

CIVIL DISTRICT COURT  
PARISH OF ORLEANS  
STATE OF LOUISIANA

\*\*\*\*\*

MELVIN LEBLANC, ET AL

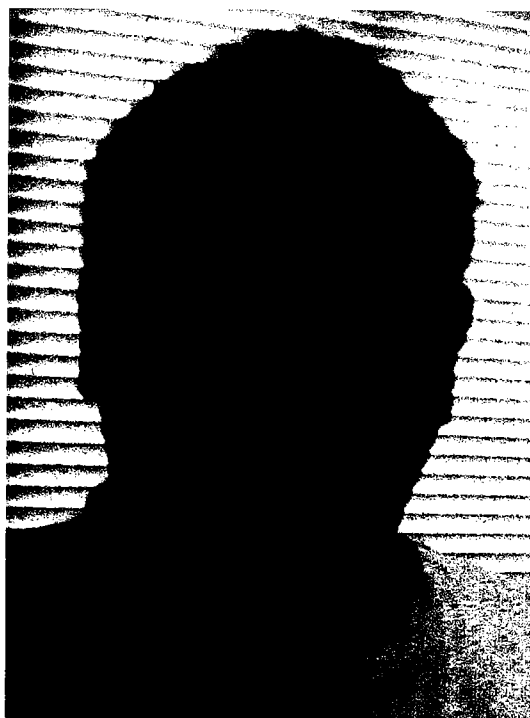
NO. 2008-548

VS.

DIVISION "N-8"

DWAYNE THOMAS, ET AL

\*\*\*\*\*



**DEPOSITION OF MELVIN LEBLANC**

**Taken on Tuesday, February 3, 2009**

**At the Offices of**

**THE LOUISIANA LAW INSTITUTE**

**1631 Elysian Fields Avenue**

**New Orleans, Louisiana 70117**

**COPY**

**REPORTED BY: LORI COBB, CCR**

*Court Reporters of Louisiana, LLC*

Office: (225)-201-9650 Baton Rouge, Louisiana Fax: (225)-201-9651

Conference Room Available [www.courtreportersla.com](http://www.courtreportersla.com)

Video Depositions

E-Transcripts ASCII Disks/CD Roms Digital Audio CD Roms Realtime Transcripts Deponent Photo ID

1 APPEARANCES:

2

3 REPRESENTING THE PLAINTIFFS:

4 THE LOUISIANA LAW INSTITUTE  
1631 Elysian Fields Avenue  
5 New Orleans, Louisiana 70117

6 BY: STEVEN M. JUPITER, ESQUIRE

7

8 ROSENFELD & RAFIK  
44 School Street, Suite 350  
9 Boston, MA 02108

10 BY: S. STEPHEN ROSENFELD, ESQUIRE

11

12 HAGENS BERMAN SOBOL SHAPIRO  
2425 East Camelback Road, #650  
13 Phoenix, AZ 85016

14 BY: LEONARD ARAGON, ESQUIRE

15

16 REPRESENTING THE DEFENDANTS:

17 TAYLOR PORTER BROOKS & PHILLIPS  
451 Florida Street, 8th Floor  
18 Baton Rouge, Louisiana 70801

19 BY: PRESTON J. CASTILLE, JR., ESQUIRE

20

21

22 ALSO PRESENT: (None.)

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

INDEX OF EXAMINATIONS

EXAMINATION

BY MR. CASTILLE..... 5

CERTIFICATE.....63

\* \* \*

INDEX OF EXHIBITS

(None Marked.)

\* \* \*

## 1 S T I P U L A T I O N

2

3 It is stipulated and agreed by and  
4 between all Counsel that the testimony of  
5 MELVIN LEBLANC, on Tuesday, February 3, 2009, is  
6 hereby being taken pursuant to Notice under the  
7 Louisiana Code of Civil Procedure, Article 1421, et  
8 seq., for all purposes permitted under law.

9

10 The witness reserves the right to read  
11 and sign the deposition. The original is to be  
12 delivered to and retained by Mr. Castille for  
13 proper filing with the Clerk of Court.

14

15 All objections, except those as to the  
16 form of the question and/or the responsiveness of  
17 the answer, are hereby reserved until the time of  
18 the trial of this cause.

19

\* \* \*

20

21 Lori Cobb, Certified Court Reporter in  
22 and for the State of Louisiana, Certificate #87248,  
23 officiated in administering the oath to the  
24 witness.

