 9/9/66, Mayme S. Creel, Viola Milton, Sally Ann H. Puryear, Ann F. Williams, Jeanette A. Guillory, M. N. Kudla, George H. Puryear, Annie M. Stringer, S. A. Moncla, Frank J. Patti, Raymond Shetley, S. E. Niles, Mary N. Arledge, Robert M. Conner, Betty Lou Toney, Thomas V. Quirin, Calvin C. Bennett, John D. Toney, Irwin Rhodes, Jr., on 9/10/66, Webster Cline, Jr., Daniel Campbell, Ernest B. Adolph, Robert Dugan, Herman Ragas, Helen H. Adolph, Ruby Kelley, Louis V. Smith and Lois C. Lee on 9/12/66 by Pltf.	37
/6/66	Flg. motion by Defts. to oppose the taking of depositions and for protective orders. memo in support; notice of hearing on 9/7/66.	38
/8/66	ORDER that Paul W. Williams be appointed an officer authorized to administer oaths Ent. 9/8/66. Issg. notice.	39
31/66	Hearing and ORDER that the motion of Plaquemines Parish School Board E. J. Ellzey, President, S.A. Moncla, Superintendent, Sidney J. Gleason, Anthony Maitese, Clarence Ragas, Dalias A. Picou, Mrs. Berchmans J. Perez, Frederick G. Deiler, and Clarence Kirby, members, that judgment entered be vacated and set aside, and that a new trial be granted be, DENIED: SUBMITTED AS to motion of Plaquemines Parish Commission Council, Leander H. Perez, Sr., Clarence T. Kimble, Clarence J. Kirby and Luke A. Petrovich, to dissolve temporary restraining order, and preliminary injunction and to dismiss the amended complaint against them. Ent. 9/8/66. Issg. notice.	33-A
/13/66	Flg. application by Pltf. for order to show cause why additional interlocutory relief should not be granted.	40
/13/66	Flg. ORDER that Deft. School Board and each member and the Superintendent appear on 9/15/66 at 4 P.M. to show cause, if any why they should not be further enjoined and restrained from failing to take immediate adequate and effective steps to obtain and provide at the Woodlawn High School a teach for each grade etc. Affidavits annexed. Ent. 9/14/66. Issg. notice. Issg. cert. copies.	41
/7/66	Hearing and ORDER that the opposition of Defts. to the taking of depositions be, OVERRULED; FURTHER ORDER that the motion for a protective order be, DENIED. Ent. 9/14/66. Issg. notice.	38-A
/14/66	Flg. request for subpoenas by Pltf.	42
19/66	Flg. Amended Order that the motion to dismiss the amended petition and to dismiss and dissolve the temporary restraining order and preliminary injunction is DENIED. Ent. 9/20/66. Issg. notice.	43
/19/66	Record forwarded to Court of Appeals	x

(SEE SHEET # 3)

