



Leslie Turk <leslie@thecurrentla.com>

Fwd: The Current - Public Records Request dated July 18, 2022

1 message

Christiaan Mader <christiaan@thecurrentla.com>
To: Leslie Turk <leslie@thecurrentla.com>

Fri, Nov 11, 2022 at 1:43 PM

----- Forwarded message -----

From: **Michael Hebert** <mhebert@lawbecker.com>
Date: Wed, Aug 31, 2022 at 5:22 PM
Subject: RE: The Current - Public Records Request dated July 18, 2022
To: Christiaan Mader <christiaan@thecurrentla.com>
Cc: Gary McGoffin <gary@dmsfirm.com>, Lauren Sylvest <lsylvest@lawbecker.com>, Stephanie Hanks <smhanks@lawbecker.com>

Christiaan, my apologies for having overlooked your emails below.

It is difficult to fully answer your last inquiry without continuing to engage in a protracted legal debate with you, which I respectfully decline to do. Nevertheless, I am happy to give a brief further explanation.

The subject notes are of recorded communications within LCG that were conveyed in meetings in which Greg Logan was present for the purposes of facilitating the rendition of professional legal services to LCG. They are therefore subject to attorney-client privilege. Redactions are not practicable, as the entirety of these meetings was for this purpose.

I interpret the statements in your email of August 24 as implying that only legal opinions or similar deliverables (e.g., “the product of Greg Logan’s legal services. . . .”) are subject to attorney-client privilege. This is simply not the law. Privilege extends to any communication for the above purpose that is between (among others) the lawyer and the client, and between the lawyer and any other person who makes or receives a confidential communication for the purpose of effectuating legal representation for the client, while acting in the scope of employment for the client. It also includes communications in furtherance of obtaining or rendering professional legal services for the client.

It is inappropriate for me to further describe the content or purpose of these communications or to respond to your inferences as to what ought to be contained within the subject documents, because to do so would involve revealing information that is protected by the privilege.

I interpret your renewed or amended public records request for “Detention Notes” to be for the same documents that we have previously declined to produce on grounds of attorney-client privilege – the same documents that have been the subject of these emails. We reassert that these documents are subject to attorney-client privilege.

Michael D. Hebert

Becker & Hebert

201 Rue Beauregard

Lafayette, LA 70508

(337) 233-1987

(337) 235-1748 (fax)

mhebert@lawbecker.com

From: Christiaan Mader <christiaan@thecurrentla.com>
Sent: Wednesday, August 24, 2022 8:48 AM
To: Michael Hebert <mhebert@lawbecker.com>
Cc: Gary McGoffin <gary@dmsfirm.com>; Lauren Sylvest <lsylvest@lawbecker.com>; Stephanie Hanks <smhanks@lawbecker.com>
Subject: Re: The Current - Public Records Request dated July 18, 2022

Hi, Mike. I wanted to follow up on this conversation.

On Thu, Aug 18, 2022 at 9:28 AM Christiaan Mader <christiaan@thecurrentla.com> wrote:

Thanks, Mike, for the clarification. And sorry for the delayed response here.

As you know, Greg Logan's presence alone is not sufficient to extend privilege over all of what these notes memorialize. Looking closely at the context, Fred Trahan, an LCG employee, is exchanging a document said to *include* "Josh's notes" with an outside contractor, Jimmy Ricks. In the email (re-attached) there is no document produced here whatsoever, though the subject line suggests a document "Detention Notes" exists.

It appears "Detention Notes" referenced here may include "Josh's notes," which you say contain the product of Greg Logan's legal services. Among the items on Mr. Ricks' list is the "Pellerin Property." In Sept. 2020, Greg Logan represented the Pellerin family. If Mr. Logan's comment were related to that property, I would not think they would be protected by privilege insofar as he is representing LCG.

I'm asking LCG to produce any notes not protected by privilege. The document can be redacted. **If that requires a new or amended public records request for "Detention Notes,"** I hereby provide it.

Thanks,

Christiaan

On Thu, Aug 11, 2022 at 1:38 PM Michael Hebert <mhebert@lawbecker.com> wrote:

Thanks Gary, receipt acknowledged.

Christiaan, to answer your question, the subject notes are of confidential meetings and communications among LCG employees and representatives in which the chief legal officer of LCG, Greg Logan, was a participant for purposes of rendering professional legal services to LCG.

