



# Couhig Partners LLC

ATTORNEYS AT LAW

PROPOSAL IN RESPONSE TO  
REQUEST FOR  
QUALIFICATIONS SOQ 24-016  
FOR LEGAL SERVICES FOR  
JEFFERSON PARISH  
RESOLUTION NO. 144226

Submitted by:

BLAIR C. CONSTANT

COUHIG PARTNERS, L.L.C.  
1100 Poydras St., Suite  
3250 New Orleans,  
Louisiana 70163  
(504) 588-1288

May 28, 2024

## **Professional Legal Services Questionnaire Instructions**

- The Professional Legal Services Questionnaire shall be used for outside legal services.
- **The Professional Legal Services Questionnaire should be completely filled out. Complete and attach ALL sections. Insert "N/A" or "None" if a section does not apply or if there is no information to provide.**
- Questionnaire must be signed by an authorized representative of the Firm. Failure to sign the questionnaire shall result in disqualification of proposer pursuant to J.P. Code of Ordinances Sec. 2-928.
- All subcontractors must be listed in the appropriate section of the Questionnaire. Each subcontractor must provide a complete copy of the Professional Legal Services Questionnaire, applicable licenses, and any other information required by the advertisement. Failure to provide the subcontractors' complete questionnaire(s), applicable licenses, and any other information required by the advertisement shall result in disqualification of proposer pursuant to J.P. Code of Ordinances Sec. 2-928.
- If additional pages are needed, attach them to the questionnaire and include all applicable information that is required by the questionnaire.

## Professional Legal Services Questionnaire

### A. Person or Firm Name & Principal Address:

Couhig Partners, L.L.C.  
1100 Poydras Street  
Suite 3250  
New Orleans, LA 70163

### B. Name, Title, & contact information of Firm Representative, as defined in Section 2-926 of the Jefferson Parish Code of Ordinances, who is licensed to practice law in the State of Louisiana with a minimum of five (5) years' experience:

Blair C. Constant  
work: (504) 599-5786  
email: bconstant@couhigpartners.com

### C. Location of the principal:

1100 Poydras Street  
Suite 3250  
New Orleans, LA 70163

### D. Please check the legal field or fields in which Firm is qualified to perform services for Jefferson Parish and include the number of years of experience in that particular field.

<input type="checkbox"/> Bond Services (Years: <u>      </u> )	<input type="checkbox"/> Science & Technology Law (Years: <u>      </u> )
<input checked="" type="checkbox"/> Elections (Years: <u>16</u> )	<input checked="" type="checkbox"/> State & Local Government Law (Years: <u>8</u> )
<input checked="" type="checkbox"/> Administrative & Regulatory (Years: <u>22</u> )	<input type="checkbox"/> Taxation (Years: <u>      </u> )
<input checked="" type="checkbox"/> Antitrust Law (Years: <u>47</u> )	<input checked="" type="checkbox"/> Tort Trial & Insurance Practices (Years: <u>47</u> )
<input checked="" type="checkbox"/> Business Law (Years: <u>47</u> )	<input checked="" type="checkbox"/> Complex Litigation (including asbestos litigation) (Years: <u>47</u> )
<input checked="" type="checkbox"/> Criminal Justice (Years: <u>12</u> )	<input type="checkbox"/> Securities (Years: <u>      </u> )
<input checked="" type="checkbox"/> Dispute Resolution (Years: <u>21</u> )	<input checked="" type="checkbox"/> Ethics Law (Years: <u>23</u> )
<input checked="" type="checkbox"/> Environmental, Energy & Resources (Years: <u>      </u> )	<input type="checkbox"/> Civil Service Matters (Years: <u>      </u> )
<input type="checkbox"/> Health Law (Years: <u>      </u> )	<input checked="" type="checkbox"/> Civil Rights & the Constitution (Years: <u>23</u> )
<input checked="" type="checkbox"/> Intellectual Property (Years: <u>23</u> )	<input checked="" type="checkbox"/> Municipal Representation (including liability & intergovernmental conflicts) (Years: <u>9</u> )
<input type="checkbox"/> International Law (Years: <u>      </u> )	<input checked="" type="checkbox"/> Code Enforcement Matters (Years: <u>52</u> )
<input checked="" type="checkbox"/> Labor & Employment Law (Years: <u>23</u> )	
<input checked="" type="checkbox"/> Public Contract Law (Years: <u>23</u> )	