HEET # 3 U.S. OF AMERICA vs. PLAQUEMINES PARISH SCHOOL

SECTION A

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D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
9/22/66	Flg. ORDER, dated 9/21/66, that Deft. School Board and its Superintendent enter designation plan, Etc. (HWC) Ent. 9/22/66. Issg. notice.	44
9/15/66	Case called; SUBMITTED on application of the Pltf. for an order to show cause why additional interlocutory relief should not be granted; and on rule for Defts. to show cause why additional interlocutory relief should not be granted. Ent. 9/27/66.	42-A
9/27/66	Flg. Mandate from Court of Appeals and ORDER that the motion of appellants for an order staying the preliminary injunction and order rendered by the U.S. of America be, DENIED.	45
9/27/66	Flg. M.R. on subpoenas. (51 executed).	46
9/27/66	Flg. M.R. on summons. (unexecuted as to Mrs. Lorena E. Eakright - Lives Out of State).	47
9/27/66	Flg. M.R. on application for order to show cause. (serv. S. A. Moncia, Sidney W. Provensal, Jr., Leander H. Perez, Leander H. Perez, Jr., Luke A. Petrovich, Sidney J. Gleason, Anthony Maltese, Clarence Ragas, E. J. Ellzey, Dallas A. Picou, Mrs. Berchmans J. Perez, Frederick G. Deiler in person on 9/14/66, unexecuted as to Clarence Kirby - unable to locate).	48
9/29/66	Flg. report of choice period by Deft.	49
9/22/66	Flg. notice of appeal by Defts.	44-A
9/22/66	Flg. designation of contents of record by Defts.	44-B
10/4/66	Flg. M.R. on subpoenas. (8 executed).	50
10/7/66	Flg. motion of Defts. to be heard in opposition to proposed order of Pltf. submitted on 10/6/66.	51
10/7/66	Flg. motion of Defts. for certain relief in the operation of the Plaquemines Parish School Board; notice of hearing on 10/12/66.	52
10/7/66	Flg. opposition to order requested by Atty. General by Plaquemines Parish Commission Council.	53
10/11/66	Flg. ANSWER by Plaquemines Parish Commission Council and Members. 14th Amendment annexed.	54
10/11/66	Flg. Statement of points by Defts.	55
10/12/66	Hearing and ORDER that motion of Plaquemines Parish School Board to be heard in opposition to proposed order of Pltf. submitted on 10/6/66 and for certain relief in the operation of the Plaquemines Parish Public School System; and on opposition of Plaquemines Parish School Board and Plaquemines Parish Commission Council to order requested by Atty. General to cancel lease on Woodlawn School with a provision be, CONTINUED TO BE RE-ASSIGNED. Ent. 10/13/66. Issg. notice.	56
10/14/66	Flg. notice by the Court that hearing on all pending motions be set for 10/20/66.	57
10/17/66	Flg. motion of Defts. to deny order requested by Atty. General; notice of hearing on 10/20/66. Memo in support.	58
10/18/66	Flg. request for subpoenas by Pltf. Issg. same.	59
10/19/66	Flg. request for subpoenas by Pltf. Issg. same.	60
10/21/66	Flg. M.R. on subpoenas. (4 executed) (unexecuted as to Theima Lois Watson - unable to locate).	61

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DATE	PROCEEDINGS	Date Order or Judgment Noted
1/21/66	Flg. ORDER that the Preliminary Injunction dated 8/26/66 is Amended, Etc. (HWC) Ent. 10/24/66. Issg. notice.	62
1/21/66	FURTHER HEARING; ORDER that the motions of Plaquemines Parish School Board, to be hearing in opposition to proposed order of Pltf. submitted on 10/6/66, for certain relief in the operation of the Plaquemines Parish Public School System, be, DENIED; FURTHER ORDER that the opposition of Plaquemines Parish School Board and Plaquemines Parish Commission Council to order requested by Atty. General to cancel lease on Woodlawn School with a provision be, DENIED; FURTHER ORDER that the motion of Plaquemines Parish Commission Council, Leander H. Perez, Sr., Clarence T. Kimble, Clarence J. Kirby and Luke A. Petrovich, to deny order requested by Atty. General except as to unconditional cancellation of Woodlawn School lease be, DENIED; FURTHER ORDER that the Attys. from the Dept. of Justice take the necessary steps to determine why Steward E. Niles and Allard V. Cousin should not be held in contempt of Court, and why punishment should not be imposed; FURTHER ORDER that the Attys. from the Dept. of Justice examine the record to determine if the same action should not be imposed on Raymond Shetley. Ent. 10/26/66. Issg. notice.	63
/20/66	Case called; ORDER that this matter be, CONTINUED to 10/21/66. Ent. 10/26/66. Issg. notice.	62-A
/27/66	Flg. M.R. on subpoenas. (2 executed).	64
/31/66	Flg. report to the Court in compliance with order by Deft. Plaquemines Parish School Board.	65
0/31/66	Flg. M.R. on Order. (serv. Raymond Shetley, Frank S. Patti, Stewart C. Niles, Allard V. Cousin in person on 10/24/66).	66
/31/66	Volume 2 of the Original record forwarded to Court of Appeals.	x
1/15/66	Flg. motion of U.S. of America and ORDER that the Pltf. may remove certain documents from the Clerk of the Court for the purpose of photographing documents, Etc. Ent. 11/18/66. Issg. notice.	67
/22/66	Flg. Memo from Court of appeals granting an extension of time up to and including 1/19/67, for filing and docketing record on appeal.	68
2/30/66	ORDER that the motion of Defts. to dissolve the temporary restraining order and preliminary injunction, and to dismiss the amended complaint be, DENIED. Ent. 1/5/67. Issg. notice.	69
1/4/67	Flg. MR on ORDER (serv. S.A. Moncla, Sidney J. Gleason, Anthony Maltese, Clarence Ragas, Dallas A. Picou, Frederick G. Deiler, Clarence Kirby, Leander H. Perez, Sr., Clarence T. Kimble, personally on 26, 27, & 29 of Aug., 1966; unserv. as to E. J. Ellzey, Mrs. Berchmans J. Perez, George A. Hero, Jr. & Luke A. Petrovich)	70
1/12/67	Flg. supplement to report to the Court in compliance with Order by Deft. Plaquemines Parish School Board	71
1/20/67	Flg. Reporter's transcript of hearing on <u>Oct 21 1966</u>	K
2/8/67	Flg. Reporter's transcript of hearing on 10/20/66.	x

