IN THE UNITED STATES DISTRICT COURT FOR THE

EASTERN DISTRICT OF LOUISIANA

NEW ORLEANS DIVISION

RICHARD B. SOBOL, et al. Plaintiffs, UNITED STATES OF AMERICA, Plaintiff-Intervenor, v. LEANDER H. PEREZ, SR., et al. Defendants, STATE OF LOUISIANA, Defendant-Intervenor, JOHN P. DOWLING, et al. Defendant-Intervenors, LOUISIANA STATE BAR ASSOCIATION, Defendant-Intervenor	)	CIVIL ACTION NO. 67-243 SECTION "E"

TRIAL BRIEF OF THE UNITED STATES

The United States submits this brief before trial pursuant to Rule 6 of the Court and pursuant to the January 12, 1968, letter of the Court requesting all counsel to submit their appreciation of the issues involved in this case. In this brief we therefore state what we believe to be the ultimate

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issues of fact raised by the complaint of the United States, and we outline what we understand to be the controverted question of law in this case. In addition, for the convenience of the Court, we attach to this brief two appendices -- one containing a statement of all the persons we have been advised as of the time of filing this brief on Friday, January 19, 1968, will be called as witnesses by the parties (Appendix A) and another containing the text of what we believe to be pertinent federal and state statutes (Appendix B).

I. Ultimate Issues of Fact

The complaint of the United States calls upon this Court to decide two issues: first, whether the threatened prosecution against Richard Sobol is a form of harassment and second, whether the state statutes in question as construed by defendants -- thereby unreasonably and unnecessarily restricting the practice of law by out-of-state lawyers -- deprive Negroes in Plaquemines Parish from obtaining fair and adequate representation in civil rights cases. The United States maintains that the proof of trial will show that both these questions should be answered in the affirmative. If so, a claim under the equal protection clause of the Fourteenth Amendment will have been established and the United States will ask this Court to exercise its equitable jurisdiction by enjoining the prosecution of Richard Sobol and placing appropriate limits on the statutes in question so

as to insure that Negroes in Plaquemines Parish have the opportunity to obtain fair and adequate representation in civil rights cases.

In support of its complaint the United States claims the following ultimate facts:

1. Plaintiff Richard Sobol, who is an attorney licensed to practice law in jurisdictions other than Louisiana and who is authorized to practice law in federal courts in Louisiana and elsewhere has, pursuant to employment with the Lawyers Constitutional Defense Committee, represented Negroes and civil rights workers in cases involving civil rights and constitutional rights in the State and Federal Courts in Louisiana in association with counsel license to practice law in Louisiana.

2. The arrest and threatened prosecution of plaintiff Richard Sobol in Plaquemines Parish, Louisiana, charging him with the unauthorized practice of law, has the purpose and effect of deterring Sobol and other lawyers similarly situated from providing fair and adequate legal representation to Negroes in the local courts of Plaquemines Parish, Louisiana, in cases involving constitutional and civil rights of Negroes.

3. As alleged in paragraph 11 of the complaint of the United States, Negroes in Plaquemines Parish, Louisiana, are less able than white persons to secure in the local courts of Plaquemines Parish, Louisiana, fair and adequate representation by lawyers licensed to practice law in Louisiana in civil rights cases

because: (a) The opportunity of Negroes in Louisiana to become lawyers has been limited, thereby restricting the number of lawyers available to provide fair and adequate representation for Negroes in civil rights cases; (b) Negroes in Plaquemines Parish, Louisiana, would not have confidence in being represented by a white attorney in a civil rights case unless the lawyer is identified with organizations or activities promoting the cause of racial equality or has adequately handled such controversial cases in the past; (c) Community hostilities, harassment and other pressures deter lawyers from representing Negroes in Louisiana, including those in Plaquemines Parish, in civil rights cases; (d) The financial position, geographic location and other professional commitments of those Louisiana lawyers, who are willing to represent Negroes in civil rights cases restrict their ability or availability to handle such cases; (e) There are no legal services programs serving indigents in Plaquemines Parish, and because there are few other programs throughout the State, the ability or availability of lawyers to handle civil rights cases which are usually handled by attorneys without fee, is limited.