## Professional Legal Services Questionnaire

<input type="checkbox"/> Public Utilities Law (Years: _____) <input type="checkbox"/> Communications Law (Years: _____) <input type="checkbox"/> Transportation Law (Years: _____) <input checked="" type="checkbox"/> Property (Years: <u>52</u> ) <input checked="" type="checkbox"/> Trust & Estate Law (Years: <u>52</u> ) <input type="checkbox"/> Other/specific project as required by the advertisement (Years: _____)	<input checked="" type="checkbox"/> Oil Spill Litigation (Years: <u>11</u> ) <input type="checkbox"/> Public Finance (Years: _____) <input type="checkbox"/> Land Use, Planning & Zoning Law (Years: _____) <input type="checkbox"/> Economic Development (Years: _____) <input checked="" type="checkbox"/> Construction Law (Years: <u>52</u> )
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**E. List all subcontractors anticipated for this Project. Please note that all subcontractors must submit a fully completed copy of this questionnaire, applicable licenses, and any other information required by the advertisement. See Jefferson Parish Code of Ordinances, Sec. 2-928(a)(3). Please attach additional pages if necessary.**

Name & Address:	Specialty:	Worked with Firm Before (Yes or No):
1. N/A	N/A	N/A
2.		
3.		
4.		

## Professional Legal Services Questionnaire

### **F. Professional Training and experience in relation to the type of work required for the outside legal services.**

As set forth more fully in Sections G(ii) and J, Couhig Partners, LLC has significant experience in each of the legal fields selected above. Our partners have experience ranging in over 50 years of litigation practice for our most senior partner to 12 years for our most junior partner.

The firm has extensive experience representing and advising government entities and other public bodies, including the State of Louisiana, St. Bernard Parish, the City of Bogalusa, the Louisiana State Board of Medical Examiners, the Board of Examiners for the New Orleans and Baton Rouge Steamboat Pilots Association, the Jefferson Parish Sheriff's Office, The Board of Commissioners for the Port of New Orleans, as well as multiple appointments as special masters in both federal and state courts.

### **G. Size of Firm and capacity for timely completion of newly assigned work considering the number of professional and support personnel required to perform the type of outside legal services tasks and the Firm's current unfinished workload.**

Couhig Partners, LLC has 11 lawyers and 4 staff members, all of whom have the present ability to accept newly assigned work. Blair Constant, Jason Cavignac, and Rob Couhig, III would be the primary lawyers working on and directing work for Jefferson Parish matters, with assistance from other lawyers in cases which their specific experience or expertise is needed. The firm has the ability to handle large, complex matters in addition to its current unfinished workload.

Further, the firm has a history of being able to quickly handle unscheduled emergency matters, including temporary restraining orders, injunctions, and mandamus proceedings, while at the same time maintaining its normal caseload. The fact that the firm is 100% digital and paperless in practice also allows us to quickly respond to any matter or engage in any matter at any time or location.

**Professional Legal Services Questionnaire**

i. Please specify the total number of support staff that may assist in the completion of a matter for each area of the law selected above: 4

ii. List any attorneys that may assist in the completion of a matter for each area of the law selected above. If necessary, please attach additional documentation that demonstrates the employment history and experience of the Firm's attorneys that may assist in the completion of this Project (i.e. resume). Please attach additional pages if necessary.

Name:	Legal Field:	Years of Experience in Legal Field:
1. Please see attached Sheet G(ii)		
2.		
3.		
4.		
5.		

