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March 14, 2017

Mr. Bill Dawson, Chairman
Ascension Parish Governmental Complex
615 E. Worthey Street
Gonzales, LA 70737

Via Email: bdawson@apgov.us

Re: Parish President Kenny Matassa

Dear Mr. Dawson:

I represent Parish President Kenny Matassa whose name appears on Executive Session Item 24 for the Thursday meeting. I want to be present that day, but have a previously scheduled and unmovable commitment.

The resolution relies on last Friday's indictment. While of questionable legal or factual merit, the claim does not relate to any effort at personal gain by Mr. Matassa nor reflect anything to do with his job performance.

An indictment is nothing but an allegation by a group of people who only hear one side. The rule of proof is only one of probable cause, and the presumption of innocence is not considered. At a trial, the Judge would instruct this:

"An indictment is only a written, formal accusation against a defendant charging him with a crime. You are not to consider the indictment as evidence against the defendant. You may not infer guilt from the mere filing of an indictment."

I need to be advised of the following before the Council considers any action on the resolution.

1. What precise act or acts does the Council plan to present as evidence against Mr. Matassa?
2. What is the legal standard of proof the Council plans to use?

March 14, 2017

Page 2

3. What Rules of Evidence will be applied?
4. Who will present the evidence for the Council and who will decide on its admissibility?
5. Who from the Council is authorized to administer oaths?
6. Mr. Matassa wants to present evidence once he knows the scope of the hearing. To do so, he needs to be able to subpoena witnesses. Please advise the Council's procedure for securing witnesses and the forms traditionally used.
7. As for the evidence the Council plans to use, when can it be supplied to counsel for Kenny? If it is strictly witnesses, then please identify their names, addresses and the scope of their testimony.
8. What is the required number of votes needed for the motion to carry?
9. When can the Council's witnesses be deposed?

Additionally, the notice I have shows Daniel Satterlee from District 4. I believe this may be the same gentleman who attended a private meeting with the Attorney General to discuss legal issues that bleed over into Mr. Matassa's case. I also believe Councilman Satterlee attended that meeting along with Matassa's opponent in the last election.

It is our position that if any of the above is factually correct, then he should not be allowed to vote nor participate in that portion of the Agenda. If it is on the Agenda at his request, then I assume he will want to present his facts and would not expect to vote due to having prejudged the issue. We desire to question him about the details of his meeting with the Attorney General, which occurred while this issue was before the Grand Jury.

The Council should have all the facts at its disposal to make a good decision on behalf of their constituents, the majority of which elected Mr. Matassa.

Mr. Matassa has complete trust that fundamental fairness is the goal of the Council and that his innocence can be demonstrated.


I am certain the people of Ascension Parish, through their elected representatives, expect the Council to maintain full adherence to the law and that that is your intention.

March 14, 2017

Page 3

Given these pending issues, he also requests this Agenda item be deferred until the Council can respond and employ the procedures necessary to allow everyone to make an informed vote.

Sincerely,



Lewis O. Unglesby

LOU/llw

cc: Councilman Oliver Joseph - ojoseph@apgov.us
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