(SEE SHEET # 4)

SHEET # 4

U.S. OF AMERICA vs. PLAQUEMINES PARISH SCHOOL

SECTION A

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Case No. 66-71

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
2/9/67	Flg. Reporter's transcript of hearing on 8/5/66.	x
2/9/67	Supplemental record forwarded to Court of Appeals.	x
2/13/67	Supplemental record; Court Reporters Transcript of proceedings of 8/5/67 forwarded to Court of Appeals.	x
2/23/67	Flg. Reporter's transcript of hearing on 8/11/67.	x
2/24/67	Supplemental record and Reporter's transcript forwarded to Court of Appeals.	x
3/20/67	ORDER that the hearing on motion for Permanent Injunction be, SET for 4/10/67. Ent. 3/23/67. Issg. notice.	72
3/27/67	Flg. Reporter's transcript of proceedings on 8/12/67.	73
3/27/67	Flg. Reporter's transcript of proceedings on 9/15/67	74
3/27/67	Reporter's transcript of Aug. 12 and Sept. 15, 1966, forwarded to Court of Appeals.	x
3/29/67	Flg. motion of Pltf. for the production of documents; notice of hearing on 4/5/67	75
3/31/67	Flg. Reporter's transcript of hearing on 8/15/66.	x
3/30/67	Flg. motion of Defts. for trial by Jury; notice of hearing on 4/5/67. Memo in support.	76
3/29/67	Flg. notice of taking depositions of Mrs. Dorothy S. Fontenelle, L. M. Tinsley, S. A. Moncla on 4/4/67 by U.S. of America.	75-A
3/30/67	Flg. request for subpoena by U.S. of America. Issg. same.	77
3/30/67	Flg. request for subpoenas by U.S. of America. Issg. same.	78
3/31/67	Flg. notice by U.S. of America of sale of vessel.	79
3/31/67	Reporter's Transcript of Hearing on 8/15/66 forwarded to Court of Appeals.	x
4/4/67	Flg. notice of taking deposition of Hugh W. Fleischer by Plaquemines Parish Comm. Council on 4/4/67.	80
4/4/67	Flg. notice of taking depositions of Clem R. Olivier, Rev. George N. Hay, Melvin Istre, August Johnson, Mrs. Ernest Lutz, Rev. Fred Mead, Joseph Adema by Plaquemines Parish Comm. Council on 4/4/67.	81
4/4/67	Flg. request for subpoenas by Plaquemines Parish Comm. Issg. same.	82
4/4/67	Flg. motion of Pltf. and ORDER that subpoena dated and served upon Hugh W. Fleischer on 4/4/67 be, quashed. Ent. 4/5/67. Issg. notice.	83
4/5/67	Flg. ORDER that documents are to be produced at the examination to be held, Etc. Ent. 4/19/67. Issg. notice.	84
4/6/67	Flg. notice of taking depositions of Mrs. John Parker, George Parker, by U.S. of America on 4/12/67.	85