II. Controverted Questions of Law

The controverted questions of law raised prior to trial have not involved the question whether the United States would be entitled to the relief it seeks if the allegations of its complaint are proven at trial,

but rather involve the following preliminary issues: (A) 28 U.S.C. §2283; (B) abstention; and (C) the propriety of having this case adjudicated by a three-judge district court. We will briefly discuss each of the issues as it bears on the complaint of the United States, reserving the right to brief the issues subsequent to trial if at all appropriate or necessary.

A. The §2283 Issue. The United States takes the position that 28 U.S.C. §2283 [1/] is no bar to this Court granting any of the relief prayed for in its complaint, including the injunction against the pending prosecution of Richard Sobol. This position is based on the settled proposition of Leiter Minerals, Inc. v. United States, 352 U.S. 220 (1957) and United States v. Wood, 295 F.2d 772 (5 Cir. 1961) that §2283 is no bar to applications by the United States to stay State court proceedings. See also United States v. McLeod, _____ F.2d _____ (5 Cir. October 16, 1967); Baines v. City of Danville, 337 F.2d 579, 590, 592-3 (4 Cir. 1964). As the Supreme Court pointed out in Leiter Minerals, section 2283 is intended to prevent unnecessary conflict between state and federal courts, but the significance of its policy pales when the United States seeks to preserve a high national interest.

1/ 28 U.S. C. §2283 provides:

> A court of the United States may not grant an injunction to stay proceedings in a state court except as expressly authorized by Act of Congress, or where necessary in aid of its jurisdiction, or to protect or effectuate its judgments.

The Court there said:

> There is a persuasive reason why the federal court's power to stay state court proceedings might have been restricted when a private party was seeking the stay but not when the United States was seeking similar relief. The statute is designed to prevent conflict between federal and state courts. This policy is much more compelling when it is the litigation of private parties which threatens to draw the two judicial systems into conflict than when it is the United States which seeks a stay to prevent threatened irreparable injury to a national interest. The frustration of superior federal interests that would ensue, from precluding the Federal Government from obtaining a stay of a state court proceeding except under the severe restrictions of 28 U.S.C. §2283 would be so great that we cannot reasonably impute such a purpose to Congress from the general language of 28 U.S.C. §2283 alone. It is always difficult to feel confident about construing an ambiguous statute when the aids to construction are so meager but the interpretation excluding the United States from coverage of the statute seems to us preferable in the context of healthy federal-state relation. (352 U.S., at 225-26.)

The Leiter Minerals rule "excluding the United States from coverage of the statute" applies with the same force in this case, even though the United States did not initiate this action, but rather intervened as a party-plaintiff after the private plaintiffs had filed their suit. What is important is that the United States is a party to the law suit, asserting a national interest and seeking relief against a State court proceeding on the basis of that interest, not whether its technical posture

is plaintiff or plaintiff-intervenor.[2/] The interest of the United States, in this case, like that in United States v. Wood, supra, where the United States was seeking to enjoin the criminal prosecution, is not so much to protect the rights of the individual who is being prosecuted but to protect the rights of other persons who are not parties to the State prosecution but who are affected by the prosecution. In this case, the interest of the United States is to protect the rights of Negroes in Plaquemines Parish to obtain fair and adequate legal representation in civil rights cases, and we will undertake to prove that the arrest and prosecution of Richard Sobol threatens that high national interest. Hence, the rationale of the Leiter Minerals rule is fully applicable to this case, even though the United States technically is a plaintiff-intervenor rather than a plaintiff and Title IX of the Civil Rights Act of 1964, under which the United States has intervened