25

1 MELVIN LEBLANC,  
2 having been first duly sworn, was examined and  
3 testified as follows:

4 EXAMINATION

5 BY MR. CASTILLE: (On record at 3:34 p.m.)

6 Q All right, Mr. LeBlanc. I'm Preston  
7 Castille. I'll be taking your deposition today.

8 A Okay.

9 Q I'm one of the lawyers in the lawsuit.  
10 Before I get started, can you state your  
11 full name?

12 A Melvin LeBlanc.

13 Q Do you have a middle name?

14 A No.

15 Q And what's your address?

16 A 525 Tricou, T-R-I-C-O-U.

17 Q T-R-I-E-C-O-U?

18 A No. T-R-I-C-O-U.

19 Q Okay. Street?

20 A Right.

21 Q And where is that?

22 A That's in the Lower 9th Ward.

23 Q That's New Orleans?

24 A Right. New Orleans, Louisiana. 70117.

25 Q You live there now?

1 A Right.

2 Q Okay.

3 You don't live in Kenner anymore?

4 A No. I just lived in Kenner after the  
5 flood, you know what I'm saying? When we came  
6 back from -- we was in Houston and I came back to  
7 work and everything was messed up, and I lived in  
8 Kenner.

9 Q Okay.

10 A I lived in a FEMA trailer. First, I  
11 lived in a hotel until I got a FEMA trailer, and  
12 the trailer moved out there next to my sister's  
13 house in Kenner and I lived out there.

14 Q All right. Let me say something kind  
15 of -- I'm sure Mr. Jupiter has probably explained a  
16 few things with regard to a deposition, but I don't  
17 know if you've ever been deposed before or not.

18 Have you ever been deposed before; given  
19 a deposition like this?

20 A No.

21 Q Okay.

22 What's going on today is that we're  
23 taking your deposition. We're not in court, but  
24 the court reporter here is going to take down  
25 everything that we say.

1           A     Right.

2           Q     Everything that I say, she's putting it  
3           down, and everything you say. So to kind of make  
4           it easy on the court reporter and everybody, one of  
5           the things that needs to happen is you verbalize  
6           your responses, because, you know, normally when we  
7           talk we make hand gestures or we'll say uh-huh or  
8           huh-uh; she can't really get all of that down.

9           A     Okay.

10          Q     So we have to say everything out loud.

11          A     All right.

12          Q     And then when we talk, one of us needs to  
13          talk at a time. I can't talk over you or you can't  
14          talk over me, because she won't be able to get it  
15          all down.

16                     Sometimes I tend to talk fast, sometimes  
17          I tend to talk slower. If at any point you don't  
18          understand what I'm saying or if my question is  
19          confusing in any way, just let me know that you  
20          don't understand the question, and then I'll try to  
21          rephrase it in a way that --

22          A     I understand.

23          Q     -- can maybe help.

24                     But just -- at any point if you don't  
25          understand, just let me know and I'll try to

1 rephrase whatever I'm saying.

2 A Okay.

3 Q Okay. Now, with that, you were telling  
4 me about you live back at your Tricou Street  
5 address?

6 A Right.

7 Q How long did you live -- how long have  
8 you lived there total?

9 A At Tricou Street?

10 Q Uh-huh.

11 A Since 1993.

12 Q When did you move back to the Tricou  
13 Street address after the storm?

14 A About, let me see -- it was around the  
15 second week of March of '08.

16 Q Okay. All right.

17 I see that you're a painter?

18 A Yeah. Painter, a little bit of  
19 everything.

20 Q It looks like we pulled you away from  
21 work today because you're dressed in your work  
22 clothes.

23 A Yeah.

24 Q Do you work for yourself or do you work  
25 for somebody else?

1 A Yeah. I work for myself.

2 Q You work for yourself?

3 A Right.

4 Q You just kind of take odd jobs here and  
5 there?

6 A Really get them as you get them.

7 Q You kind of get them as you get them?

8 A Yeah. Yeah.

9 Q So, in other words, if somebody calls you  
10 up and says I need my house painted --

11 A Right.

12 Q -- you'll go and paint their house?

13 A Right.

14 Q Do you work with any guys or you just  
15 work by yourself?

16 A Me and my brothers. Me and my two  
17 brothers.

18 Q You and your two brothers?

19 A Right.

20 Q What are your brother's names?

21 A Dennis.

22 Q Dennis LeBlanc?

23 A Right. And James.

24 Q LeBlanc?

25 A Right.

1 Q Any one of you guys in charge or is it  
2 just kind of you just work together?

3 A No. We just work together.

4 Q Just work together.

5 The job you're on today, is that one  
6 that -- is that one of the three of you got,  
7 just --

8 A Well, no. What happened was we did a  
9 little house for this lady off of Franklin Avenue  
10 and after we finished doing that, the lady  
11 recommended us to this guy on Galveston and that's  
12 how we got this job.

