

BILLY BROUSSARD

NUMBER 92077 DOCKET: "F"

16TH JUDICIAL DISTRICT COURT

VERSUS

PARISH OF ST MARTIN

MENDY GIROUARD, MELISSA DUBROC

STATE OF LOUISIANA

**MEMORANDUM IN OPPOSITION TO DEFENDANTS' NO RIGHT/NO CAUSE
OF ACTION**

NOW UNTO COURT comes Petitioner, Billy Broussard, in proper person, who files this Memorandum in Opposition to Defendants' No Right / No Cause of Action presently scheduled for contradictory hearing on December 5, 2022 at 9:00 a.m.

Defendants assert that Petitioner "asserts all kinds of crazy things against all kinds of people or entities, none of which are specifically alleged against the named Defendants" yet fail to assert a single "crazy" thing in the Peremptory Exception.

Defendant Melissa Dubroc alleges that "not one paragraph" of the Petition.....alleges any defamatory statements made against Defendant Dubroc, yet Dubroc conveniently ignores that, not only did she play an active role in the generation and spreading of the Petition submitted to the St. Martin Parish Council on or around March 2, 2022, but that she is in apparent violation of numerous Notary Acts in doing so.

Defendant Dubroc also ignores the fact that she is presently under investigation for those alleged improper Notary Acts by the St. Martin Parish District Attorney's Office. As part of this Opposition Memorandum, Petitioner supplies Plaintiff's Exhibit P-6, which is attached hereto and made a part hereof. The Exhibit is an email sent by St. Martin Parish Assistant District Attorney Michael Caffery on October 25, 2022 (a mere three days before Defendant Dubroc's Exception Motion was filed with the St. Martin Parish Clerk of Court), which is reproduced below:

From: Michael Caffery <mcaffery@16jda.com>

Date: October 25, 2022 at 11:36:47 AM CDT

To: Billy Broussard <billy@billybroussard.com>

Subject: Re: Material Requested to Assist With Your Investigation of Potential Illegal Notary Act(s) by Melissa Dubroc

Thank you for the email Me. Broussard. It definitely has been busy, but I'm determined to get a Motion filed on this before Thanksgiving. I apologize for the delay and feel free to contact me anytime.

Michael Caffery

Sent from my iPhone

For Defendant Dubroc to assert that Petitioner's Petition should be dismissed with prejudice while she is simultaneously being investigated by the St. Martin Parish District Attorney's Office acts for which numerous notaries have attested to Petitioner represent, "obvious and willful disregard for fundamental standards and obligations of all Louisiana notaries," is patently absurd! Further, Defendant Dubroc's assertion that this Honorable Court "consider" sanctioning Petitioner is nothing short of beyond the pale.

What is in reality happening is that Defendants Dubroc and Mendy "Mob Boss" Girouard are desperately trying to toss this case even when Petitioner has a pending Discovery Request of Defendant Girouard for all Facebook posts of her group, "Vieux Jacquet Neighborhood" which make reference to Petitioner and/or Petitioner's property on Duchamp Road.

That Discovery Request for Production is attached hereto and made a part hereof as Plaintiff Exhibit P-7. Upon information and belief, this Facebook group is comprised of close to 100 members. Though the group was founded in October of 2020, it languished with only about 18 members until Defendant Girouard, in concert with LSP Trooper Scott Lopez (a named Defendant in a separate Defamation lawsuit: 91706-H) began their joint crusade against Petitioner in late 2021, at which time membership expanded exponentially, to even include a sitting St. Martin Parish Councilwoman and Vice Chair, Ms. Carla Jean-Batiste, whom Defendant Girouard introduced to the Facebook Group on or around October 10, 2020, with Jean-Batiste, the spouse of the second-in-command at the St. Martin Parish Sheriff's Office, Harold Jean-Batiste, Jr., remaining a Facebook group member from that day forward to the present day.

Also upon information and belief, Defendant Girouard, on or around December 6, 2021, converted her Facebook group from public to private. Petitioner asserts that this act on Girouard's part transpired after Petitioner's then-attorney, Michael Adley, informed St. Martin Parish Government officials that the Facebook exhibits already presented in this Petition are "defamatory." Quite simply, Defendant Girouard was attempting to facilitate approximately 8-10 repetitive posters to her Facebook Group to be able to defame Petitioner's character to the other 90+ members who, upon information

and belief, have engaged in no posting whatsoever on that Facebook group and, in fact, in many instances, have quietly told Petitioner that they support him.