**ATTACHMENT - RESPONSE TO SECTION G(II)**

**COUHIG PARTNERS, LLC**

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Attachment – Section G(ii)

List any attorneys that may assist in the completion of a matter for each area of the law selected above. If necessary, please attach additional documentation that demonstrates the employment history and experience of the Firm's attorneys that may assist in the completion of this Project (i.e. resume). Please attach additional pages if necessary.		
Name:	Legal Field:	Years of Experience in Legal Field:
1. Blair C. Constant	Criminal Justice Business Law Elections Dispute Resolution Complex Litigation Property Code Enforcement Administrative and Regulatory State and Local Government Law Tort Trial and Insurance Practices Municipal Representation	13
2. Robert E. Couhig Jr.	Business Law Environmental, Energy & Resources Tort Trial & Insurance Practices Complex Litigation Oil Spill Litigation	43
3. Gary Rouse	Business Law Tort Trial & Insurance Practices Complex Litigation Property Trusts & Estate Law Construction Law	53
4. Don Massey	Administrative & Regulatory Antitrust Law Business Law Dispute Resolution Environmental, Energy & Resources Tort Trial & Insurance Practices Complex Litigation Oil Spill Litigation	33
5. Ralph Wall	Administrative & Regulatory Antitrust Law Tort Trial & Insurance Practices Complex Litigation	23
6. Jason Cavignac	Business Law Environmental, Energy & Resources Tort Trial & Insurance Practices Oil Spill Litigation Construction Law	22



7. Rob Couhig III	Business Law Tort Trial & Insurance Practices Property Oil Spill Litigation Construction Law	18
8. Jonathan Lemann	Antitrust Law Business Law Environmental, Energy & Resources Tort Trial & Insurance Practices Complex Litigation Oil Spill Litigation	25
9. Claire Pontier	Business Law Dispute Resolution Trusts & Estates Tort Trial & Insurance Practices Construction Law	13
10. Jeff Pastorek	Business Law Tort Trial & Insurance Practices Construction Law	15
11. Blaine Moncrief	Criminal Law Tort Trial & Insurance Practices Wills & Successions Mineral Rights Dispute Resolution	14

## Professional Legal Services Questionnaire

### **H. Past performance by person or Firm on Parish contracts. Please attach additional pages if necessary.**

Currently, the firm is engaged in two matters on behalf of the Parish.

1. We've been engaged to assist the Parish, and Councilman Bonano specifically, with the Hope Haven property being leased by the Parish from the Archdiocese of New Orleans.

2. We've been engaged to represent the Parish in the matter: Hammerman & Gainer v. Parish of Jefferson, Case No. 838-622, Div. "A" of the 24th J.D.C.

### **I. Adversarial legal proceedings between the Parish and the person or Firm performing professional services, in which the Parish prevailed, and excluding those instances or cases where the person or Firm was added as an indispensable party, or where the person or Firm participated in or assisted the public entity in prosecution of its claim. In the event that the person or Firm fails to provide accurate and detailed information regarding legal proceedings with the Parish, including the absence of legal proceedings, the person or firm shall be deemed unresponsive with regard to this category, and zero (0) points shall be awarded. Please attach additional pages if necessary.**

In 2008, our firm represented Beverly Construction, LLC in a dispute with Jefferson Parish over the interpretation of a public bid package submitted by Beverly and disqualified by the Parish. The district court ruled in favor of the Parish in a matter submitted on briefs, and the Fifth Circuit affirmed the ruling in favor of Jefferson Parish.

In 2010, the firm represented Rathborne Properties, LLC in the resolution of several Code Enforcement citations. While most citations were resolved after meeting with the agents who issued the citations, a small number of the citations were resolved during or after a hearing with a Code Enforcement hearing officer.

**Professional Legal Services Questionnaire**

**J. Prior successful completion of projects of the type and nature of legal services, as defined, for which Firm has provided verifiable references. (List no more than 10 projects.)**

**1.**

Please see attached Sheets J and J-1.

