

16TH JUDICIAL DISTRICT COURT FOR THE PARISH OF LAFAYETTE
STATE OF LOUISIANA

NO. 90,830

DIVISION: B

ST. MARTIN PARISH GOVERNMENT

v.

BILLY BROUSSARD ET AL.

REQUEST FOR ADMISSION OF FACTS

Defendant requests that Plaintiff admit the truth of the following facts within fifteen (15) days of receipt of the request.

REQUEST FOR ADMISSION NUMBER ONE:

Please admit that Plaintiff sent Defendant a Certified Cease and Desist letter dated June 21, 2021 seeking for Defendant to Cease any farming activity on his property located at 1675 Duchamp Road, Broussard Louisiana 70518.

REQUEST FOR ADMISSION NUMBER TWO:

Please admit that St. Martin Parish Ordinance 21-08-1329-OR was adopted by the St. Martin Parish Council in Regular Session on Tuesday, August 3, 2021.

REQUEST FOR ADMISSION NUMBER THREE:

Please admit that Plaintiff, on or about 16 days after the Ordinance referenced in Request for Admission Number Two was passed and enacted, Plaintiff subsequently filed a Temporary Restraining Order against Defendant on August 19, 2021.

REQUEST FOR ADMISSION NUMBER FOUR:

Please admit that the Temporary Restraining Order referenced in Request for Admission Number Three was signed by Judge Pittman on August 19, 2021

REQUEST FOR ADMISSION NUMBER FIVE:

Please admit that the Temporary Restraining Order referenced in Request for Admission Number Three was set for hearing for purposes of converting the Restraining Order to a Preliminary Injunction with that hearing date being 1 p.m. on September 14, 2021.

REQUEST FOR ADMISSION NUMBER SIX:

Please admit that the day prior to the hearing, September 13, 2021, an agreement was reached to continue the hearing referenced in Request for Admission Number Five.

REQUEST FOR ADMISSION NUMBER SEVEN:

Please admit that the following stipulations were agreed to as being part and parcel to the agreement to continue the hearing referenced in Request for Admission Number 5:

- The parties will agree to continue the hearing on the preliminary injunction. Plaintiff will advise the Court the preliminary injunction has been continued.
- St. Martin Parish Government will arrange a meeting tomorrow, September 14, 2021, at 1:00 with Calder Hebert (and any other appropriate authority for planning and zoning) for Billy Broussard to seek a zoning variance for the property. This meeting is an effort at compromise. It is not considered an admission of guilt or wrongdoing. It is not an admission that Billy Broussard or any of his legal entities are violating any purported zoning ordinances.
- St. Martin Parish Government will allow the temporary restraining order to expire and will not seek to enjoin or interfere with Billy Broussard's (or any of his legal entities) use of the property while he seeks a variance.
- St. Martin Parish Government will dismiss the petition with prejudice if an acceptable variance is granted.

REQUEST FOR ADMISSION NUMBER EIGHT:

Please admit that at the Parish Zoning meeting of January 6, 2022, Louisiana State Police Trooper Scott Lopez stated numerous times that Defendant has been “acting illegally” regarding activities on his property.

REQUEST FOR ADMISSION NUMBER NINE:

Please admit that no one with St. Martin Parish Government advised Louisiana State Police Trooper Scott Lopez about the agreement referenced in Admission Number Seven prior to the January 6, 2022 Planning Commission meeting

REQUEST FOR ADMISSION NUMBER TEN:

Please admit that no one with St. Martin Parish Government admonished or even interrupted Louisiana State Police Trooper Scott Lopez as he made his repeated claims that Defendant has been “acting illegally.”

REQUEST FOR ADMISSION NUMBER ELEVEN:

Please admit that the statements made by Louisiana State Police Trooper Scott Lopez impacted the votes of the members of the St. Martin Parish Planning Commission on January 6, 2022.

REQUEST FOR ADMISSION NUMBER TWELVE:

Please admit that Louisiana State Police Trooper Scott Lopez sent numerous texts to St. Martin Parish employee Calder Hebert chronicling the hauling of vegetative debris to the property at 1675 Duchamp Road, Broussard, Louisiana 70518.

REQUEST FOR ADMISSION NUMBER THIRTEEN:

Please admit that Calder Hebert expressed appreciation for the texts referenced in Request for Admission Number Twelve and would indicate that he was, “adding it to the file.”

REQUEST FOR ADMISSION NUMBER FOURTEEN:

Please admit that at no time did Calder Hebert state to Louisiana State Police Trooper Scott Lopez that the agreement referenced in Request for Admission Number Seven had been reached between St. Martin Parish Government officials and Billy Broussard.

REQUEST FOR ADMISSION NUMBER FIFTEEN:

Please admit that the St. Martin Parish Planning Commission denied Defendant's zoning application on January 6, 2022 by a vote of five to zero (5-0).

REQUEST FOR ADMISSION NUMBER SIXTEEN:

Please admit that the texts referenced in Request for Admission Number Twelve included photos which were taken by Blake Dubroc.

REQUEST FOR ADMISSION NUMBER SEVENTEEN:

Please admit that St. Martin Parish Government officials received correspondence from Blake Dubroc on or around November of 2020 demanding to see the “letter” sent by St. Martin Parish Government to Defendant.