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DATE	PROCEEDINGS	Date Order or Judgment Noted
3/29/67	Flg. motion of Plaquemines Parish School Board and ORDER, that this matter be Continued from 4/10/67 to 4/17/67. Ent. 4/10/67. Issg. notice.	75-B
4/5/67	Hearing and ORDER that the motion of Pltf. for production of documents be, GRANTED; SUBMITTED as to Defts'. motion for jury trial; ORDER that a pre-trial conference be set for 4/13/67; FURTHER ORDER that the trial be CONTINUED to 4/17/67. Ent. 4/11/67. Issg. notice.	84-A
4/13/67	Flg. request for subpoenas by U.S. of America. Issg. same.	86
4/13/67	Entg. Order denying motion of Defts. to have trial of permanent injunction by Jury. Entd. 4/14/67.	87
4/12/67	Flg. motion and ORDER, dated 4/14/67, that Leander H. Perez be permitted to withdraw as Atty. of Record for the Plaquemines Parish School Board and that Leander H. be permitted to represent himself in proper person. Ent. 4/17/67. Issg. notice.	84-B
4/13/67	Entg. Pre-trial conference held, trial date previously set for April 17, 1967. Entd. 4/17/67. Issg. Notice	88
4/17/67	Flg. motion of Plaquemines Parish Commission Council, L. H. Perez, Sr. Et Al for Interlocutory Appeal.	89
4/17/67	Flg. motion of Plaquemines Parish Commission Council to recuse, Etc.	90
4/18/67	Flg. affidavit of Ronald B. Hotz.	91
4/18/67	Flg. supplement to motion to recuse by The Plaquemines Parish Commission Council.	92
4/18/67	Flg. motion of The Plaquemines Parish Commission Council to dismiss.	93
4/24/67	Flg. request for subpoenas by Plaquemines Parish Commission Council. Issg. same.	94
4/25/67	Flg. motion of Pltf. and ORDER that the subpoena duces tecum served on Hugh W. Fleischer be quashed. (Subpoena annexed) Ent. 5/1/67. Issg. notice.	95
4/28/67	Flg. M.R. on subpoenas. (19 executed) (unexecuted as to Rev. Fred Mead - unable to locate).	96
4/17/67	Case called; CONTINUED to 4/18/67. Ent. 5/18/67.	90-A
4/18/67	FURTHER HEARING; CONTINUED to 4/19/67. Ent. 5/18/67.	90-B
4/19/67	FURTHER HEARING; CONTINUED to 4/21/67. Ent. 5/18/67.	90-C
4/21/67	FURTHER HEARING; CONTINUED to 4/22/67. Ent. 5/18/67.	90-D
4/22/67	FURTHER HEARING; CONTINUED to 4/25/67. Ent. 5/18/67.	90-E
4/25/67	FURTHER HEARING; SUBMITTED. Ent. 5/18/67.	90-F
4/17/67	Hearing and ORDER that the motion for permanent injunction be, REFERRED to the merits of the trial. Ent. 5/18/67. Issg. notice.	91-A
4/18/67	Hearing and ORDER that the motion for permanent injunction be, REFERRED to the merits of the trial. Ent. 5/18/67. Issg. notice.	91-B
4/19/67	Hearing and ORDER that the motion for permanent injunction be, REFERRED to the merits of the trial. Ent. 5/18/67. Issg. notice.	91-C
5-5-67	Flg. M.R. on Subpoenas ( 7 executed)	97
6/27/67	Flg. Findings of Fact and Conclusions of Law by the Court. (HWC) Ent. 6/28/67. Issg. notices.	98
6/27/67	Flg. OPINION of the Court, This Court may grant additional relief as the needs of Justice may require. Ent. 6/28/67. Issg. notices.	99

(OVER)



