

May 15, 2020

VIA ELECTRONIC SUBMISSION

Re: Public Records Request

City Attorney's Office
The City of New Orleans
1300 Perdido St
Suite 5E03
New Orleans, LA 70112

<https://nola.nextrequest.com/>

Dear Records Custodian:

Pursuant to the Public Records Act of Louisiana, R.S. 44:1 et seq., the ACLU of Louisiana requests copies of the public records described below. For the purposes of this request, the "Phase One Contact Tracing Plan" refers to the requirement that beauty salons, barber shops, nail salons, museums, zoos, aquariums, and restaurants with table service must use an appointment and reservation system. The Phase One Contact Tracing Plan was featured in a May 12, 2020 outline on the City of New Orleans' website¹ and has been announced by the Mayor in various press appearances.²

We request copies of the following public records:

1. Any and all documents containing information reflecting the rules and regulations applicable to businesses operating in Phase I of the COVID-19 reopening; specifically, all documents containing details regarding the requirement that businesses maintain patrons' names and/or contact information; and
2. Any guidance or guidelines provided to the City of New Orleans' Department of Safety and Permits as to how to enforce any such rules and regulations.

For purposes of this request, the term "documents" means any instrument containing information, including but not limited to, any spreadsheets, databases, memoranda, letters, electronic mail or "e-mail," handwritten, typed, or electronic notes, recordings of any kind and in any form (video, audio, digital, etc.).

Under the provisions of R.S. 44:32, if you question whether a document is a public record you are to notify us in writing, including the legal basis for your opinion, within three days of the receipt of the request, exclusive of Saturdays, Sundays and legal public holidays. If you claim a record is exempt from the Public Records law, you are to state the exemption and your reasons for believing the statute is applicable to the record.

¹ <https://nola.gov/mayor/news/may-2020/mayor-cantrell-outlines-safe,-phased-reopening-of-new-orleans-in-response-to-covid-19/>

² Jeff Adelson and Jessica Williams, *New Orleans Mayor Unveils Eased Coronavirus Restrictions that Are Stricter than State Plan*, The Times-Picayune | The New Orleans Advocate (May 12, 2020), https://www.nola.com/news/coronavirus/article_bc8a390a-94ae-11ea-85a4-2ba4086903c7.html.



PO Box 56157
New Orleans, LA 70156
504-522-0617
laaclu.org

Chris Kaiser
Advocacy Director

Under the provisions of R.S. 44:33, if a record we requested is not immediately available, you are required to certify this in writing promptly, and in your certificate fix a day and hour within three days, exclusive of Saturdays, Sundays and legal public holidays, for the exercise of the right granted in the Public Records Act. If you expect a significant delay in responding to or in fulfilling this request, please contact me at ckaiser@laaclu.org with information about the estimated delivery time.

Under R.S. 44:34, if you do not have possession of a document we requested, you are to notify us of that in writing and let us know where the record is located, to the best of your knowledge.

As you are aware, failure to abide by the Public Records Law may result in certain penalties and the award of attorney's fees. We trust that you will comply without the necessity of any further action on our part. I am available to discuss this request at your convenience and I would like to work with you to resolve any concerns you may have.

Thank you.



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New Orleans, LA 70156
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Chris Kaiser
Advocacy Director

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Kaiser", written in a cursive style.

Chris Kaiser
Advocacy Director
ACLU of Louisiana Foundation