13 Q Okay. All right.

14 How long have you been doing that?

15 A This type of work?

16 Q Yeah.

17 A About 30-something years.

18 Q Now, I know you kind of do it with your  
19 brothers right now. Have you ever done it, you  
20 know, working for somebody?

21 A For a company?

22 Q Yeah.

23 A Yeah.

24 Q Tell me the last time you did that.

25 A The last company I worked for was -- the

1 name was Curry & Sons.

2 Q Coura (phonetic)? C-O-U-R-A --

3 A Curry -- C-U-R-R-Y -- and Sons.

4 Q Okay.

5 When did you last work for them?

6 A Let me see. It's probably been -- I  
7 worked with them last year, but I didn't work too  
8 long. I worked about maybe 2-and-a-half, 3 months,  
9 tops. But I worked with them for about -- I worked  
10 with them for about -- let's see -- about 5 years.

11 Q You worked for them for about 5 years?

12 A Yeah.

13 Q So this was -- this last year --

14 A Before the storm; I started working with  
15 them before the storm for about 2 years.

16 Q Okay.

17 A After the storm hit, I came back and  
18 worked with them a couple more years, and then work  
19 slowed up so I just went on my own.

20 Q So let's start with the couple of years  
21 before the storm.

22 A All right.

23 Q The storm hit on August 29, 2005?

24 A Right.

25 Q So you worked for them for 2 years prior

1 to then?

2 A I probably worked for them -- I might  
3 have worked for them 3 years prior to that; maybe  
4 2-and-a-half, 3 years, something like that.  
5 2-and-a-half, 3 years.

6 Q All right.

7 Was that a full time job, then?

8 A Yeah. 40 hours a week.

9 Q 40 hours a week?

10 A Right.

11 Q All painting?

12 A All paint.

13 Q How much did you make when you worked for  
14 them before the storm?

15 A Before the storm?

16 Q Uh-huh. Yes.

17 A Before the storm I made --

18 MR. JUPITER:

19 Objection.

20 BY MR. CASTILLE:

21 Q I'm sorry, Mr. Leblanc.

22 Just so that you'll know, occasionally  
23 what happens during the deposition is that one of  
24 the lawyers might have an objection. And -- and  
25 it's more for the record, unless they tell you not

1 to answer a question. So what will happen is I'll  
2 either say subject to the objection, or I won't say  
3 anything, and we just proceed with the deposition  
4 and you can answer.

5 And so he's made an objection, but I  
6 don't want to say ignore it, but you can still  
7 answer the question.

8 A Before the storm I made -- I think it was  
9 \$11.50 and hour.

10 Q All right.

11 You were making 11.50 --

12 A Per hour.

13 Q -- the entire time you were -- that  
14 3 year period, or did you start off making less  
15 than 11.50?

16 A I start off making -- I start off making  
17 \$11.

18 Q Okay.

19 A They give me a 50 cent raise.

20 Q Okay.

21 And so the storm hit in 2005?

22 A Right.

23 Q And then you left the City with everybody  
24 else?

25 A I left before the storm, yeah.

1 Q Okay. You were one of the smart ones,  
2 huh?

3 A Hmmm.

4 Q I know, my folks were here and they were  
5 able to leave in advance.

6 You left before the storm. When you came  
7 back, when did you start working for Curry & Sons  
8 again?

9 A All right. I left -- I left right before  
10 the storm and I stayed in Houston about -- let me  
11 see. The storm was in August, right? August,  
12 October -- it was 2 months. About -- about the  
13 third -- about the second or third week of October.

14 Q Okay.

15 So the third week in October you came  
16 back to New Orleans?

17 A Right. Right.

18 Q You started working for Curry & Sons  
19 then?

20 A Right.

21 Q For the same \$11.50?

22 A No.

23 Q What happened?

24 A They give us more money.

25 Q They did what?

1           A     They gave us a little raise, a little  
2     more money.

3           Q     How much was your raise?

4           A     I think they give me, like, \$14 an hour.

5           Q     Okay. All right.

6                     And you continued to work for them at \$14  
7     an hour until when?

8           A     Well, like I say, I worked with them --  
9     let me see -- that was in 2000 -- 2005, right? I  
10    worked with them 2005, 2006, 2007. In -- around  
11    2007, they start -- they start hiring all the  
12    Mexicans, brother.