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2/ Cf., e.g., Studebaker Corp. v. Gittlin, 360 F.2d 692 (2 Cir. 1966), where the Court held that even though a private party rather than the United States was asserting the national interest, the assertion of that interest brought Leiter Minerals into play, and §2283 did not bar an injunction against state court proceedings. The Court there said:

> [T]here is little question that if the [Securities and Exchange] Commission had sought the injunction here, §2283 would not have blocked its way. We are not persuaded that a different decision is compelled under the circumstances of this case. If the policy of the anti-injunction statute is superseded by the need for immediate and effective enforcement of federal securities statutes and regulations, the fact that enforcement here is by a private party rather than the agency should not be controlling. (360 F.2d at 698.)

in this case, further supports this conclusion. The statute, 42 U.S.C. §2000h-2, provides that "[i]n such action the United States shall be entitled to the same relief as if it had instituted the action." This statutory language thus explicitly removes any defense to the complaint of the United States that seeks to avoid the Leiter Minerals doctrine on the ground that the United States is a plaintiff-intervenor rather than a plaintiff.

B. Abstention. The defendants urge that because the plaintiff, Richard Sobol, may assert all of his rights in his State criminal prosecution, this Court should on the basis of equity and comity abstain from enjoining that prosecution. The United States does not agree that all of the interests sought to be protected in this lawsuit -- including those sought to be protected by the United States -- may be adequately safeguarded in the state proceeding. It would therefore be inappropriate for this Court to abstain.

In this regard, this case is quite similar to United States v. Wood, 295 F.2d 772 (5 Cir. 1961), a suit to enjoin a criminal prosecution against a voting registration worker. The defendants there argued that the worker, Hardy, could assert all of his rights in the course of his state prosecution, and that therefore injunction against the prosecution was unnecessary. The Court of Appeals recognized, however, that the United States asserted an interest much broader than that of the individual

criminal defendant, and that that interest could not be protected in the state criminal trial. The Court said:

> [T]he Government makes very clear that the rights the Government asserts are not the rights of Hardy .... Rather the Government here asserts the rights of all those Negro citizens of Walthall County who are qualified to register and vote. The rights of these citizens are not at issue in Hardy's prosecution, and remedies available to Hardy in his trial are in no way available to them. (295 F.2d at 781)

For this reason, the court concluded that a federal injunction was necessary. Similarly here the United States seeks to protect not so much the rights of plaintiff Sobol, but rather the rights of all Negro citizens of Plaquemines Parish to fair and adequate legal representation in civil rights cases. The very fact of Sobol's prosecution -- regardless of its ultimate outcome -- threatens these rights because it deters Sobol and other lawyers similarly situated from offering such representation, and thus these interests cannot be protected adequately in the course of the state court prosecution. See Dombrowski v. Pfister, 380 U.S. 479 (1965).

C. The Three-Judge Court Issue. It has been urged that the three-judge court convened under 28 U.S.C. 2281 [3/] be dissolved. That contention appears

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3/ 28 U.S.C. 2281 of 28 U.S.C. provides:

> An interlocutory or permanent injunction restraining the enforcement ... of any State statute by restraining the action of any officer of such State in the enforcement ... of such statute ... shall not be granted by any district court or judge thereof upon the ground of the unconstitutionality of such statute unless the application therefor is heard and determined by a district court of three judges under section 2284 of this title.

