

Louisiana city pays \$82,500 to settle an excessive force claim brought by a man that was Tasered 17 times in an effort to make him cough up drugs he supposedly swallowed.

Alexander v. City of Lafayette, #CV05-0976, Pacer Docs. 23-25 (W.D. La. 2006).

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE - OPELOUSAS DIVISION

KEVIN ALEXANDER

\* CIVIL ACTION NO. 05-cv-0976  
\*  
\*  
\*  
\*

VERSUS

\* JUDGE TUCKER MELANCON  
\*  
\*  
\*  
\*

CITY OF LAFAYETTE,  
RONALD BOUDREAUX, individually,  
RANDY HUNDLEY, individually and  
in his office capacity as Lafayette  
Police Department Chief of Police  
OFFICER(S) JOHN DOE  
XYZ INSURANCE COMPANY, and  
ZYX INSURANCE COMPANY

\* MAGISTRATE JUDGE  
\* MILDRED E. METHVIN  
\*  
\*

POWER OF ATTORNEY

STATE OF TEXAS

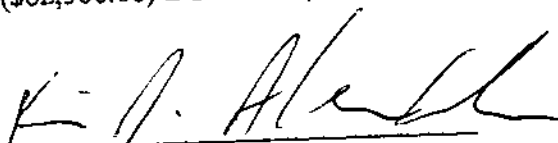
COUNTY OF Harris

BEFORE ME, the undersigned authority, personally came and appeared:

KEVIN ALEXANDER

To me personally known, and, who after first being duly sworn, did declare:

- 1) That he is the plaintiff in the above and foregoing captioned matter;
- 2) That he authorizes the Law Offices of Joseph C. Bartels to settle this litigation on his behalf for the sum of EIGHTY-TWO THOUSAND FIVE HUNDRED AND NO/100 (\$82,500.00) DOLLARS;



KEVIN ALEXANDER

Page 1 of 2

Exhibit A to Stipulation and Joint Motion for Dismissal

FROM : DeMonte &amp; Falgoust, CPAs

FAX NO. : 504 482 8628

Aug. 17 2006 02:38PM P6

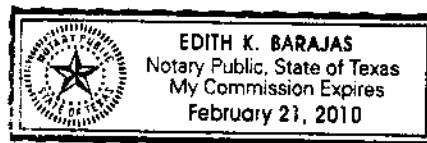
- 3) That he further authorizes Victoria Lennox Bartels to execute on his behalf and in his name, any and all settlement documents, pleadings, receipts, releases and/or any other documents necessary to finalize said settlement;
- 4) That he specifically names and appoints Victoria Lennox Bartels his agent and attorney in fact with authority to endorse the settlement check with his signature and deposit it to the Trust Account of the Law Offices of Joseph C. Bartels;
- 5) That upon availability of the funds, he authorizes Victoria Lennox Bartels to disburse said funds as set out in the settlement statement of the Law Offices of Joseph C. Bartels, dated August 17, 2006.

  
KEVIN ALEXANDER

SWORN TO AND SUBSCRIBED

BEFORE ME, this 17thDay of August, 2006.

  
Notary Public



Order

RECEIVED

SEP 22 2006

Heb  
ROBERT H. SHERMANN, CLERK  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE-OPELOUSAS DIVISION

KEVIN ALEXANDER

\*

CIVIL ACTION

\*

VERSUS

\*

NO. CV05-0976 L-O

\*

CITY OF LAFAYETTE, RONALD

\*

JUDGE TUCKER MELANCON

BOUDREAUX, individually, RANDY

\*

HUNDLEY, individually and in his office

\*

MAGISTRATE METHVIN

capacity as Lafayette Police Department Chief

\*

of Police, OFFICER TRAMPUS GASPARD,

\*

OFFICER(S) JOHN DOE, XYZ INS. CO. and

\*

ZYX INS. CO.