13          Q     Right.

14          A     You know what I'm saying?

15          Q     I hear you.

16          A     So they hired the Mexicans. They hired,  
17    like, 30-something Mexicans. And then they just  
18    start saying -- every time they get on the job --  
19    because we always did big jobs --

20          Q     Right.

21          A     -- they would say -- you know, we work on  
22    a couple of weeks, and then they say they ain't got  
23    enough right now.

24          Q     Right.

25          A     Call them in a couple of days, but the

1           Mexicans would be finishing everything off.

2           Q     Right.

3           A     What they was doing was paying them guys  
4     cheap.

5           Q     Right.

6           A     Because they had, like, me, my oldest  
7     brother James, this other guy Roy, this other guy  
8     Gene; they had about -- let me see who else they  
9     had. They had --

10          MR. JUPITER:

11                 Just answer the question that he  
12     asked you.

13          THE WITNESS:

14                 All right.

15          BY MR. CASTILLE:

16           Q     You can keep going, that's fine with me.

17          MR. JUPITER:

18                 I think he answered your question.

19          BY MR. CASTILLE:

20           Q     Are you finished, Mr. LeBlanc?

21           A     Yeah.

22           Q     Okay. All right.

23                 So until about 2007 you were making \$14  
24     an hour?

25           A     Right.

1 Q All right.

2 And then after that, when things slowed  
3 up and work started going elsewhere, what did you  
4 do?

5 A I just started getting, you know, odd  
6 jobs, you know.

7 Q All right.

8 A Just trying to get jobs on my own.

9 Q Right. Okay.

10 The work you're doing now, how do y'all  
11 get paid?

12 A We get paid from the customer.

13 Q You just say this is my price and, like,  
14 you see a house and say, look, I'll charge you a  
15 \$1,000 for the house, or 2,000, and give them a  
16 price and then they just pay you; is that how it  
17 works?

18 A Write a contract up and everything.

19 Q Okay.

20 A They sign, you sign, and that's how it  
21 goes.

22 Q Okay.

23 How much do you -- this is 2009, now.

24 How much did you make last year? I know it was

25 2008, that was the year after Curry & Sons. How'd

1           you do?

2                   MR. JUPITER:

3                           Objection.

4                           You can answer it.

5           BY MR. CASTILLE:

6                   Q     You can answer.

7                   A     I'll tell you like this.  When I first  
8                   came back, we was making good money.

9                   Q     Uh-huh.

10                  A     So I was able, you know, to save money.  
11                  Not the -- not the beginning of last year, not this  
12                  year, the beginning of last year I had, like,  
13                  \$23,000 saved.  Now I got 3,000.

14                           What you think I made last year?

15                  Q     I don't know.  It doesn't sound like a  
16                  lot to me.

17                  A     That's what I'm saying.  I doubt if I  
18                  worked 5 months last year, 4 months, all together.  
19                  The whole year.

20                  Q     Did you get a tax refund last year?

21                  A     Yeah.  I got a tax refund.

22                  Q     The year before that, were you able to  
23                  get a refund?

24                  A     Yeah.

25                   MR. JUPITER:

1                   Would you specify which year?

2           BY MR. CASTILLE:

3           Q       Last year would have been 2008.

4                   You got one in 2008?

5           A       Yeah.

6           Q       The year before that would have been

7           2007, you got one then?

8           A       Yeah. Yeah.

9           Q       What about 2006?

10          A       Yeah.

11          Q       Okay.

12                   2005?

13          A       Yeah.

14          Q       Okay.

15                   Do you think you'll get one this year? I

16          mean, it's early in the year.

17          A       What you mean?

18          Q       A tax refund.

19          A       At the end of this year?

20          Q       Well, I know it's February --

21          A       You mean from last year?

22          Q       From last year, that's right.

23          A       Yeah. Because I worked about 3 months

24          with Curry and them.

