

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

SAVE OUR WETLANDS, INC. and
LUKE FONTANA,

Plaintiffs,

v.

The CITY OF NEW ORLEANS; MAYOR
LATOYA CANTRELL, in her official
capacity, MICHAEL HARRISON, FORMER
SUPERINTENDENT OF THE NEW
ORLEANS POLICE DEPARTMENT, in his
official capacity; SHAUN FERGUSON,
SUPERINTENDENT OF THE NEW
ORLEANS POLICE DEPARTMENT, in his
official capacity, and NEW ORLEANS
POLICE OFFICERS BARRY SCHECHTER,
SIDNEY JACKSON, JR. and ANTHONY
BAKEWELL, in their official capacities,

Defendants.

CIVIL ACTION NO.: 19-cv-9120

JUDGE GUIDRY

MAGISTRATE JUDGE WILKINSON

CONSENT JUDGMENT

NOW COME THE PARTIES to the above captioned matter and advise the Court that:

1. The City will not enforce any future “Clean Zone” legislation in any manner that infringes upon the right of the public to engage in free speech or expression, including specifically the right to distribute materials and solicit support. Notwithstanding the foregoing, the City shall retain its authority to impose reasonable time, place, and manner restrictions on speech activities.
2. The Parties further agree that during the 2021 French Quarter Festival, Plaintiffs Fontana and Save Our Wetlands, Inc. can set up a table in the spot utilized last year and in years

prior, specifically: on the Mississippi Riverfront immediately to the left of the steps leading up to the Mississippi River from St. Peter Street, out of the pedestrian walkway and adjacent to the iron railing and small white structure located there on the riverfront.

3. The City agrees to provide 30 minutes of First Amendment training to NOPD recruits as part of the training academy, specifically training officers that individuals cannot be arrested for peaceably engaging in speech or protest. The ACLU will partner with the City to conduct this training should the City so request.
4. The Parties further agree that Plaintiff Fontana is awarded compensatory damages in the amount of \$25,000. The parties agree that this sum will be paid on or before February 23, 2021.
5. The Parties further agree that counsel for the Plaintiff is entitled to attorneys' fees and costs in the amount of \$15,000. The parties agree that this sum will be paid in April 23, 2021.
6. This Consent Judgment is not an admission of liability or of any wrongdoing whatsoever on the part of any party to this litigation.
7. This Consent Judgment is not subject to ongoing oversight by the Court, but either party may seek to enforce it before this Court.

Respectfully submitted by:

/s/ Bruce Hamilton

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