Defendant Girouard, upon information and belief, has expelled Facebook members to her group who have posted anything remotely positive about Petitioner and has further made it clear to other members upon expelling members engaging in such acts that such positive commentary about Petitioner will not be tolerated. Girouard's actions in that regard are indeed ironic given that the first "rule" of her Facebook group states:

1. Be kind and courteous. We're all in this together to create a welcoming environment. Let's treat everyone with respect. Healthy debates are natural, but kindness is required.

Despite Defendant Girouard's above "rule," Petitioner has been made aware of neighborhood members who have been referred to as "snakes" if they so much as appear to support Petitioner. Also, upon information and belief, Petitioner has been referenced as a "POS" and other derogatory nouns by both Defendants Girouard and Dubroc and other Facebook group members orchestrated by self-proclaimed Mendy "Mob Boss" Girouard.

Defendants' counsel has represented to Petitioner verbally that, "the entire neighborhood is against this," and Petitioner informed Defense Counsel that, "I emphatically disagree with that!" The reality is that numerous residents in the neighborhood have voiced strong support to Petitioner regarding him having "substantially improved the property," which is supported by a recent appraisal of the property of \$163,600 vs. the appraisal when Petitioner purchased the property, for which the value was appraised at \$78,200. The property was previously a haven for drug activity with homeless drug addicts residing in tents and considerable trash and debris had piled up from people hauling in such debris. Petitioner cleared the property, removed all of the massive level of trash and debris which had accumulated and hauled that trash to the commercial dump at his own expense.

The reality is that the residents supportive of Petitioner and his extensive efforts to improve the property are reluctant to express support publicly for fear of reprisal, particularly on the part of Defendant Dubroc's household. To cite the rationale of such fear, on May 14, 2022, the St. Martin Parish Sheriff's Office was called out to the Dubroc

residence as a result of “numerous rounds of an AK-47 rifle being fired by people who are clearly inebriated.”

When Sheriff Deputy Darren Countee arrived on the scene, he spent all of about nine minutes merely taking down the serial number of the rifle and stating, “as long as you’re firing in a good direction all is fine.”

Less than six (6) minutes after he left the scene, Countee was immediately returned and had to place Defendant Dubroc’s daughter under arrest as she had crossed the street and was approaching her neighbor threatening to, “beat the f@@k out of you for calling the police!” The reality is that the neighbor is not the one who called law enforcement to the Dubroc residence, but the actual caller doesn’t want his or her identity revealed for fear of reprisal, and the same holds true of those reluctant to speak publicly (or even make a supportive post on Defendant Girouard’s Facebook group, which results in immediate expulsion from the group) in support of Petitioner for fear of ramifications from the “mob,” for which Girouard has self-declared herself as “mob boss.”

Petitioner is not required to prove his entire case in his initial Petition, and presumably Defense Counsel is aware of that fact. Petitioner has clearly demonstrated a Cause of Action for Defamation; furthermore, upon receiving the above-referenced Request for Production (i.e. the Facebook posts and comments thereof), Petitioner has little doubt that he will need to file a Motion for Leave of Court to Amend the present Petition to add other Defendants who chose to actively participate in the blatantly-defamatory posts made in Defendant Girouard’s Facebook Group between the dates of October 20, 2021 running through and including the date of this writing.

For the foregoing reasons, this Honorable Court should DENY Defendants’ Motion to Dismiss his Petition and instruct Defendants to supply the Request for Production of Documents to include all Facebook posts made on the Facebook Group, “Vieux Jacquet Neighborhood” which make reference to Petitioner and/or Petitioner’s property on Duchamp Road.” Further, this Honorable Court should not even remotely dignify Defendants’ request for this Honorable Court to “consider” sanctioning Petitioner as the request is patently absurd on its face in light of the actions of Defendants entailing their Facebook postings and apparent improper Notary Acts outlined in this Opposition Memorandum to Defendants’ Exception of No Cause / No Right of Action.

Respectfully Submitted,

Billy Broussard
1307 South Main
Breaux Bridge, LA 70517
(337) 316-6193
E-mail: Billy@BillyBroussard.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has this day been forwarded to all known counsel of record by:

- ☐ United States mail, properly addressed and postage prepaid.
- ☐ Registered United States mail, return receipt requested, properly addressed and postage prepaid.
- ☐ Facsimile transmission.
- ☐ Hand Delivery.
- ☒ E-mail Transmission.

Breaux Bridge, Louisiana, this 15th day of November, 2022.