REQUEST FOR ADMISSION NUMBER EIGHTEEN:

Please admit that Plaintiff was unable to provide any letter referenced in Request for Admission Number Sixteen to Mr. Dubroc because no such letter had been sent by Plaintiff to Defendant.

REQUEST FOR ADMISSION NUMBER NINETEEN:

Please admit that Blake Dubroc is listed as a witness for trial by Plaintiff in this matter.

REQUEST FOR ADMISSION NUMBER TWENTY:

Please admit that Blake Dubroc has an extensive past history of arrests to include charges for alleged domestic violence and a felony charge for assault with a firearm.

REQUEST FOR ADMISSION NUMBER TWENTY-ONE:

Please admit that Blake Dubroc or an entity controlled by him is a former owner of the property located at 1675 Duchamp Road, Broussard Louisiana 70518.

REQUEST FOR ADMISSION NUMBER TWENTY-TWO:

Please admit that Blake Dubroc sued the owners of the property located at 1675 Duchamp Road, Broussard Louisiana 70518 shortly before Defendant purchased the property, with the result of that litigation being that Dubroc had been deemed to have placed an encroachment at 1675 Duchamp Road with was ultimately reduced to a judgment against Blake Dubroc.

REQUEST FOR ADMISSION NUMBER TWENTY-THREE:

Please admit that, on Friday, March 12, 2021, Calder Hebert responded to a text asking if there had been any complaints about Defendant’s property by stating, “No one has contacted me.”

REQUEST FOR ADMISSION NUMBER TWENTY-FOUR:

Please admit that St. Martin Parish Government President Chester Cedars had interaction with Defendant during his (Cedars’) tenure with the Louisiana Attorney General’s Office.

REQUEST FOR ADMISSION NUMBER TWENTY-FIVE:

Please admit that, during any interaction responsive to Request for Admission Number Twenty-Four, Cedars expressed anger that Defendant may be recording their conversation and further threatened to confiscate Defendant’s phone as “evidence.”

REQUEST FOR ADMISSION NUMBER TWENTY-SIX:

Please admit that St. Martin Parish President Chester Cedars, during his tenure as Assistant District Attorney, characterized the shooting and killing of Defendant's father's cattle as being, "just kids looking for camp meat."

REQUEST FOR ADMISSION NUMBER TWENTY-SEVEN:

Please admit that, upon permission being sought and granted by Defendant, Plaintiff did haul its own debris to Defendant's property at 1676 Duchamp Road, Broussard, Louisiana 70518 on the following dates and at the approximate times of:

1. February 22, 2022 at 11:33 a.m.
2. February 22, 2022 at 12:00 noon.
3. February 23, 2022 at 1:02 p.m.
4. February 24, 2022 at 8:51 a.m.
5. February 24, 2022 at 9:17 a.m.
6. February 24, 2022 at 11:27 a.m.
7. February 24, 2022 at 12:59 p.m.
8. February 24, 2022 at 1:24 p.m.
9. February 24, 2022 at 1:47 p.m.
10. February 24, 2022 at 2:17 p.m.
11. March 2, 2022 at 10:16 a.m.
12. March 2, 2022 at 11:14 a.m.

REQUEST FOR ADMISSION NUMBER TWENTY-EIGHT:

Please admit that, in a telephone conversation between St. Martin Parish Council Chairman Chris Tauzin and Keith Baudin on or around September 4, 2021, that Tauzin stated: "We told Broussard to stop burning. He did not stop burning, so we sued him!"

REQUEST FOR ADMISSION NUMBER TWENTY-NINE:

Please admit that, at the St. Martin Parish Government Council meeting of August 3, 2022, which was videotaped in its entirety, that Defendant repeatedly emphatically stated that he is "not burning."

REQUEST FOR ADMISSION NUMBER THIRTY:

Please admit that, at the same Council meeting referenced in Request for Admission Number Twenty-Nine, Defendant asked Calder Hebert whether Defendant had been burning on his property, and Hebert, as captured on video of the meeting, responded, "As far as I know, you did not burn."

REQUEST FOR ADMISSION NUMBER THIRTY-ONE:

Please admit that, Requests for Admission 28-30 above notwithstanding, *The Daily Iberian* published a feature article on August 4, 2021, wherein the author of the article, Dwayne Fatherree, stated on four (4) occasions in that one article that Defendant "burned" debris hauled onto his property.

REQUEST FOR ADMISSION NUMBER THIRTY-TWO:

Please admit that, on Monday, June 21, 2021, St. Martin Parish President Chester Cedars and Planning and Zoning Coordinator Morgan Allemond engaged in a telephone conversation with an official (or officials) of DEQ entailing Defendant's property.

REQUEST FOR ADMISSION NUMBER THIRTY-THREE:

Please admit that, at the August 3, 2021 Council meeting referenced in Requests 28-30, Councilman Brooke Champagne, as clearly captured on video of the meeting, made the

following statement entailing Defendant: "You are violating the zoning ordinance. You are hauling and dumping or burning in a residential area. You have been doing it for a year."
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing instrument has this day been served on all parties through their counsel of record in this proceeding by:

- Hand Delivery Prepaid U.S. Mail Email
 Facsimile Overnight Mail Service

Breaux Bridge, Louisiana, this 3rd day of March, 2022.



BILLY BROUSSARD, in proper person