to have been rejected by this Court insofar as it was based on the Supreme Court's deposition of Hackin v. Arizona, No. 533, October Term 1967, 32 U.S.L. Week 3202 (November 14, 1967). We are unable to find any other basis for such a contention even if the question were narrowed to whether a three-judge court was required to adjudicate the complaint in intervention of the United States. The United States' complaint in intervention alleges that even apart from any question of harassment, L.S.A.-R.S. 37:213 and 37:214 are unconstitutional as construed by the defendants and applied to plaintiff Sobol's activities, and asks that the defendant be enjoined from so enforcing them. (See Memorandum of the United States in Response to the Motion to Dismiss and for Judgment on the Pleadings of the State Bar Association.) This Court has recently held that such a complaint requires adjudication by a three-judge court. Poindexter v. Louisiana Financial Assistance Commission, 258 F. Supp. 158, 165 (E.D. La. 1966), aff'd, October Term 1967 (Jan. 15, 1968). See also, e.g., Exparte Bransford, 310 U.S. 354, 361 (1940); Query v. United States, 316 U.S. 486 (1942); Wright, Federal Courts 164 (1963). In any event, if there were any doubt as to the propriety of convening the three-judge court, in light of the imminence of the trial, sound judicial administration would require that the case be heard by all three

judges and, if an unanimous decision is reached, that the original district judge certify, if he can, that he individually arrived at the same conclusion. See Swift & Co. v. Wickham, 382 U.S. 111, 114 n.4 (1965).

Respectfully submitted

LOUIS C. LA COUR
United States Attorney

STEPHEN J. POLLAK
Assistant Attorney General

OWEN M. FISS
HUGH W. FLEISCHER
ALLEN D. BLACK
LESTER N. SCALL
Attorneys
Department of Justice
Washington, D. C. 20530

APPENDIX A

List of Witnesses

I. Plaintiffs' Witnesses

The plaintiffs will call the following persons as witnesses: (Witnesses are arranged in the order listed by the plaintiffs in their pre-trial document.)

(1) Gary Duncan

(2) Richard B. Sobol

(3) Robert F. Collins

(4) Isaac Reynolds

(5) A. Z. Young

(6) Zelma Wyche

(7) Father Albert McKnight

(8) Henry Schwarzschild

(9) Benjamin Smith

(10) John P. Nelson

The plaintiffs might call the following persons as witnesses:

(1) Mrs. Lambert Duncan

(2) Lambert Duncan

(3) Richard Haley

(4) Professor Michael D. DeVito

(5) Allen L. Lobrano

II. Witnesses of the United States

The United States will call the following persons as witnesses: (Witnesses are arranged in alphabetical order, and not necessarily in the order that they might be called.)

(1) Earl J. Amedee

(2) Richard Buckley

(3) Alan F. Helseth

(4) Jack Peebles

(5) A. P. Tureaud

The United States might call the following persons as witnesses:

(1) Murphy W. Bell

(2) Johnnie A. Jones

(3) Officials and other persons who will testify to the authenticity of documents to be introduced by the United States, if a stipulation as to authenticity of such documents cannot be reached.

III. Defendants' Witnesses

The defendants will call the following persons as witnesses: (Witnesses are arranged in the order listed by the defendants in their pre-trial document.)

(1) Luke A. Petrovich

(2) Emile E. Martin, III

(3) Joseph E. Defley, Jr.

(4) Jerald N. Andry

(5) Gilbert V. Andry, III

(6) Elmer R. Tapper

(7) Thomas McBride, III

(8) Ralph L. Barnett

(9) Nathan Greenberg

(10) George C. Ehmig

(11) John P. Dowling

(12) Edward M. Baldwin

(13) John P. Nelson

(14) Rudolph Becker, III

(15) William B. Morgan, II

(16) Edward A. Wallace

(17) G. Wray Gill

(18) Richard A. Dowling

(19) Irvin F. Dymond

(20) Bernard A. Horton

(21) George M. Leppert

(22) Allen Lobrano

(23) Jack Peebles

(24) Richard J. Garvey

(25) Bernard J. Bagert

(26) Oliver S. Delery

IV. Witnesses of the Criminal Courts Bar Association, et al., Defendant-Intervenors

The defendant-intervenors, Criminal Courts Bar Association, et al., might call the following persons as witnesses: (Witnesses are arranged in the order listed by the defendants in their pre-trial document.)

