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For Immediate Release:

**Victory! Judge Griffin rules with the people of New Orleans,
says City Council did not substantially comply with Open Meetings Law**

*Decision voids Council's approval of Entergy gas plant and upholds residents' right to
be heard*

NEW ORLEANS, June 14, 2019 – At Orleans Parish Civil District Court today, Judge Piper Griffin ruled in favor of local groups and residents who sued the New Orleans City Council for violating the Open Meetings Law. The ruling focused on public meetings in which people were shut out prior to the Council voting in favor of Entergy's application to build a new, polluting gas plant in New Orleans East. Judge Griffin determined that the Council did not substantially comply with the Open Meetings Law and its policy for ensuring that citizens' voices are heard. She also found that Entergy's use of paid actors in the Council meetings "undermined" the Open Meetings Law. Her decision delivers a victory to residents and local groups who sued the City Council for denying basic rights to a fair process and open meetings when the Council approved the Entergy gas plant in 2018.

"Judge Griffin made it clear today that the people of New Orleans matter and their voices count in all Council decisions," said **Monique Harden, Assistant Director of Law & Policy at Deep South Center for Environmental Justice**. "The ruling today voids the Council's vote to approve the proposed Entergy gas plant," she said.

Community groups and leaders have long spoken out against Entergy's plans to build a new gas plant near homes, schools, and businesses in New Orleans East. In 2018, the City Council approved Entergy's request to pass on the more than \$230 million in construction costs to the people of New Orleans over the next 30 years. An investigation found that, in response to widespread opposition to the gas plant, Entergy used paid actors to fill City Hall and other meeting rooms to keep community voices out and show fake support for the gas plant.

“Today’s decision is a long overdue victory for the people of New Orleans. The City Council cannot shirk its responsibility to ensure that its meetings are fair and open. We’re pleased Judge Griffin agreed with us on this vital issue,” said **Susan Stevens Miller, Earthjustice attorney**. “No resident should be forced to wait outside a Council meeting with no way to observe what is happening or denied the opportunity to make a comment. Through our lawsuit, residents’ voices were heard by Judge Griffin and now will be heard by the City Council.”

“Judge Griffin did the right thing. We are glad that the Judge stands with the people of New Orleans East and not Entergy corporation,” said **Mark Nguyen, Community Organizer at VAYLA**. “This delivers justice to hundreds of people from our community who were locked out of the process and were ignored by the City Council.”

“We are so grateful for the leaders and organizations across the city of New Orleans that have come together to fight for justice,” said **Dawn Hebert, President of Lake Willow Homeowners Association and ENONAC Board Member**. “Thank you Alliance for Affordable Energy, Deep South Center for Environmental Justice, Earthjustice, Green Justice, Justice and Beyond, Sierra Club, VAYLA, 350 New Orleans, GNOHA and everyone who has supported us and stuck with us over the years in fighting for what’s right for our community.”

The court ruling comes after years of advocacy for just and equitable energy regulation by the City Council. On the Entergy gas plant application, the Council failed to require justification of the gas plant against alternative options. The Council also failed to set effective protections for ratepayers against cost overruns associated with the gas plant. All Entergy customers in Orleans Parish would see higher electric bills every month for 30 years or more if Entergy is allowed to charge them for the cost of constructing the more than \$230 million unnecessary gas plant. Entergy has already begun construction of its gas power plant in a high-risk flood hazard area -- in disregard of FEMA policy. The location is also within two miles of homes, churches, and schools. The communities directly harmed would be exposed to severe health and safety risks as well as increased flood risks.

Opponents emphasize that operating a polluting gas plant in a majority African American, Vietnamese American, and Latino neighborhood is environmental racism. The gas plant would annually release more than a million pounds of toxic air pollution and approximately two billion pounds of greenhouse gases that contribute to climate change.

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The Energy Future New Orleans Coalition includes the Alliance for Affordable Energy, the Deep South Center for Environmental Justice, Earthjustice, Sierra Club, VAYLA and 350 New Orleans.