

NINETEENTH JUDICIAL DISTRICT COURT
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA
CIVIL DIVISION I

IN THE MATTER OF WASTE MANAGEMENT

SUIT NUMBER: 492,277

ORAL REASONS FOR JUDGMENT ON MOTION TO DISMISS

MONDAY, APRIL 8, 2002

THE HONORABLE R. MICHAEL CALDWELL, JUDGE PRESIDING

APPEARANCES:	ON BEHALF OF:
ANN CROCHET	WASTE MANAGEMENT
GERALD L. WALTER	WASTE MANAGEMENT
KAY LONG	DEQ
MEREDITH LIEUX	DEQ
APRIL SNELGROVE	DEQ
ELIZABETH TEEL	LEAN
REBECCA DAVIS	INDIVIDUAL DEFENDANTS

REPORTED BY:
MARY FRANCES SPRUILL, CCR

A TRUE COPY.
5-9-02
Mary Frances Spruill
DY. CLERK OF COURT

ORAL REASONS FOR JUDGMENT

THE COURT: THIS IS A MOTION TO DISMISS BASED UPON ALLEGED NONCOMPLIANCE WITH RULE XX OF THE SUPREME COURT CONCERNING PARTICIPATION BY LAW CLINIC AND STUDENT ATTORNEYS.

WHILE I BELIEVE THAT ALL LAWYERS, AS OFFICERS OF THE COURT, AND OF COURSE ALL COURTS, MUST ENGAGE THEMSELVES WITH RULES OF CONDUCT FOR THE PRACTICE OF LAW AND THE UNAUTHORIZED PRACTICE OF LAW, I DON'T BELIEVE THIS IS A SITUATION WHERE THIS COURT IS CALLED UPON TO MAKE A DETERMINATION OF WHETHER THERE HAS BEEN A COMPLIANCE WITH RULE XX.

IF THERE'S NO COMPLAINT FROM THE CLIENTS -- I THINK MS. CROCHET AND MR. WALTER, AS OFFICERS OF THE COURT, NOT NECESSARILY REPRESENTATIVES OF WASTE MANAGEMENT, HAVE A RIGHT TO RAISE THIS ISSUE, BUT I BELIEVE THIS IS AN ISSUE MORE PROPERLY ADDRESSED TO THE SUPREME COURT AND/OR TO DISCIPLINARY COUNSEL FOR CONSIDERATION AS TO WHETHER OR NOT THERE HAS BEEN ANY VIOLATION OF RULE XX. I DON'T BELIEVE THERE HAS.

I THINK THERE MAY HAVE BEEN SOME SLOPPY WORDING PERHAPS OF THE SIGNATURE LINES THAT WERE PREPARED, AND I THINK TO MAKE IT CLEAR IN THE FUTURE, MS. TEEL SHOULD MAKE IT CLEAR WHO SHE IS REPRESENTING IN AN INDIVIDUAL CAPACITY AND WHO SHE IS MERELY SIGNING AS AN AUTHORIZATION FOR MS. DAVIS AS STUDENT ATTORNEY FOR THE TWO INDIVIDUALS.

BUT I DON'T BELIEVE THERE HAS BEEN ANY VIOLATION; AND EVEN IF THERE IS, I DON'T THINK IT AMOUNTS TO A GROUND SUFFICIENT TO CAUSE THE

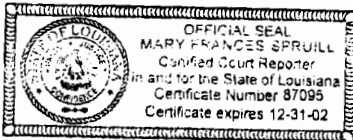
DISMISSAL OF THE CLAIMS, BUT RATHER THIS IS AN
ISSUE THAT SHOULD BE ADDRESSED, AS I SAID BEFORE,
BY THE SUPREME COURT OR BY DISCIPLINARY COUNSEL
AND NOT BY THIS COURT IN CONNECTION WITH THE
HEARING ON THIS CASE. SO I'M GOING TO DENY THE
MOTION TO DISMISS.

AS I STATED EARLIER, ALL OTHER PENDING
MOTIONS AND ANY MOTIONS THAT WILL BE FILED BY
APRIL 16 -- I'M NOT GOING TO ENTERTAIN ANY BEYOND
THAT -- BUT ANY MOTIONS FILED BY APRIL 16TH WILL
BE HEARD ON APRIL 30TH.

CERTIFICATE

I, FRANCES SPRUILL, OFFICIAL COURT REPORTER, 19TH JUDICIAL DISTRICT COURT, PARISH OF EAST BATON ROUGE, STATE OF LOUISIANA, DO HEREBY CERTIFY THAT THE FOREGOING PAGES CONSTITUTE A TRUE AND CORRECT TRANSCRIPT OF THE AFORESAID MATTER AS TAKEN BY ME ON THE STENOTYPE MACHINE, TO THE BEST OF MY KNOWLEDGE AND ABILITY.

WITNESS MY HAND THIS 9TH DAY OF MAY, 2002.



Frances Spruill
FRANCES SPRUILL, CERT. NO. 87095