

FRED D. REED, et al

NUMBER: \_\_\_\_\_ DIV.: \_\_\_\_\_

Vs.

19<sup>TH</sup> JUDICIAL DISTRICT COURT

PARISH OF EAST BATON ROUGE

BRANDON NOEL, et al

STATE OF LOUISIANA

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**PETITION FOR DECLARATORY JUDGMENT AND PERMANENT  
INJUNCTION, AND RESTITUTION**

NOW INTO COURT, through undersigned counsel, come Plaintiffs, Fred Reed and Gold Enterprises, LLC, who respectfully submit this Petition against the individually named members of the East Baton Rouge Parish Metropolitan Council (“Metro Council”) and aver as follows:

**I. PARTIES, JURISDICTION, AND VENUE**

A. Plaintiff, Fred D. Reed, is a resident, taxpayer, and utility ratepayer of East Baton Rouge Parish.

B. Plaintiff, Gold Enterprises, LLC, is a Louisiana limited liability company domiciled and operating in East Baton Rouge Parish and is a taxpayer and utility ratepayer.

C. Plaintiff, Sharon D. Robinson-Williams, is a resident, taxpayer, and utility ratepayer of East Baton Rouge, Parish.

D. Defendant, Mayor President Emile B. Edwards is sued in his official capacity as the Chief Administrative Officer of the City-Parish Government and in charge of dispersing funds to the Defendants, Metro Council members, and also in charge of the Community Centers.

E. Defendants are duly elected members of the East Baton Rouge Parish Metropolitan Council, persons of the full age of majority, residents and domiciled in this Parish and State and are made defendants in their official capacities:

Brandon Noel - Anthony Kennedy - Rowdy Gaudet - Aaron Moak

- Darryl Hurst - Cleve Dunn - Twahna Harris - Denise Amoroso -

Dwight Hudson - Carolyn Coleman - Jennifer (“Jen”) Racca

F. This Court has jurisdiction under Article V, Section 16 of the Louisiana Constitution and La. C.C.P. arts. 2, 1871–1880, and 3601.

G. Venue is proper in this Court pursuant to La. C.C.P. art. 42.

## **II. GENERAL ALLEGATIONS**

### **A. Constitutional & Governance Structure**

1. Article VII, Section 14 of the Louisiana Constitution prohibits the loan, pledge, or donation of public funds unless constitutionally authorized.

2. The City of Baton Rouge-Parish of East Baton Rouge Government (“City-Parish”) operates under a Plan of Government that vests legislative authority in the Metropolitan Council (“Metro Council”) and administrative authority in the Mayor-President.

3. Section 2.01, et. seq. of the Plan of Government prohibits Metro Council members from individually directing or controlling public expenditures. The Metro-Council can only function by ordinance duly adopted at a public meeting. Section 2.09 of the Plan of Government requires that all ordinances, resolutions or motions may only be adopted by an affirmative vote of seven (7) members of the Metro Council, adopted at an open meeting.

### **B. Franchise Fee Ordinance**

1. In December of 2024, the Metro Council adopted a franchise fee imposed on Entergy Louisiana. See Exhibit “A”.

2. The ordinance earmarked revenues for crime prevention and community services.

3. Entergy passed this cost to ratepayers through an approximate \$4.00 monthly bill increase. The ratepayers pay this fee not Entergy Louisiana.

### **C. Creation and Misuse of Discretionary Accounts**

1. Metro Council members Dunn and Racca introduced Budget Supplement 9088, allocating \$105,000 per Council district. See Exhibit “B”. This supplement was directed to the funds produced by Exhibit “A” above. In other words

the Metro Council members who adopted this Budget Supplement were utilizing the franchise fee to support the allocation of funds complained of herein by each Defendant herein.

2. These funds were mislabeled as “Contractual Services.”

Contractual services are provided by the City Parish and not individual members of the Metro Council. Plaintiffs allege that these funds were used for the illegal provision of donations and “sponsorships” which are an illegal form of donation. Such illegal expenditures are prohibited by Article VII, Sec. 14, of the Louisiana Constitution.