Michael D. Hebert

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mhebert@lawbecker.com

From: Gary McGoffin <gary@dmsfirm.com>

Sent: Thursday, August 11, 2022 11:30 AM

To: Michael Hebert <mhebert@lawbecker.com>

Cc: christiaan@thecurrentla.com; Lauren Sylvest <lsylvest@lawbecker.com>; Stephanie Hanks <smhanks@lawbecker.com>

Subject: The Current - Public Records Request dated July 18, 2022

Mike,

This will confirm my consent to your conversations with Christiaan Mader on the issues related to this public record request.

Thank you, Gary

From: Christiaan Mader <christiaan@thecurrentla.com>
Sent: Wednesday, August 10, 2022 5:03 PM
To: Gary McGoffin <gary@dmsfirm.com>; John Cook <john@dmsfirm.com>
Subject: Fwd: Public Records Request dated July 18, 2022

Not really sure where to go from here. I didn't think I was pushing a "legal discussion." What would qualify as "permission in writing" from my attorney? And why is that necessary, exactly?

----- Forwarded message -----

From: Michael Hebert <mhebert@lawbecker.com>
Date: Wed, Aug 10, 2022 at 4:59 PM
Subject: RE: Public Records Request dated July 18, 2022
To: Christiaan Mader <christiaan@thecurrentla.com>
Cc: Lauren Sylvest <lsylvest@lawbecker.com>, Stephanie Hanks <smhanks@lawbecker.com>

Christiaan, this conversation started out as a request for clarification of a response and is now a legal discussion regarding the scope of attorney-client privilege. I am aware that you are represented by counsel, and our ethical rules do not allow me to discuss with you a matter upon which you are represented by counsel without the knowledge and consent of your counsel.

Therefore, please have your counsel give me permission in writing to discuss this issue with you should you wish to continue this discussion. We recently did this with regard to one of Leslie's requests as well.

Michael D. Hebert

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mhebert@lawbecker.com

From: Christiaan Mader <christiaan@thecurrentla.com>
Sent: Wednesday, August 10, 2022 4:48 PM
To: Michael Hebert <mhebert@lawbecker.com>
Cc: Lauren Sylvest <lsylvest@lawbecker.com>; Stephanie Hanks <smhanks@lawbecker.com>
Subject: Re: Public Records Request dated July 18, 2022

Can you specify which counsel and the circumstances? Should the notes include portions of an attorney's opinion, those portions can be redacted and the rest of the document produced.

On Wed, Aug 10, 2022 at 4:46 PM Michael Hebert <mhebert@lawbecker.com> wrote:

Christiaan, they did involve counsel for LCG.

Michael D. Hebert

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(337) 235-1748 (fax)

mhebert@lawbecker.com

From: Christiaan Mader <christiaan@thecurrentla.com>

Sent: Wednesday, August 10, 2022 3:35 PM

To: Michael Hebert <mhebert@lawbecker.com>

Cc: Lauren Sylvest <lsylvest@lawbecker.com>; Stephanie Hanks <smhanks@lawbecker.com>

Subject: Re: Public Records Request dated July 18, 2022

CAUTION: EXTERNAL SENDER. Use extra care!

Mike, can you clarify why records in request #4 would be privileged or exempt? The records sought doesn't appear to involve counsel for LCG.

On Wed, Aug 10, 2022 at 3:28 PM Michael Hebert <mhebert@lawbecker.com> wrote:

Mr. Mader, after seeking records potentially responsive to your request from multiple potential custodians, this is our final response to the above referenced public records request, also reproduced below.

LCG declines to produce records that reveal or tend to reveal any communications between LCG and any of its attorneys, or the nature and substance of legal work performed by such attorneys, or the work product or mental impressions of any such attorneys, on grounds that such records are protected by attorney-client privilege, work product privilege, and would be the proper subject of a protective order pursuant to Louisiana Code of Civil Procedure Articles 1424, 1426, and La. R.S. 44:4.1(B)(37).

Our responses are in the same numbered order as the individually numbered items in your request.

1. Attached.
2. Attached.
3. See documents produced in response to Item No. 2.
4. LCG has no non-exempt documents responsive to this request.
5. LCG has no documents responsive to this request.
6. LCG has no documents responsive to this request.
7. LCG has no documents responsive to this request.