(1) Gerard Schreiber

(2) A. J. Levy

(3) Walter Kelly

(4) Jack Peebles

(5) James McGovern

(6) Bruce C. Waltzer

(7) Nils Douglas

(8) Ernest Morial

(9) Revius Ortique

(10) Evangeline Molero Vavrick

(11) Sylvia Roberts

(12) Thomas Brahney, III

(13) Harry F. Connick

V. Witnesses of the Louisiana State Bar Association, Defendant-Intervenor

The defendant-intervenor, Louisiana State Bar Association, might call the following persons as witnesses: (Witnesses are arranged in the order listed.)

(1) Thomas O. Collins, Jr.

(2) Edward F. Glusman

(3) John J. Cumminbs, III

(4) Sam Monk Zelden

(5) Benjamin E. Smith

(6) John P. Dowling

(7) William Wessel

(8) Nat Kieffer

(9) Eldon Fallon

(10) A. J. Levy

(11) Edgar Corey

(12) Floyd Reed

(13) George M. Leppert

APPENDIX B

FEDERAL & STATE STATUTES

§ 1983. Civil action for deprivation of rights

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress. R.S. § 1979.

§ 2000h—2. Intervention by Attorney General; denial of equal protection on account of race, color, religion, or national origin

Whenever an action has been commenced in any court of the United States seeking relief from the denial of equal protection of the laws under the fourteenth amendment to the Constitution on account of race, color, religion, or national origin, the Attorney General for or in the name of the United States may intervene in such action upon timely application if the Attorney General certifies that the case is of general public importance. In such action the United States shall be entitled to the same relief as if it had instituted the action. Pub.L. 88-352, Title IX, § 902, July 2, 1964, 78 Stat. 266.

§ 2281. Injunction against enforcement of State statute; three-judge court required

An interlocutory or permanent injunction restraining the enforcement, operation or execution of any State statute by restraining the action of any officer of such State in the enforcement or execution of such statute or of an order made by an administrative board or commission acting under State statutes, shall not be granted by any district court or judge thereof upon the ground of the unconstitutionality of such statute unless the application therefor is heard and determined by a district court of three judges under section 2284 of this title. June 25, 1948, c. 646, 62 Stat. 968.

§ 2283. Stay of State court proceedings

A court of the United States may not grant an injunction to stay proceedings in a State court except as expressly authorized by Act of Congress, or where necessary in aid of its jurisdiction, or to protect or effectuate its judgments. June 25, 1948, c. 646, 62 Stat. 968.

§ 2284. Three-judge district court; composition; procedure

In any action or proceeding required by Act of Congress to be heard and determined by a district court of three judges the composition and procedure of the court, except as otherwise provided by law, shall be as follows:

(1) The district judge to whom the application for injunction or other relief is presented shall constitute one member of such court. On the filing of the application, he shall immediately notify the chief judge of the circuit, who shall designate two other judges, at least one of whom shall be a circuit judge. Such judges shall serve as members of the court to hear and determine the action or proceeding.

(2) If the action involves the enforcement, operation or execution of State statutes or State administrative orders, at least five days notice of the hearing shall be given to the governor and attorney general of the State.

If the action involves the enforcement, operation or execution of an Act of Congress or an order of any department or agency of the United States, at least five days' notice of the hearing shall be given to the Attorney General of the United States, to the United States attorney for the district, and to such other persons as may be defendants.

Such notice shall be given by registered mail or by certified mail by the clerk and shall be complete on the mailing thereof.

(3) In any such case in which an application for an interlocutory injunction is made, the district judge to whom the application is made may, at any time, grant a temporary restraining order to prevent irreparable damage. The order, unless previously revoked by the district judge, shall remain in force only until the hearing and determination by the full court. It shall contain a specific finding, based upon evidence submitted to such judge and identified by reference thereto, that specified irreparable damage will result if the order is not granted.