**2.**

**3.**

**4.**

**5.**

**Professional Legal Services Questionnaire**

**6.**

**7.**

**8.**

**9.**

**10.**

**ATTACHMENT - RESPONSE TO SECTION J**

**COUHIG PARTNERS, LLC**

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## Section J

### 1. *Represent and Advise City of Bogalusa*

Couhig Partners served as Special Counsel to the City of Bogalusa and helped successfully resolve a complex, decades-long dispute between the City and Washington Parish regarding their joint ownership of the Choctaw Landfill.

### 2. *St. Bernard Parish and Lake Borgne Basin Levee District v. United States*, United States Court of Federal Claims, Nos. 15-103C and 15-518C

Couhig Partners represented St. Bernard Parish and the Lake Borgne Levee District in successfully recovering more than \$4.4 million in a breach of contract suit against the federal government. The judgments compensated St. Bernard and the Levee District for the federal government's failure to indemnify them for judgments awarded to landowners in state court for property taken by the federal government through the local entities to repair levees after Hurricane Katrina.

### 3. *Olivier Plantation, L.L.C. v. Parish of St. Bernard*, 34<sup>th</sup> JDC for the Parish of St. Bernard, No. 109-272, Division "B"

Before the firm was hired by St. Bernard Parish to pursue the above-cited case, Couhig Partners represented a landowner in a suit against the St. Bernard Parish in this takings case. The landowner was awarded \$2,449,930 for borrow material taken from its property after Hurricane Katrina, plus interest and attorney's fees. The matter was affirmed by the Louisiana Fourth Circuit in *Olivier Plantation, L.L.C. v. St. Bernard*, 2013-0497 (La. App. 4 Cir. 10/30/2014); 151 So.3d 965. St. Bernard Parish subsequently hired Couhig Partners to recover the amounts awarded to Olivier Plantation from the federal government.

### 4. *Louisiana Stadium & Exposition District, et al. v. BFS Diversified Products, LLC, et al.*, Civil District Court for the Parish of Orleans, No. 2006-8927

In this construction case, the Louisiana Stadium & Exposition District sought more than \$150 million in damages for the destruction of the Superdome roof during Hurricane Katrina. Couhig Partners represented the surety that bonded roof contractor who installed the roof. The firm originally secured the surety's dismissal by summary judgment, but the dismissal was reversed by the Fourth Circuit. We were later able to successfully negotiate a settlement that protected both the surety and its principal from the possibility of a runaway damage award at a jury trial.

5. *Moore v. Tangipahoa Parish School Board*, United States District Court, Eastern District of Louisiana, No. 65-15556, Section B(1)

In 2014, Don Massey was appointed as Court Compliance Officer in this matter, which is one of America's longest-running desegregation suits and possibly the oldest continuous litigation existing in the State of Louisiana. With Don's help, the parties presented a proposed resolution to the Court in late 2019, and after Covid-related delays, the Court issued a ruling on March 30, 2021 that paves the way for resolution of this matter that has been pending since 1965.

6. *HG New Orleans Retailers Joint Venture v. The City of New Orleans*, Civil District Court for the Parish of Orleans, No. 2017-6263, Section 10.

In this Public Bid challenge case, Couhig Partners intervened on behalf of the winning bidder in a lawsuit by another bidder against the City of New Orleans for a contract award for construction at the North Terminal of the Louis Armstrong International Airport. The firm successfully argued that plaintiff was not entitled to an injunction as the bid had been validly and impartially awarded by the City.

7. *Texaco Exploration and Production, Inc. v. Amclyde Engineered Products Company, Inc.*, United States District Court, Eastern District of Louisiana, No. 99-3623, Section B(5)

At the same time the Superdome litigation was going on, Couhig Partners was also in the middle of this matter, known as the Petronius Case. In the case, the firm successfully represented a crane manufacturer in a complex offshore products liability claim involving economic loss claims for hundreds of millions of dollars.