SHEET #5

U.S. OF AMERICA VS. PLAQUEMINES PARISH SCHOOL BOARD, ET ALS

SECTION A

66-71

D. C. 110A Rev. Civil Docket Continuation

PROCEEDINGS

Date Order or  
Judgment Noted

DATE	PROCEEDINGS	Date Order or Judgment Noted
7/7/67	Fig. Motion for new trial by the Defendants, Plaquemines Parish Commission Council and its members. Notice of motion for new trial on 7/26/67, Nemo's support of motion for new trial.	100
7/21/67	Fig. Reporter's transcript of hearing on APR 17 1967	X
7/21/67	Fig. Reporter's transcript of hearing on APR 18 1967	X
7/21/67	Fig. Reporter's transcript of hearing on APR 19 1967	X
7/21/67	Fig. Reporter's transcript of hearing on APR 21 1967	X
7/21/67	Fig. Reporter's transcript of hearing on APR 22 1967	X
7/21/67	Fig. Reporter's transcript of hearing on APR 25 1967	X
7/26/67	Fig. Motion by the Defendants, for and Order staying the permanent injunction etc. Memo in support of motion attached.	101
8/3/67	Fig. Plaquemines Parish School Board Report July 31, 1967.	102
7/26/67	Hearing and ORDER that motion for new trial is DENIED. Deft. files a written notice of appeal. Deft. files a written motion for a stay order, SUBMITTED. (HWC) Ent. 8/9/67. Issg. notices.	101A
8/15/67	Fig. Motion and ORDER dated 8/15/67, granting pltf., until 8/18/67, to file written objections to the proposed teacher assignments of the deft School Board.	103
8/18/67	Ent. 8/16/67. Issg. notices. Fig. Pltf's objections to the Plaquemines Parish School Board Faculty assignments.	104
7/26/67	Fig. Notice of Appeal by the Deft.,	101B
7/26/67	Fig. Designation of Contents of Record by the Deft.,	101C
8/17/67	Fig. Notice of Appeal by the Deft.	103A
8/25/67	Fig. Plaintiff's response to objections of U.S. Dept. of Justice to the Plaquemines Parish School Board Assignments.	105
9/1/67	Record forwarded to 5th Circuit Court of Appeals.	X
9-8-67	Fig. Application of U.S.A. for an Order to show cause why defts. should not be held in contempt, and ORDER (HWC) setting hearing on same for 9-13-67 @10:AM; copies of same issued to parties by U.S. Marshal. Ent. 9-11-67. Issg. Notices	106
9/13/67	ORDERED that Hearing on Application of U.S. for Order to show cause, etc., set for 9/13/67, is CONTINUED to 9/15/67, at 3:00 P.M. Ent. 9/14/67. Issg. Notices.	107
9/15/67	Fig. Affidavit by the Supt. of the Plaquemines Parish Public Schools.	108
9/19/67	Fig. ORDER that Defts. immediately implement platooning system at the Boothville-Venice School, etc.; FURTHER ORDERED that appropriate transportation will be provided, etc; FURTHER ORDERED that the defts. shall compensate the teachers, etc.; FURTHER ORDERED that the provisions of this Order are to be continued only until the School Board shall have adequately staffed the Boothville-Venice School. (HWC - 9/19/67) Ent. 9/19/67. Issg. notices.	109
9/15/67	Hearing & ORDER that the action in this cause is STAYED, and the application of the U.S. for Order to Show Cause is CONTINUED as open. Ent. 9/27/67. Issg. notices	110

O V E R

## SECTION A

66-71

DATE	PROCEEDINGS	Date Order or Judgment Noted
	on summons	
9/22/67	Flg. M.R./serv. on Leander H. Perez, Jr., Sidney Gleason, Anthony Maltese, Sidney W. Provensal, Jr., L. M. Tinsley, Mrs. Berchmans Perez, Clarence J. Kirby, E. J. Elzey, Sr., Frederick G. Deller, and Luke Petrovich, all on 9/8/67. Unserved as to deceased, Clarence Nagas.	111
9/30/67	Hearing and ORDERED that the Motion of Defts., Plaquemines Parish Commission Council, etc., for an Order staying the permanent injunction and Order rendered in this matter on 6/27/67 is DENIED. Ent. 10/3/67. Issg. notices.	112
10/25/67	Flg. Mandate from the 5th U.S.C.A. that the permanent injunction entered by the U.S.D.C. for E.D. of La., on 6/27/67 be stayed pending appeal, etc.,	x
11/29/67	Flg. M.R. on service of writ. Service returned as per instructions of C/Deputy as case is completed.	113
2/12/68	Flg. Motion of Deft., for supplemental relief; Notice of Hearing, 2/21/68, 10 A.M.	114
2/14/68	ORDERED that the hearing on motion of defendant, Plaquemines Parish School Board for supplemental relief, on 2/21/68, is CONTINUED to April 4, 1968. (HWC)	
	Ent. 2/16/68. Issg. notices.	115
3/8/68	Flg. plaintiff's notice to take deposition of L. M. Tinsley on 3/14/68.	116
3/12/68	Flg. Motion for preliminary injunction by the United States of America. Notice of hearing on 3/19/68. Memo annexed.	117
3/12/68	Flg. Motion for supplemental relief by the United States of America. Memo annexed.	118
3/13/68	Flg. request for subpoenas by the United States of America, issg same.	119
3/19/68	Flg. testimony of Mr. L. M. Tinsley, taken on 3/15/68.	x
3/19/68	Hearing and ORDERED and SUBMITTED on motion of the plaintiff for preliminary injunction to restrain defendants from the closing of the Plaquemines Parish School System. Defendant, Plaquemines Parish Commission files motion to dismiss plaintiff's motion for preliminary. SUBMITTED. plaintiff's motion for preliminary injunction is SUBMITTED. ORDERED that a <u>pre-trial conference</u> will be held on 3/27/68. (HWC)	
	Ent. 3/21/68. Issg. notices.	120
3/19/68	Flg. Motion to dismiss plaintiff's motion for preliminary injunction and motion for supplemental relief against defendants, Plaquemines Parish Commission Council, Leander H. Perez, Sr., Clarence T. Kimple, Luke A. Petrovich, and Clarence J. Kirby. Memo and Annex A attached.	121
3/29/68	Entg. ORDER of Court (H.W.C., 3/29/68) that defts., their agents, etc., are restrained from closing the Plaquemines Parish Public School system prior to the regularly scheduled termination of 1967-1968 school year; FURTHER ORDERED that such defendants are restrained from failing to provide adequate revenue to allow the operation of Plaquemines Parish public school system for the remainder of 1967-1968 school year in accordance with terms of previous orders of this Court, and that on or about Mar. 31, 1968, the defendant Commission Council make an allocation of funds to the Plaquemines Parish public school system in such amt. as is necessary to allow the system to operate for remainder of 1967-1968 school year, and to continue to provide transportation, janitorial services and all other forms of assistance presently provided. Ent. 4/1/68. Issg. notice.	122
3/29/68	ORDERED that the motion of Plaquemines Parish Comm. to dismiss the motion for preliminary injunction is DENIED. (HWC) Ent. 4/3/68. Issg. notices.	123
3/29/68	ORDERED that the minute entry of 3/19/68, is amended by adding the following etc., (HWC) Ent. 4/3/68. Issg. notices.	124
3/29/68	ORDERED that the motion of Plaquemines Parish School Board for supplemental relief is DENIED. (HWC) Ent. 4/3/68. Issg. notices.	125

