

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION**

**LAFAYETTE CITY-PARISH  
CONSOLIDATED GOVERNMENT**

**CASE NO. 6:22-CV-01127**

**VERSUS**

**JUDGE ROBERT R. SUMMERHAYS**

**UNITED STATES OF AMERICA ET AL**

**MAGISTRATE JUDGE CAROL B.  
WHITEHURST**

**JUDGMENT**

The present matters before the Court are the following motions: (1) the United States' Motion to Dismiss Plaintiff's First Amended Complaint [ECF No. 33]; (2) the United States' Motion to Dismiss Plaintiff's Fourth Amended Complaint [ECF No. 64]; and (3) St. Martin Parish Government's ("SMPG") Rule 12(b)(6) Motion to Dismiss Fourth Amended Complaint [ECF No. 70]. The Magistrate Judge issued a Report and Recommendation ("R&R") addressing the United States' motions [ECF No. 89], and a separate R&R addressing the SMPG motion [ECF No. 84]. The Lafayette City-Parish Consolidated Government ("LCG") has objected to both R&Rs. Based upon the reasons stated in the Court's Memorandum Ruling,

IT IS ORDERED THAT the Court adopts the recommendations in the R&R [ECF No. 89] with respect United States' Motions to Dismiss [ECF Nos. 33 and 64]. LCG's claims against the United States are DISMISSED WITHOUT PREJUDICE;

IT IS FURTHER ORDERED THAT the Court adopts the recommendations in the R&R [ECF No. 84] with respect to LCG's Commerce Clause claims. Those claims are DISMISSED;

IT IS FURTHER ORDERED THAT the Court adopts the recommendations in the R&R [ECF No. 84] with respect to LCG's claims regarding Ordinance 14-71. Those claims are DISMISSED;

IT IS FURTHER ORDERED THAT the Court declines to adopt the recommendations in the R&R [ECF No. 84] with respect to LCG's claims regarding the Home Rule Charter; and

IT IS FURTHER ORDERED THAT the case is hereby REMANDED to the 15th Judicial District Court, Lafayette Parish, Louisiana.

THUS DONE in Chambers on this 27th day of September, 2023.

A handwritten signature in black ink, appearing to read 'R. Summerhays', written over a horizontal line.

ROBERT R. SUMMERHAYS  
UNITED STATES DISTRICT JUDGE