BILLY BROUSSARD
In Proper Person
1307 South Main
Breaux Bridge, LA 70517

BY: _____
BILLY BROUSSARD

RECEIVED AND FILED

2022 NOV 15 PM 3: 59

**DEPUTY CLERK OF COURT
ST. MARTIN PARISH**

From: Michael Caffery <mcaffery@16jda.com>

Date: October 25, 2022 at 11:36:47 AM CDT

To: Billy Broussard <billy@billybroussard.com>

Subject: Re: Material Requested to Assist With Your Investigation of Potential Illegal Notary Act(s) by Melissa Dubroc

Thank you for the email Me. Broussard. It definitely has been busy, but I'm determined to get a Motion filed on this before Thanksgiving. I apologize for the delay and feel free to contact me anytime.

Michael Caffery

Sent from my iPhone

P-6

RECEIVED AND FILED
2022 NOV 15 PM 3:59

DEPUTY CLERK OF COURT
ST. MARTIN PARISH

BILLY BROUSSARD	*	16 TH JUDICIAL DISTRICT COURT
VERSUS NO. 92077 "F"	*	PARISH OF ST. MARTIN
MENDY GIROUARD AND MELISSA DUBROC	*	STATE OF LOUISIANA

REQUESTS FOR PRODUCTION OF DOCUMENTS

TO: ERIC T. HAIK (#28066)
1017 E. Dale Street
Post Office Box 11040
New Iberia, LA 70562-1040
Phone: (337) 365-5486
Facsimile: (337) 367-7069
Attorney for Defendants

NOW COMES Plaintiff, BILLY BROUSSARD, in proper person, who propounds the following Request for Production of Documents to Defendant Mendy Girouard through her counsel of record, Eric T. Haik (#28066) to be responded to, in writing, within thirty (30) days after receipt hereof pursuant to Article 1462 *et seq.* of the Louisiana Code of Civil Procedure, which requests shall be deemed continuing.

DEFINITIONS AND INSTRUCTIONS

The following definitions and/or abbreviations are set forth for the purpose of clarifying the meaning of various words and/or phrases contained herein in order to expedite discovery and to simplify and assist your efforts to locate and furnish the relevant information. It is expressly stipulated and agreed that an affirmative response on your part will not be construed as an admission that any definition or abbreviation contained herein is either factually correct or legally binding on you.

1. "YOU," "YOUR," and "YOURS" refer to Defendant, MENDY GIROUARD and include her agents, representatives, attorneys and all other persons acting or purporting to act on her behalf or under her control. Further, this definition refers to the parties to whom these Requests for Productions are addressed and propounded and all representatives of those parties, acting or purporting to act on her behalf with respect to any matter inquired about in these Requests for Production including but not limited to, all employees, employs, consulting agents, adjustors or any other representative.
2. "Defendant" refers to Defendant named in the above-styled and numbered cause, including MENDY GIROUARD's agents, representatives, attorneys and all other persons acting or purporting to act on her behalf or under her control.

P-7

3. "Statement(s)" as that term is used herein includes, (a) a written statement signed or otherwise adopted or approved by the person making it; and (b) any stenographic, mechanical, electrical or other recording, or any transcription thereof which is substantially a verbatim recital of a statement made by the person and contemporaneously recorded.
4. "Document" shall mean writings of every kind, source, and authorship, including originals, copies of all non-identical copies thereof, in your possession, custody or control or known by you to exist, including with limitations and governmental agency, department, administrative entity, or personnel. This term shall include handwritten, typewritten, printed, photocopied, photographic or recorded material and any and all attachments to the original material and any and all documents referred to in the original; and any and all subsequent additions, deletions, substitutions, amendments or modifications to the original of any sort. It shall include communications, in words, symbols, pictures, sound recordings, films, tapes and information stored in or accessible through computer or other information on storage or retrieval systems, together with the codes and/or programming instructions and other materials necessary to understand and use such systems. For purposes of illustration and not limitation, the terms shall include: correspondence; transcriptions of testimony; letters; notes; reports; papers; files; books; records; contracts; agreements; telegrams; teletypes; and other communications sent or received; diaries; calendars; logs, notes or memoranda of telephonic or face-to-face conversations; drafts; work papers; agendas; bulletins; notices; circulars; announcements; instructions; schedules; minutes; summaries, notes, and other records and recordings of any conference, meetings, visits, statements, interviews or telephone conversations; bills, statements, and other records of obligations and expenditures; cancelled checks, vouchers, receipts, and other records of payments; ledgers, journals, balance sheets, profit and loss statements, and other sources of financial data; analyses; statements; interviews; affidavits; printed matter (including published books, articles, speeches and newspaper clippings); manuals; brochures; parts lists; memoranda of all kinds to and from any persons, agencies or entities; technical and engineering reports, evaluations, advises, recommendations, commentaries, conclusions, studies, test plans, manuals, procedures, data reports, results and conclusions; records of administrative, technical and financial actions taken or recommended; and all other writings the contents of which relate to, discuss, consider or otherwise refer to the subject matter of the particular discovery requested.
5. "Expert" means any expert who is expected to testify at trial, either in your case in chief or rebuttal, by depositions or live testimony, and any expert who has been informally consulted with, retained or specially employed in anticipation of litigation or preparation for formal hearing but will not be called to testify.
6. "Identify" when referring to:
 - (a) a person, means to state his/her full name and present or last known business and residential address and business and residential phone number;
 - (b) a public or private corporation, partnership, association, or other governmental agency, means to state its full name and present or last known pertinent business address and phone number;
 - (c) a statement, means to identify who made it, who took or recorded it, and all others, if any, present during the making thereof, to state