3. Metro Council members exercised individual discretion over public expenditures without authority.

#### **D. Unconstitutional Expenditures**

1. Plaintiffs further contend that Exhibit “C in globo” reflects the alleged illegal expenditures by the Defendant, Metro Council members, including donations, sponsorships, event funding, and payments to private entities lacking public-purpose agreements. Also, Exhibit C shows a trailer purchased with public funds with the individual Council person’s name on the trailer. Further, the Defendant Council persons have utilized the credit card of the Council Administrator to reimburse her for goods or services that have never been approved by the Metro Council at a proper meeting. Plaintiffs further allege that the public is kept in the dark about the purposes of these reimbursements.

2. Plaintiffs further contend that according to the laws of the State of Louisiana, no public employee or elected official shall use public money for the payment of meals unless the meals are for provided for attendees of public meeting held during a meal period. There are numerous expenditures for meals and catering with no support for these expenses.

3. These expenditures violate Article VII, Section 14 because they serve private, political, or non-public purposes.

**E. Ongoing Violations in the 2026 Proposed Budget**

1. Plaintiffs further allege that the 2026 Proposed Budget which is public record includes new discretionary allocations, perpetuating these unlawful expenditures.

**F. Unauthorized Community Centers Operations**

1. Several "Community Centers" controlled by Metro Council members operate outside City-Parish administration. They are:

- Chaneyville Community Center - Charles R. Kelly Community Center
- Dr. Lee S. Butler Community Center- Martin L. King Community Center - Jewel J. Newman Community Center -

2. These "Community Centers" are located in specific council member districts. Those individual council members administer those "Community Centers" outside of the proper departments provided for in the Plan of Government. No legislator may act as the administrator of these "Community Centers". On information and belief individual Defendants have utilized these "Community Centers" for political purposes.

**III. CAUSES OF ACTION**

**A. COUNT 1 — Declaratory Judgment**

Plaintiffs seek a declaration that:

1. The expenditures described in Exhibit "C" are illegal, and violates of Article VII, section, 14 of the Louisiana Constitution and the Plan of Government of East Baton Rouge Parish. Both of those documents are plead herein in extenso.
2. Franchise-fee revenue diversion is unconstitutional.
3. Budget Supplement 9088 is void.
4. Metro Council members lack authority to spend public funds for individual purposes.

5. Metro Council members may not purchase meals, trailers, furniture, picture frames, sponsorships or make “donations” with public money.

**B. COUNT 2 — Permanent Injunction**

1. Plaintiffs request permanent injunctive relief forever prohibiting Defendants from:

- a. Spending unauthorized funds,
- b. Diverting franchise-fee revenue,
- c. Continuing discretionary spending structures,
- d. Implementing 2026 discretionary appropriations.
- e. Violating Article VII, Section 14, by making donations and funding sponsorships with public funds.

**C. COUNT 3 — Restitution**

Plaintiffs request that Metro Council members, Defendants, individually, reimburse the City-Parish treasury for all unconstitutional and illegal expenditures.

**D. COUNT 4 — Taxpayer Action**

Plaintiffs bring this action individually, and for the benefit of all taxpayers, to enforce constitutional and governance limits.

**IV. PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiffs pray that Defendants be cited, and served, and that in due course:

A. All expenditures identified in Exhibit “C” be enjoined pending the outcome of the declaratory judgment.

B. All expenditures identified in Exhibit “C” be declared a violation of the Louisiana Constitution and City-Parish Plan of Government.

C. A permanent injunction issue barring Defendants Metro Council members from further illegal expenditures as found in Exhibit “C” and described herein.

D. Defendants be ordered to make restitution for these illegal expenditures individually.

E. Budget Supplement 9088, insofar as the creation of a special fund for individual council members to be able to spend public funds at their discretion is concerned, without any authority have been approved at a legal public meeting.

F. Plaintiffs be granted all general and equitable relief.

Respectfully submitted,



**Elbert Lee Guillory** 19622  
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**633 E. Landry Street**  
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Please serve:

Defendant Mayor-President  
Emile B. Edwards  
222 St. Louis Street, 3<sup>rd</sup> Floor  
Baton Rouge, LA 70821

Please serve:

Defendants Metro Council Members  
Through Ashley Beck, Council Administrator  
222 St. Louis Street, 3<sup>rd</sup> Floor  
Baton Rouge, LA 70821