

STEVE SCALISE  
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July 31, 2013

Timothy P. Doody  
President  
Southeast Louisiana Flood Protection Authority - East  
2045 Lakeshore Drive  
Room 422  
New Orleans, LA 70122

Dear President Doody:

I am writing to learn more about the lawsuit ("*Board of Commissioners of the Southeast Louisiana Flood Protection Authority – East, et al., v. Tennessee Gas Pipeline Company, LLC, et al.,*" No. 2013-6911 in the Civil District Court for the Parish of Orleans.) filed by the Southeast Louisiana Flood Protection Authority – East (SLFPA-E) on July 24, 2013, which targets 97 energy companies for the loss of coastal wetlands dating back to the beginning of the last century. As a staunch advocate for restoring our coastal wetlands and a resident in SLFPA-E's jurisdiction, please provide me with answers to the following questions:

- 1) If the SLFPA-E decides it is in our best interest to drop the lawsuit, would the taxpayer (via the SLFPA-E) be responsible for paying the legal fees already incurred by these firms? If so, does the SLFPA-E have the funds that would be required to cover the legal expenses incurred up to that point? If not, would flood control assets be put at risk to pay these expenses?
- 2) On average, what is the billable hourly rate for the firms handling this case? If billable hours vary from each firm and/or attorney, please provide a detailed list of those rates and the attorneys to whom they apply.
- 3) What is the total expenditure from these law firms to date, and what is the average weekly amount of money being billed?
- 4) How did the SLFPA-E select the law firm of Jones, Swanson, Huddell & Garrison? Was there a publicly-held vote of the SLFPA-E members regarding this decision? If so, please provide the date and breakdown of the vote. If not, please give details of the process undertaken to select this firm. Were other firms offered the opportunity to represent SLFPA-E regarding this case?
- 5) What was the selection process for contracting additional law firms or attorneys to work on this case?
- 6) Who has the legal authority to sign contracts on behalf of the Board?

When I served in the Louisiana Legislature, my colleagues and I worked together to create the SLFPA-E and dramatically reform our state's levee boards in order to remove good-ole-boy politics and ensure they are focused exclusively on the flood protection of our citizens. Our levee boards need to protect residents from floods, and we fought hard to put professionals in place to fulfill that mission. For many years before Katrina, local levee boards, on countless occasions, took their focus away from protecting residents in southeast Louisiana and sought to benefit themselves or their friends through questionable contracts without proper consent from residents. It concerns me that, by entering into the aforementioned contract, the SLFPA-E has put its main mission at risk by jeopardizing flood protection assets.

I look forward to your prompt response to my questions.

Sincerely,

A handwritten signature in blue ink that reads "Steve Scalise". The signature is stylized with a large "S" and a long horizontal stroke.

Steve Scalise

Member of Congress