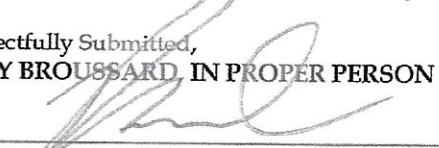
- when, where and how it was taken or recorded, and to identify who has present or last known possession, custody or control;
- (d) a document, means to give a reasonably detailed description thereof, including, if applicable, when, where and how it was made; to identify who has present or last known possession, custody or control thereof; and
 - (e) any other tangible thing, means to give a reasonably detailed description thereof, including, if applicable, when, where and how it was made; to identify who made it, and to identify who has present or last known possession, custody or control thereof.
7. The word "concerning" includes referring to, alluding to, responding to, relating to, in connection with, commencing on, in respect of, about, regarding, discussing, showing, describing, mentioning, reflecting, analyzing, constituting, evidencing, or pertaining to.
 8. "Communication" means any contact between two or more persons, companies, corporations, joint ventures or partnerships and shall include, without limitation, written contact by means such as letters, memoranda, telegrams, telecopies or telexes, or by any document, and any oral contract such as face-to-face meetings and telephone conversations.
 9. Whenever the masculine gender is used herein, it should be taken to include the feminine gender where appropriate.
 10. The singular includes the plural, and the plural includes the singular.
 11. "And" includes and/or.
 12. "Or" includes and/or.
 13. If you object or refuse to respond to a Request for Production on the ground that it falls within a privilege or exemption or for any other reason, please provide the following information as to each Request for Production not answered: (a) The identity of the information that you claim privileged (if the information has been reduced to a document, please identify as defined in the instruction above); (b) the identity of each person known to you to have seen the item; and (c) the nature of the privilege or exemption you claim applies and the reason you invoke it.
 14. If any document referred to in your answers to these Requests for Production were, but no longer are, in your possession, custody or control, or the control of your agents or representatives, state whether it (1) is missing or lost, (2) has been destroyed, (3) has been transferred to others, identifying the recipient; and, (4) describe the circumstances surrounding any disposition of the document.

REQUEST FOR PRODUCTION NO. 1:

Please produce copies of any/all Facebook posts made on the Facebook group "Vieux Jacquet Neighborhood" managed by Defendant Mendy Girouard containing reference to Billy Broussard and/or his property on Duchamp Road from inception through October 28, 2022. Please ensure that all posts include all comments made on

such posts which are un-collapsed and fully visible and legible upon submission. Also ensure that all emoji reactions to such posts and comments are provided in the printouts of the posts and/or ensuing comments on those posts, to include the names of the persons making the reactions, thus requiring the un-collapsed reactions to be readily visible and legible upon printing. Please ensure that all printouts of the Facebook posts, comments, and emoji reactions with associated names are in color and clearly legible.

Respectfully Submitted,
BILLY BROUSSARD, IN PROPER PERSON

BY: 
BILLY BROUSSARD
In Proper Person
1307 South Main
Breaux Bridge, LA 70517
Billy@BillyBroussard.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has this day been forwarded to all known counsel of record by:

- ☐ United States mail, properly addressed and postage prepaid.
- ☐ Registered United States mail, return receipt requested, properly addressed and postage prepaid.
- ☐ Facsimile transmission.
- ☐ Hand Delivery.
- ☒ E-mail Transmission.

Breaux Bridge, Louisiana, this 28 day of October, 2022.