8. *St. Bernard Parish Government v. CDM Smith, Inc.*, 34<sup>th</sup> JDC for the Parish of St. Bernard, No. 2017-0454 and *CDM Smith, Inc. v. St. Bernard Parish Government*, United States District Court for the Eastern District of Louisiana, No. 18-5392

In these companion cases, Couhig Partners represented CDM Smith, Inc., an international engineering firm, in multiple multi-party disputes arising from wastewater utility work in St. Bernard Parish. The firm was able to secure a dismissal of claims against its client in state court while at the same time recovering amounts owed to the client in federal court, which amounts had been withheld for years.

9. *University of Louisiana Monroe Facilities, Inc. v. JPI Apartment Development, L.P., et al.*, 4<sup>th</sup> Judicial District Court for the Parish of Ouachita, No. 2011-3340, Judge Sharp

In this Private Works Act case, Couhig Partners successfully defended Continental Casualty Company, the performance bond surety, against an untimely bond claim. Jason Cavignac argued the case before the District Court and the Louisiana Second Circuit, which affirmed the dismissal in *University of Louisiana Monroe Facilities, Inc. v. JPI Apartment Development, L.P.*, 49,148 (La. App. 2 Cir. 10/8/14); 151 So.3d 126.

10. *Frady Excavating & Transport, LLC v. Coordination Specialists, LLC*, 24<sup>th</sup> JDC for the Parish of Jefferson, No. 663-513, Division "J"

Couhig Partners represented the main defendant and one of the company's owners in a claim for amounts allegedly due to plaintiff for work on post-Katrina debris hauling contracts. The matter proceeded to a jury trial before the Hon. Stephen Grefer, who granted the firm's directed verdict in favor of the individual defendant. Plaintiff then reached a settlement with the company at the conclusion of the trial.



**J-1**  
**References**

Guy McInnis  
Parish President, St. Bernard  
8201 W. Judge Perez  
Chalmette, LA 70043  
(504) 278-4200

Albert J. "Joey" Richard III  
Fiscal Administrator, City of Bogalusa  
3421 N. Causeway Blvd., Suite 403  
Metairie, LA 70002  
(504) 289-8125

Brian Morgan  
Senior Legal Counsel  
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75 State Street, Suite 701  
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Lewis S. Frank  
Olivier Plantation, L.L.C.  
Park Investments, Ltd.  
3421 N. Causeway Blvd., Suite 802  
Metairie, LA 70002  
(504) 832-3556

Laurence Jortner  
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Claims Director  
151 N. Franklin St., 17<sup>th</sup> Floor  
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Louis J. Faust  
Southern Insurance Agency, LLC  
Coordination Specialists, LLC  
725 Magazine Street, Suite E  
New Orleans, LA 70130  
(504) 528-9242

## Professional Legal Services Questionnaire

**K. Use this space to provide any additional information or description of resources supporting Firm's qualifications for the proposed project.**

Couhig Partners, LLC has significant experience in all the legal fields included in this application. The firm also has a demonstrated history of effectively and efficiently representing and advising state and local government entities.

Additionally, members of the firm have had significant involvement in Jefferson Parish over the years. Prior to starting the firm, Rob Couhig, Jr. worked closely with Jefferson Parish Government to bring minor league baseball to the Parish. Blair Constant previously worked for over 10 years in the Jefferson Parish District Attorney's Office, and he served as a member of the most recent Jefferson Parish Charter Advisory Board. Currently, both Blair Constant and Don Massey are two of the three court-appointed Special Masters for the 24th Judicial District Court over all Hurricane Ida-related property damage claims. Finally, Blair Constant defended the Jefferson Parish Sheriff's Office that recently settled in a favorable manner for the J.P.S.O.

**L. To the best of my knowledge, the foregoing is an accurate statement of facts.**

Signature: Blair C. Constant Digitally signed by Blair C. Constant  
Date: 2024.05.28 14:00:00 -0500 Print Name: Blair C. Constant  
Title: Partner Date: May 28, 2024