CA No. 66-71

Sheet #6 C. A. 66-71 A. U. S. vs. Plaquemines Parish School Board, et al

SECTION A		PROCEEDINGS	66-71
DATE			
3/29/68	Flg. Motion by the defendant, Plaquemines Parish Commission Council, et al to dismiss them as defendants in his action and to release them from any provisions of the injunction rendered by this Court against them. Unsigned order annexed.		126
4/4/68	Flg. Mandate from the 5th USCA, denying the motion to stay.		127
5/29/68	Hearing and ORDERED on motion of Counsel for Plaquemines Parish Comm. Council et al to dismiss with a proposed plan to the Court; is DENIED. A proposed Order for preliminary injunction submitted by Counsel for the U. S. is to be signed by the Court. (HMC) Ent. 4/9/68. Issg notices.		126A
5/27/68	Flg. M.R. on 4 subpoenas. Executed same.		121A
5/27/68	Pre-trial conference held this date; no trial date has been assigned. (HMC) Ent. 4/28/68. Issg notices.		121B
4/19/68	Flg. defendant's notice of appeal.		128
5/1/68	Flg. Reporter's transcript of hearing on March 19 and 20, 1968.		x
6/15/68	Flg. Record forwarded to Court of Appeals		x
6/18/68	Flg. Court Reporters transcript of proceedings taken on March 19 and 20, 1968.		x
6/20/68	Flg. Record forwarded to Court of Appeals on 6/20/68. (Transcript only)		x
8/14/68	Flg. report to the Court by Defts.		129
9/3/68	Flg. notice of taking depositions of Oscar Johnson, L. M. Tinsley by U.S.A. on 9/9/68.		130
9/3/68	Flg. request for subpoenas by USA. Issg. same.		131
9/9/68	Flg. Report of Plaquemines Parish School Board.		132
9/16/68	Flg. MR on subpoenas. ( 2 executed).		133
1/17/69	Flg. notice by U.S. of taking depositions of following persons: Frank J. Patti, 1/27/69 at 10 A.M.; Charles Roussel, 1/27/69 at 3 P.M.; Alexander R. Zevely, 1/27/69 at 4 P.M.; L. M. Tinsley, 1/28/69 at 10 A.M.; James D. Fountain, 1/28/69 at 1 P.M.		134
1/21/69	Flg. request for subpns. by Hugh W. Fleischer. Issgd.		135
1/22/69	Flg. request for subpns. by Hugh W. Fleischer. Issgd. 4		136
1/27/69	Flg. M.R. on subpns. (2 exec.)		137
1/27/69	Flg. M.R. on subpns. (1 exec.)		138
1/29/69	Flg. mtn. by U.S. for the production of documents; notice of hearing 2/12/69 at 10 A.M.		139
(1/22/69)	Flg. M.R. on deposition subpns. (2 exec.)		140
2/6/69	Flg. M & O that hearing on plntf's mtn. for prod. of documents is hereby fixed for trial at 10 A.M. 2/19/69. Ent. 2/11/69 Issg. notice		141
2/13/69	Flg. deff.'s Interrogs. propounded to plntf.		142
2/13/69	Flg. Mtn. of defts. to quash, dismiss and set aside the plntf's mtn. for production of documents. (unsigned Order) Notice of hearing on 2/19/69 at 10 A.M.		143
2/19/69	Flg. Motion by plntf. for supplemental relief; notice of hearing to be set by the Court		144