(4) In any such case the application shall be given precedence and assigned for a hearing at the earliest practicable day. Two judges must concur in granting the application.

(5) Any one of the three judges of the court may perform all functions, conduct all proceedings except the trial, and enter all orders required or permitted by the rules of civil procedure. A single judge shall not appoint a master or order a reference, or hear and determine any application for an interlocutory injunction or motion to vacate the same, or dismiss the action, or enter a summary or final judgment. The action of a single judge shall be reviewable by the full court at any time before final hearing.

A district court of three judges shall, before final hearing, stay any action pending therein to enjoin, suspend or restrain the enforcement or execution of a State statute or order thereunder, whenever it appears that a State court of competent jurisdiction has stayed proceedings under such statute or order pending the determination in such State court of an action to enforce the same. If the action in the State court is not prosecuted diligently and in good faith, the district court of three judges may vacate its stay after hearing upon ten days notice served upon the attorney general of the State. June 25, 1948, c. 646, 62 Stat. 968; June 11, 1960, Pub.L. 86-507, § 1(19), 74 Stat. 201.

§ 212. "Practice of law" defined

The practice of law is defined as follows:

(1) In a representative capacity, the appearance as an advocate, or the drawing of papers, pleadings or documents, or the performance of any act, in connection with proceedings, pending or prospective, before any court of record in this state; or

(2) For a consideration, reward, or pecuniary benefit, present or anticipated, direct or indirect,

(a) the advising or counseling of another as to secular law, or

(b) in behalf of another, the drawing or procuring, or the assisting in the drawing or procuring of a paper, document, or instrument affecting or relating to secular rights, or

(c) the doing of any act, in behalf of another, tending to obtain or secure for the other the prevention or the redress of a wrong or the enforcement or establishment of a right.

Nothing in this Section prohibits any person from attending to and caring for his own business, claims, or demands; nor from preparing abstracts of title, or certifying, guaranteeing, or insuring titles to property, movable or immovable, or an interest therein, or a privilege and encumbrance thereon; or from performing, as a notary public, any act necessary or incidental to the exercise of the powers and functions of the office of notary public.

§ 213. Persons, professional associations and professional corporations entitled to practice law; penalty for unlawful practice

No natural person, who has not first been duly and regularly licensed and admitted to practice law by the Supreme Court of this state, no partnership except one formed for the practice of law and composed of such duly licensed natural persons, and no corporation or voluntary association except a professional law corporation organized pursuant to Chapter 11 of Title 12 of the Revised Statutes, shall:

(1) Practice law;

(2) Furnish attorneys or counsel or an attorney and counsel to render legal services;

(3) Hold himself or itself out to the public as being entitled to practice law;

(4) Render or furnish legal services or advice;

(5) Assume to be an attorney at law or counselor at law;

(6) Assume, use or advertise the title of lawyer, attorney, counselor, advocate or equivalent terms in any language, or any phrase containing any of these titles, in such manner as to convey the impression that he is a practitioner of law; or

(7) In any manner advertise that he, either alone or together with any other person, has, owns, conducts or maintains an office of any kind for the practice of law.

No person, partnership or corporation shall solicit employment for a legal practitioner.

This Section does not prevent any corporation or voluntary association formed for benevolent or charitable purposes and recognized by law, from furnishing an attorney at law to give free assistance to persons without means.

Any natural person who violates any provision of this Section shall be fined not more than one thousand dollars or imprisoned for not more that two years, or both.

Any partnership, corporation or voluntary association which violates this Section shall be fined not more than five thousand dollars. Every officer, trustee, director, agent, or employee of a corporation or voluntary association who, directly or indirectly, engages in any act violating any provision of this Section or assists the corporation or voluntary association in the performance of any such violation is subject to the penalties prescribed in this Section for violations by a natural person. As amended Acts 1964, No. 357, § 1.