\*

\*\*\*\*\*

**STIPULATION AND JOINT MOTION FOR DISMISSAL**

NOW INTO COURT, through undersigned counsel, come the plaintiff, Kevin Alexander, the defendants, City of Lafayette, Ronald Boudreaux, individually, Randy Hundley, individually and in his office capacity as Lafayette Police Department Chief of Police, Officer Trampus Gaspard, Lafayette City-Parish Consolidated Government, Cpl. Byron Goodsby, Pfc. Jeremy Courville, Sgt. McCullan Gallien, Cpl. Beau Guidry, Agent Caine Morseau, Det. David LeBlanc, Cpl. Chris Trahan and Shannon Brasseaux, and hereby enter into the following stipulation:

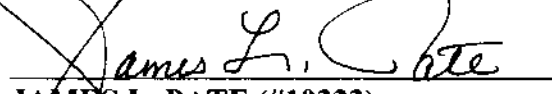
1. The plaintiff, Kevin Alexander, and the defendants, City of Lafayette, Ronald Boudreaux, individually, Randy Hundley, individually and in his office capacity as Lafayette Police

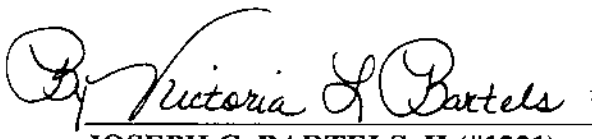
Department Chief of Police, Officer Trampus Gaspard, Lafayette City-Parish Consolidated Government, Cpl. Byron Goodsby, Pfc. Jeremy Courville, Sgt. McCullan Gallien, Cpl. Beau Guidry, Agent Caine Morseau, Det. David LeBlanc, Cpl. Chris Trahan and Shannon Brasseaux, have amicably resolved their differences.

2. The parties hereby jointly move that the defendants, City of Lafayette, Ronald Boudreaux, individually, Randy Hundley, individually and in his office capacity as Lafayette Police Department Chief of Police, Officer Trampus Gaspard, Lafayette City-Parish Consolidated Government, Cpl. Byron Goodsby, Pfc. Jeremy Courville, Sgt. McCullan Gallien, Cpl. Beau Guidry, Agent Caine Morseau, Det. David LeBlanc, Cpl. Chris Trahan and Shannon Brasseaux, be dismissed from this action with full prejudice, with each party to pay their own court costs.

Respectfully submitted,

**LABORDE & NEUNER**

  
**JAMES L. PATE (#10333)**  
**JED M. MESTAYER (#29345)**  
Post Office Drawer 52828  
Lafayette, Louisiana 70505-2828  
Telephone: (337) 237-7000  
**Counsel for City of Lafayette, Ronald Boudreaux, individually, Randy Hundley, individually and in his office capacity as Lafayette Police Department Chief of Police, Officer Trampus Gaspard, Lafayette City-Parish Consolidated Government, Cpl. Byron Goodsby, Pfc Jeremy Courville, Sgt. McCullan Gallien, Cpl. Beau Guidry, Agent Caine Morseau, Det. David LeBlanc, Cpl. Chris Trahan and Shannon Brasseaux**

 #2791  
**JOSEPH C. BARTELS, II (#1231)**  
3900 Canal Street  
New Orleans, Louisiana 70119  
Telephone: (504) 482-2900  
**Counsel for Kevin Alexander**



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BEN L. MAYEAUX  
ROBERT E. TORIAN  
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MELISSA LUTGRING THERIOT \*  
KEVIN P. MERCHANT  
JENNIE P. PELLEGRIN  
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C. E. LABORDE, JR.  
(1913-1983)

BRANDON W. LETULIER  
JASON T. REED  
WILL MONTZ  
JEREMY N. MORROW  
JED M. MESTAYER

September 22, 2006

**BY HAND DELIVERY**

The Honorable Robert H. Shemwell  
United States District Court  
800 Lafayette Street, Suite 2100  
Lafayette, Louisiana 70501