## SECTION A

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DATE	PROCEEDINGS	
2/19/69	Hearing and Order continuing mtg of plntf. to March 5, 1969	145
2/25/69	Flg. request for subpns. by Luke A. Petrovich. Issg. 1 set	146
(2/17/69)	Flg. M & O that hearing for production of documents, etc. filed by defts. is hereby fixed for trial at 10 A.M. on 3/5/69. Ent. 2/26/69 Issg. notice	143-A
2/27/69	Flg. Plntf.'s objections to defts.' interrogs. Notice of hearing March 5, 1969 at 10 P.M. Memo in support	147
(2/25/69)	Flg. mtg. of defts. to dismiss plntf's mtg. for supplemental relief.	148-A
2/28/69	Flg. Answers to interrogs. of deft. commission council	148
3/4/69	Flg. request for subpns. by Derbert Goldsmith, Jr. Issgd. 3 sets	149
3/4/69	Flg. Mtn. and ORDER that plntf.'s exhibit #9 entitled "Audit of the Plaquemines Police Jury, etc." be released from record to U.S., for one day. Ent. 3/5/69 Issg. notice	150
3/4/69	Flg. M.R. on subpn. 1 executed	151
(2/25/69)	Flg. motion to dismiss plaintiff's motion for supplemental relief; notice of hearing on 3/5/69	146-B
3/7/69	Flg. request for subpns. by Herbert A. Goldsmith, Jr. Issgd. 3	152
(3/5/69)	Hearing and Order allowing Robt. Moore and Patrick Hardin of U.S. Dept. of Justice to be associated as co-counsel for plntf. FURTHER ORDERED plntf's mtg. for supplemental relief is DENIED. FURTHER ORDERED that insofar as balance of mtgs. argued, that they are hereby considered, SUBMITTED. FURTHER ORDERED that plntf's proposed order for production of documents is hereby fixed for hearing 3/21/69 at 10 A.M. Ent. 3/10/69 Issg. notice	153
3/10/69	Flg. notice of taking depositions of J. J. Moreno on 3/14/69 at 10 A.M.; A. E. Zevely on 3/14/69 at 1:00 P.M., and Clarence Kimble on 3/14/69 at 3:00 P.M.	154
3/12/69	Flg. req. for subp. by Luke Petrovich. Issd. 3 depositions. subp.	155
3/17/69	Flg. M.R. on subpns. 2 exec.	156
3/19/69	Flg. Reporter's Transcript of hearing (deposition of Clarence T. Kimble) on 3/14/69	X
3/19/69	Flg. Reporter's Transcript of hearing (deposition of A. E. Zevely) on 3/14/69	X
3/19/69	Flg. Reporter's Transcript of hearing (deposition of Joseph Jefferson Moreno) on 3/14/69	X
3/20/69	Flg. M & O continuing matter until March 27, 1969. Ent. 3/20/69 Issg. notice	157
3/19/69	Flg. M.R. on subpns. 1 exec.	156-A
(3/12/69)	Flg. M.R. on subpns. 3 exec.	156-B
3/27/69	Flg. Motion by Plaquemines Recreational & Educational Assoc., etc., for protective order limiting scope of examination. Affidavits, attachments and notice of hearing on 3/28/69 attached.	158
3-28-69	Hearing on Plaintiff's proposed order for production of documents and Mtg. of the Plaquemines recreational and educational assoc. and Mr. A. E. Zevely president for protective order limiting scope of exam. (SUBMITTED) (IMO) ENT 4-7-69	159
4-15-69	ORDER this cause came to be heard on Plntf's mtg. for an order pursuant to rule 34 of the FRCP requiring the deft. Plaq. Parish Comm. Council and Defts Etc. Order that the defts produce and permit Pl's attys to inspect and copy or photograph the fol documents. Etc. (HWD) ENT 4-15-69 Issg. Notices	160
5-7-69	Flg. Notice to take DEP. of Clarence T. Kimble and Gerald Kimble on 5-9-69 by defts	161