BILLY BROUSSARD
In Proper Person
1307 South Main
Breaux Bridge, LA 70517

BY: 
BILLY BROUSSARD

BILLY BROUSSARD

NUMBER 92077 DOCKET: "C"

16TH JUDICIAL DISTRICT COURT

VERSUS

PARISH OF ST MARTIN

MENDY GIROUARD, MELISSA DUBROC

STATE OF LOUISIANA

**SUPPLEMENT TO MEMORANDUM IN OPPOSITION TO DEFENDANTS' NO
RIGHT/NO CAUSE OF ACTION**

NOW UNTO COURT comes Petitioner, Billy Broussard, in proper person, who files this supplement to his Memorandum in Opposition to Defendants' No Right / No Cause of Action presently scheduled for contradictory hearing on February 15, 2023 at 9:00 a.m.

In the event this Honorable Court grants Defendants' Peremptory Exception of No Cause of Action, Plaintiff respectfully represents that he is able to easily amend the Petition to firmly state a Cause of Action for defamation based upon the Facebook posts of which he is already in possession of. Plaintiff will merely amend the Petition to state that, "based on information and belief, Defendants published the following defamatory Facebook posts on the following dates," and merely itemize the dates and nature of the posts. Accordingly, Plaintiff, by way of this Supplement, pleads for this Honorable Court, in the event it is inclined to grant Defendants' Exception and, pursuant to LA CCP 934, Plaintiff be permitted to amend the Petition to remedy the exception in accordance with Code which states, in pertinent part, "when the grounds of the objection pleaded by the peremptory exception may be removed by amendment of the petition, the judgment sustaining the exception shall order such amendment within the delay allowed by the court."

Respectfully Submitted,

Billy Broussard
1307 South Main
Breaux Bridge, LA 70517
(337) 316-6193
E-mail: Billy@BillyBroussard.com

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2023 FEB -6 PM 2: 09

DEPUTY CLERK OF COURT
ST. MARTIN PARISH

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has this day been forwarded to all known counsel of record by:

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- ☐ Facsimile transmission.
- ☐ Hand Delivery.
- ☒ E-mail Transmission.

Breaux Bridge, Louisiana, this 6th day of February, 2023.

BILLY BROUSSARD

In Proper Person

1307 South Main

Breaux Bridge, LA 70517

BY: 

BILLY BROUSSARD

RECEIVED AND FILED

2023 FEB -6 PM 2: 09

DEPUTY CLERK OF COURT
ST. MARTIN PARISH

BILLY BROUSSARD

VERSUS NO. 92077 "C"

MENDY GIROUARD AND
MELISSA DUBROC

* 16TH JUDICIAL DISTRICT COURT
* PARISH OF ST. MARTIN
* STATE OF LOUISIANA

MOTION AND ORDER TO RESET HEARING ON DEFENDANTS' EXCEPTION
OF NO RIGHT/NO CAUSE OF ACTION

NOW INTO COURT, through undersigned counsel, come Defendants, MENDY GIROUARD and MELISSA DUBROC, who move this Court to reset the hearing on Defendants' Exception of No Right/No Cause of Action previously filed herein.

Considering the foregoing:

IT IS ORDERED that the hearing on Exception of No Right/No Cause of Action filed by Defendants herein, which was previously scheduled for Friday, December 9, 2022, at 9:00 o'clock a.m., be reset for hearing on the 15th day of February 2023 at 9 o'clock A. m. as a 5th fixing

THUS DONE AND SIGNED at St. Martin Parish, Louisiana this 17th day of

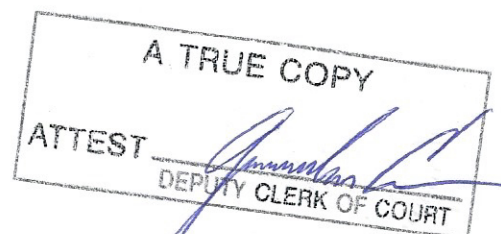
January, 2022.


DISTRICT JUDGE

Vincent J. Borne

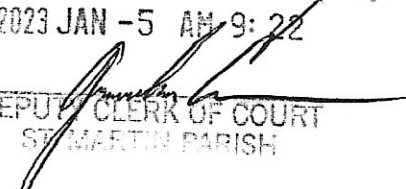
PLEASE SERVE:

BILLY BROUSSARD
1307 South Main
Breaux Bridge, LA 70517



RECEIVED AND FILED

2023 JAN -5 AM 9:22


DEPUTY CLERK OF COURT
ST. MARTIN PARISH