We now consider this request satisfied and closed.

Michael D. Hebert
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mhebert@lawbecker.com

From: Michael Hebert <mhebert@lawbecker.com>
Sent: Wednesday, August 03, 2022 1:26 PM
To: The Current <christiaan@thecurrentla.com>
Cc: Lauren Sylvest <lsylvest@lawbecker.com>; Stephanie Hanks <smhanks@lawbecker.com>
Subject: Public Records Request dated July 18, 2022

Mr. Mader, on July 21, 2022, we committed to provide responses to your public records requests dated July 18, 2022 no later than August 3, 2022, or, alternatively, would provide you with a more definitive estimate of any additional time that it may take to collect, examine and review potentially responsive public records.

After further review, we will need an additional five (5) business days, until Wednesday, August 10, 2022, to produce the non-exempt documents in LCG's custody that are responsive to your requests. LCG reserves at all times any and all exemptions to the Louisiana Public Records Law that may be applicable.

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From: Michael Hebert <mhebert@lawbecker.com>
Sent: Thursday, July 21, 2022 3:28 PM
To: The Current <christiaan@thecurrentla.com>
Cc: Lauren Sylvest <lsylvest@lawbecker.com>; Stephanie Hanks <smhanks@lawbecker.com>
Subject: Public Records Request dated July 18, 2022

Mr. Mader, your public records request to the public records request portal of Lafayette City-Parish Consolidated Government dated July 18, 2022 (reproduced below) has been assigned to me for response.

My preliminary estimate is that it will take nine (9) additional working days to collect, segregate, examine, review, and redact any documents potentially responsive to your request. I will make a supplemental response to your request, either with a complete or partial production of non-exempt responsive documents, or with a revised estimate of any additional time necessary to fulfill your request, no later than Wednesday, August 3, 2022. We reserve at all times the right to assert any and all exemptions that may be applicable under the Louisiana Public Records Law.

Michael D. Hebert

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From: Christiaan Mader <christiaan@thecurrentla.com>
Sent: Monday, July 18, 2022 5:53 PM
To: PublicRecords Requests <PublicRecords@lafayettela.gov>
Subject: Public Records Request:

****** EXTERNAL EMAIL ******

DO NOT click on any links or attachments unless you know the content is safe.

DO NOT input your username and password.

Per the Louisiana Public Records Act, I'm requesting the following public documents on behalf of The Current Media Inc.

1. The "information for the potential pond location within the CIDC basin from Jimmy Ricks" received by McBade Engineering and referenced by Pam Granger in her May 3, 2021 email to Chad Nepveaux, Jessica Cornay and Fred Trahan. Email Subject Line: "CIDC Model and Potential Detention Pond." See Email #1 attached for reference.
2. Any memos, notes, summaries, reports, emails or other documentation communicating the results of the modeling referred to in the May 3, 2021 email from Pamela Granger to Fred Trahan, Jessica Cornay and Chad Nepveaux listed in Item 1.
3. Any memos, notes, summaries, reports, emails or other documentation communicating the results of effort "evaluate the potential pond on Coulee Ile Des Cannes" in the April 27, 2021 email from Pam Granger to Chad Nepveaux. Subject Line: "Coulee Ile Des Cannes." See Email #2 attached for reference.
4. "Josh's notes" referenced by Fred J. Trahan in a September 1, 2020 email to Chad Nepveaux and Jimmy Ricks. Subject Line: "Detention Notes." See Email #3 attached for reference.
5. Any notes or memos related to the June 10, 2021 "Homewood and Pellerin property discussion" meeting scheduled between Chad Nepveaux, Pam Granger and the mayor-president's office. See Calendar Invite attached for reference.
6. Any text messages exchanged among Mayor-President Josh Guillory, Chad Nepveaux and Pam Granger related to the "Homewood and Pellerin property discussion" meeting referenced in Item 5.
7. Any emails exchanged between Mayor-President Josh Guillory, Chad Nepveaux and Pam Granger related to the "Homewood and Pellerin property discussion" meeting referenced in Item 5.

Please provide promptly any records that are immediately available. Digital copies are requested.

Christiaan Mader

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Lafayette Parish Consolidated Government

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