**Re: Kevin Alexander v. City of Lafayette, et al  
U.S.D.C., Western District of Louisiana  
Lafayette-Opelousas Division  
Docket No. CV 05-0976 "L-O"  
Our File No. 15394**

Dear Mr. Shemwell:

Enclosed is the original and one copy of the Stipulation and Joint Motion for Dismissal, Certificate of No Opposition and proposed Order which we would appreciate your filing on behalf of City of Lafayette, Ronald Boudreaux, individually, Randy Hundley, individually and in his office capacity as Lafayette Police Department Chief of Police, Officer Trampus Gaspard, Lafayette City-Parish Consolidated Government, Cpl. Byron Goodsby, Pfc. Jeremy Courville, Sgt. McCullan Gallien, Cpl. Beau Guidry, Agent Caine Morseau, Det. David LeBlanc, Cpl. Chris Trahan and Shannon Brasseaux and presenting to the Judge for his signature.

Please let us know should you have any questions.

Sincerely,

  
James L. Pate

JLP/lmb

Enclosures • Stipulation and Joint Motion for Dismissal, Certificate of No Opposition and proposed Order  
cc: Ms. Victoria Bartels (w/enc.) - via U.S. Mail

RECEIVED  
USDC, WESTERN DISTRICT OF LA  
ROBERT H. SHEMWEEL, CLERK  
DATE 9/26/06

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE-OPELOUSAS DIVISION

KEVIN ALEXANDER

VERSUS

CITY OF LAFAYETTE, RONALD  
BOUDREAUX, individually, RANDY  
HUNDLEY, individually and in his office  
capacity as Lafayette Police Department Chief  
of Police, OFFICER TRAMPUS GASPARD,  
OFFICER(S) JOHN DOE, XYZ INS. CO. and  
ZYY INS. CO.

\*\*\*\*\*

\* CIVIL ACTION  
\*  
\* NO. CV05-0976 L-O  
\*  
\* JUDGE TUCKER MELANCON  
\*  
\* MAGISTRATE METHVIN  
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\*

*Order of Dismissal*  
ORDER

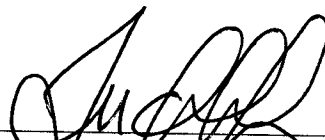
Considering the foregoing Stipulation and Joint Motion for Dismissal:

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the defendants, City of Lafayette, Ronald Boudreaux, individually, Randy Hundley, individually and in his office capacity as Lafayette Police Department Chief of Police, Officer Trampus Gaspard, Lafayette City-Parish Consolidated Government, Cpl. Byron Goodsby, Pfc. Jeremy Courville, Sgt. McCullan Gallien, Cpl. Beau Guidry, Agent Caine Morseau, Det. David LeBlanc, Cpl. Chris Trahan and Shannon

Brasseaux, be dismissed from this action with full prejudice, with each party to pay their own court costs.

THUS DONE AND SIGNED on this 25<sup>th</sup> day of September, 2006,

at Lafayette Louisiana.

  
TUCKER L. MELANCON  
UNITED STATES DISTRICT JUDGE



RECEIVED

AUG 21 2006

ROBERT H. SHEMWELL, CLERK  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANA

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

Kevin Alexander

Civil Action No. 6:05-CV-0976

versus

Judge Tucker L. Melançon

City of Lafayette, et al.

Magistrate Judge Methvin

**JUDGMENT OF DISMISSAL**

The Court having been advised that the above action has been settled,

IT IS ORDERED that this action is hereby DISMISSED without costs and without prejudice to the right, upon good cause shown within thirty (30) days, to reopen the action if settlement is not consummated.

IT IS FURTHER ORDERED that the parties are to submit to the Court a Joint Stipulation of Dismissal pursuant to Fed. R. Civ. P. 41 within thirty (30) days of entry of this judgment.

Thus done and signed this 21<sup>st</sup> day of August, 2006 at Lafayette, Louisiana.



Tucker L. Melançon  
United States District Judge