(CONTINUED ON NEXT PAGE)

SECTION A

66-71

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
6-20-69	Flg Pl mtn for supplemental relief and Notice of hrg on 7-2-69	162
6-25-69	Flg Notice to take depositions of L. M. Tinsley and C. O. Perez on 6-30-69 by USA	163
7-2-69	Flg rtns on subs to produce documents (1) exec.	164
7-2-69	Flg rtns on subs to produce documents (1) exec.	165
7-2-69	Flg reporters transcript of Testimony of L. M. Tinsley taken by Pl on 6-30-69	X
7-2-69	Hrg on mtn of Pl for supplemental relief. DENIED. (HWC) ENT 7-3-69 Issg Net.	166
7-7-69	Flg rtn on sub to produce (2) exec	167
7-31-69	Flg proceeding taken in open court on 7-2-69 by reporters transcript, returned fm	X
9-8-69	Record <del>xxxxxxx</del> xx <del>xxxxxxx</del> of Appeals and JUDGMENT: Affirmed. (GOBBOLD) ENT 9-9-69 Opinion attached.	168
9-8-69	JUDGMENT: Affirmed on portion taken under submission upon the record and briefs on file. Opinion attached. (GOBBOLD) ENT 9-9-69	168
12-30-69	Flg defts report as required by the permanent injunction.	169
11-17-70	Defts report as required by the permanent injunction.	170
4-9-71	Mtn of USA for further relief & ORDER (HWC) that this mtn is set for Hrg on 5-18-71 at 10 a.m., ent. 4-12-71.	171
4-20-71	Pltfs request for subpoenas, issued (3).	172
4-20-71	Pltfs Notice of taking Deposition of A.E. Swanson, on 4-26-71 at 10 a.m.	173
4-21-71	Deft Plaquemines Parish School Board, Mtn for continuance & ORDER (HWC) 4-21-71 that the evidentiary Hrg set for 5-18-71 is continued to be reassigned, Ent. 4-22-71.	174
4-27-71	Pltfs Notice of taking Deposition of A.V. Cousin, A. LaFrance, H.P. Gautreaux, F. Fernandez, on 4-30-71.	175
4-27-71	Pltfs request for subpoenas, issued (12).	176
5-3-71	M.R. on subpoena, unserved as to A.E. Swanson, as he is in the hospital.	177
5-3-71	M.R. on subpoena, served F. Fernandez, A.V. Cousin, H.P. Gautreaux & A. LaFrance on 4-28-71.	178
7-1-71	M.E. & ORDER (HWC) that a status conference be held on 7-7-71 at 3:30 p.m., Ent. 7-2-71.	179
8-10-71	ORDER (HWC) that deft Plaquemines Parish School Board, etc., is enjoined (please see document) & that except as modified herein provisions of previous orders will remain in effect & the Court retains jurisdiction of this action, Ent. 7-19-71.	180
	(OVER)	

## SECTION A

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DATE	PROCEEDINGS	Date Order or Judgment Noted
8-19-71	Pltfs Notice of Hrg on 8-25-71 at 10 a.m. of pltfs mtn for Supplemental Relief filed on 4-7-71. Memo in support attached.	181
9-2-71	Defts Report to the Court in response to Order dated 8-18-71.	182
8-25-71	Hrg: Pltfs mtn for supplemental relief. Stipulation filed. SUBMITTED.	181-A
12-9-71	OPINION & ORDERS (HWC) re: desegregation of depts faculty & students in the school year 1972-73. Ent. 12-9-71.	183
5/15/72	Deft Plaquemines Parish School Board's motion for extension to file report & ORDERED deft granted until 6/9/72 to file report (HWC) ent 5/16/72	184
6/28/72	M.E. ORDERED that the report submitted by the Plaquemines Parish Sch. Bd. be filed in the record. Report furnished pursuant to this Ct's Order of 12/8/71. (HWC) 6/26/72. Ent. 6/30/72	185
6/8/72	Report to the Court by Plaquemines Parish School Board	184-A
8/24/72	Report to the Court by Plaquemines Par. School Bd.	186
12/18/72	Report to the Ct. by Plaquemines Par. School Bd.	187
8/28/74	Report to the Court by Plaquemines Parish School Board.	188
1-28-75	ORDER: case is administratively closed. (HWC) Ent. 1/28/75. CLOSED CASE	189