

CIVIL SERVICE COMMISSION

CITY OF NEW ORLEANS

TRAVIS MCCABE

VERSUS

NEW ORLEANS POLICE DEPARTMENT

DOCKET NUMBERS 7752 & 7832

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**AMICABLE SETTLEMENT AGREEMENT AND WITHDRAWAL OF APPEAL**

NOW COMES the Appellant, Lt. Travis McCabe, (“Appellant”), appearing herein through undersigned counsel; and the Appointing Authority, New Orleans Police Department (“Appointing Authority”) herein, through undersigned counsel, who represent that an agreement has been reached regarding the underlying termination.

The Appellant was terminated from his employment with the New Orleans Police Department on February 23, 2011 in Case Number 7832. The termination was based on the violation of New Orleans Police Department Operations Manual; Rule 2: Moral Conduct, paragraph 1 – Adherence to Law to wit: 18 United States Code 1623 Relative to “False Statements to a Grand Jury”; Rule 2: Moral Conduct, paragraph 1 – Adherence to Law to wit: 18 United States Code 1519 Relative to “Obstruction of a Federal Investigation”; Rule 2: Moral Conduct, paragraph 1 – Adherence to Law to wit: 18 United States Code 1001 Relative to “False Statements”; and Rule 3: Professional Conduct, paragraph 1 – Professionalism. Appellant was indicted on June 11, 2010 by a Federal Grand Jury. On December 10, 2010, the Appellant was found guilty in Unites States Federal Court, Eastern District of Louisiana, Section “I” for “Obstruction of a Federal Investigation”, rendering “False Statements” to the Federal Bureau of Investigations (FBI), and rendering “False Statements to a Federal Grand Jury”. The Appellant

was terminated for each of the three counts of Moral Conduct and it was recommended that he receive a five day suspension for the violation of professionalism.<sup>1</sup> Additionally, the Appellant received a one hundred and twenty day emergency suspension under Case Number 7752, effective June 11, 2010 in connection with the above allegations. The Appellant was granted a new trial in federal court and ultimately all charges against him were dismissed with prejudice on February 6, 2014.

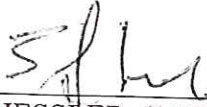
The Appointing Authority has agreed to reinstate the Appellant and reimburse him for any days served during the emergency suspension and termination, minus any interim earnings while separated from employment with the New Orleans Police Department. Additionally, the Appointing Authority agrees that this reimbursement will include all emoluments, benefits, and accrument or restoration of leave balances. The Appellant has agreed to this amicable settlement and further agrees pursuant to Civil Service Rule II, Section 6.7, that he is withdrawing his appeal of the one hundred and twenty day emergency suspension under Civil Service Case Number 7752, and the termination under Civil Service Case Number 7832.

**WHEREFORE**, the parties, through undersigned counsel, request that this Amicable Settlement Agreement be entered into the record, and presented to the Commission for approval at the next scheduled Commission meeting on Monday, February 17, 2014.

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<sup>1</sup>Due to the termination on February 23, 2011, the Appellant was unable to serve the five day suspension for violation of internal rules concerning professionalism.

Respectfully submitted,



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