§ 214. Visiting attorneys of other states; reciprocity

Except as provided in this Section, no person licensed or qualified to practice as an attorney at law or as an attorney and counsellor at law in any other state and temporarily present in this state shall practice law in this state, unless he has been first duly licensed to practice law by the supreme court of this state or unless he acts in association with some attorney duly licensed to practice law by the supreme court of this state.

Nothing in this Chapter prevents the practice of law in this state by a visiting attorney from a state which, either by statute or by some rule of practice accorded specific recognition by the highest court of that state, has adopted a rule of reciprocity that permits an attorney duly licensed and qualified to practice law in this state to appear alone as an attorney in all courts of record in the other state, without being required to be admitted to practice in such other state, and without being required to associate with himself some attorney admitted to practice in the other state.

Whoever violates any provision of this Section shall be fined not more than one thousand dollars or imprisoned for not more than two years, or both.

ARTICLE VIII. STANDING COMMITTEES

Section 1. Creation of committees

The following are the Standing Committees of the Association:

(8) (a) There is hereby established a Standing Committee on the Unauthorized Practice of Law to be composed of 11 practicing lawyers, one of whom shall be appointed from each Congressional District and three to be selected at large from the State.

One of said members shall be designated as General Chairman who shall be appointed by the President of the Louisiana State Bar Association with the advice and consent of the Board of Governors.

(b) The Committee on Unauthorized Practice of the Law shall be charged with the duty of keeping themselves, the Board of Governors and the House of Delegates informed with respect to the practice of law by unauthorized parties and agencies and the participation of attorneys therein contrary to the provisions of Canon of Ethics 45, Article XIV of the Charter of this Association, and concerning methods for prevention of the same. They shall seek the elimination of such unauthorized practice and participation there by such action and methods as may be appropriate for that purpose, subject to approval of the House of Delegates, including cooperation with the similar committees of the American Bar Association, of Bar Associations of other States, and of Local Bar Associations in this state. This Committee shall invite complaints from members of the Association and, upon investigation, shall make report to the Board of Governors and the House of Delegates.

(c) There shall be one Committee for the First and Second Congressional Districts.

(d) For the purpose of coordinating the work of the Committees on the Unauthorized Practice of Law, the President, with the advice and consent of the Board of Governors of the Louisiana State Bar Association, shall appoint a General Chairman, who shall have general supervision of the Committees in each District.

(e) The General Chairman, together with the Chairman of the Committee of each District, shall constitute an Executive Committee of the whole.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon the following attorneys of record, at the addresses indicated, by depositing the same in the United States Mail, postage prepaid, this 19th day of January, 1968.

Collins, Douglas & Elie
344 Camp Street
New Orleans, Louisiana 70130

Alvin J. Bronstein, Esquire
603 N. Farish Street
Jackson, Mississippi 39202

Sidney W. Provensal, Jr., Esquire
1014 Whitney Building
New Orleans, Louisiana 70130

Jack P. F. Gremillion, Esquire
Attorney General
State of Louisiana
State Capitol Building
Baton Rouge, Louisiana

William P. Schuler, Esquire
Assistant Attorney General
301 Loyola Avenue
New Orleans, Louisiana 70112

Thomas M. Brahney, III, Esquire
Special Counsel to the
Attorney General
104 Supreme Court Building
New Orleans, Louisiana 70112

Wood Brown, III., Esquire
806 National Bank of Commerce Building
New Orleans, Louisiana 70112

John P. Dowling, Esquire
2538 Tulane Avenue
New Orleans, Louisiana 70119

William F. Wessel, Esquire
National Bank of Commerce Building
New Orleans, Louisiana 70130

Alvin R. Christovich, Sr., Esquire
National Bank of Commerce Building
New Orleans, Louisiana 70130

Cicero C. Sessions, Esquire
1333 National Bank of Commerce Building
New Orleans, Louisiana 70112

OWEN M. FISS
Attorney
Department of Justice