25          Q       With who?

1 A With Curry and them.

2 Q I see. All right.

3 A It ain't going to be much, but I'm still  
4 going to file and get something, get my money back.

5 Q I don't blame you. I would file, too.

6 Before you started working with Curry &  
7 Sons, who did you work for?

8 A Before I started working for Curry &  
9 Sons, I worked for this guy called Ed, E-D.

10 Q Ed's Painting?

11 A Ed's Painting.

12 Q And that would have been around 2002 that  
13 you stopped working with them?

14 A I worked with them about -- I worked with  
15 them about 13 years.

16 Q All painting?

17 A All painting.

18 Q How much were you making when you stopped  
19 working for Ed?

20 A I was making, like, \$10 an hour.

21 Q What's your date of birth, Mr. LeBlanc?

22 A Second month, 27th day, 56 year.

23 Q 1956?

24 A Right.

25 Q You have a birthday coming up?

1 A Yeah. A couple of weeks.

2 Q Happy birthday, if I don't see you.

3 A Thank you.

4 Q So you're 52 going on 53?

5 A 53. I'll be 53 this month.

6 Q Do you collect any sort of disability or  
7 Social Security, anything like that?

8 A No.

9 Q Would you consider yourself to be on a  
10 fixed income, then?

11 MR. JUPITER:

12 Objection.

13 BY MR. CASTILLE:

14 Q You know, people who are on retirement or  
15 Social Security or get some sort of benefits, they  
16 usually refer to that as fixed income. I didn't  
17 want to go through the whole list, but I can go  
18 through the list.

19 A No. I don't think I'm on a fixed income.

20 Q When you were at Curry & Sons -- is that  
21 a big company or a small company?

22 MR. JUPITER:

23 Objection.

24 THE WITNESS:

25 A It's a nice size company.

1 BY MR. CASTILLE:

2 Q How many employees, would you think?

3 A They had about 30, 40 people.

4 Q Did they provide y'all with any benefits?

5 A No.

6 Q No health insurance?

7 A No.

8 Q No dental?

9 A No.

10 Q I guess it wouldn't make much sense to  
11 ask about any retirement, huh?

12 A Actually, we did get a retirement.

13 Q Really?

14 A Yeah. You got that. That's all you got  
15 from them.

16 Q How did they provide retirement benefits?  
17 In what form?

18 A After you work 3 years --

19 Q Uh-huh.

20 A -- then I think they was giving me, like,  
21 20 percent of your annual -- your annual salary.

22 Q 20 percent of your annual salary would go  
23 into retirement?

24 A Right.

25 Q Was it a 401k?

1 A I think so. I ain't sure.

2 Q Is that money still in retirement?

3 A Yeah.

4 Q How much you got?

5 A I got about -- about 6 or 7,000.

6 Q 6 or 7?

7 A Yeah. Something around there.

8 Q Okay.

9 How far did you go in school,  
10 Mr. LeBlanc; did you finish high school?

11 A Right, yeah.

12 Q Where did you go to high school?

13 A Francis T. Nichols.

14 Q Francis T. Nichols.

15 You finished twelfth grade?

16 A Right.

17 Q Did you get any educational training  
18 after that?

19 A No.

20 Q No trade school or anything?

21 A No.

22 Q When you were living in Kenner, did you  
23 ever -- have you ever lived in Kenner since the  
24 storm?

25 A I don't understand.

1 Q Did you ever live in Kenner, Louisiana,  
2 after Hurricane Katrina?

3 A Yeah. I lived in there 2 years.

4 Q 2 years?

5 A By my sister's house in the trailer --  
6 the FEMA trailer.

7 Q That's the FEMA trailer you were talking  
8 about?

9 A Yeah.

10 Q Gotcha.

11 I'll ask you about your medical history  
12 in a little bit.

13 When was the last time you've been to the  
14 doctor?

15 A Last week.

16 Q Last week.

17 Where'd you go?

18 A I went to -- I don't actually know the  
19 name of the street. It's on Poydras; it's a  
20 clinic. I went there for my eyes.

21 Q You don't remember the name of it?

22 A I don't remember the name of it. I think  
23 it's -- let me see. It might be Tulane something.

24 Q Free clinic?

25 A Yeah. They charge you a little

1 something, but, you know, it's basically free.

2 Q How much did they charge you?

3 A They didn't charge me anything. They  
4 said they was going to bill me.

5 Q Okay.

6 How much did they bill you? Oh, you  
7 don't know; you haven't got the bill yet?

8 A I ain't got the bill.

9 Q So you said you went for your eyes?

10 A Right.

11 Q What's wrong with your eyes?

12 A Well, I have -- I have diabetes.

13 Q Okay.

14 A So the doctor's told me that I -- by me  
15 being the age I am to go get my eyes checked.

16 Q Okay.

17 What'd you find out when you had your  
18 eyes checked?

19 A I need glasses.

20 Q You need glasses?

21 A (Nods head up and down.)

22 Q Are you going to get them?

23 A Yeah. I'm going to try to get them.

24 Q If you want to see, you'll get them.

25 A Yeah. I'm going to try to get them.

1 Q You said it like you really don't want to  
2 get them.

3 A Not really, but I need it.

4 Q I understand. Like I said, I understand.  
5 I'm wearing them myself.

6 A Excuse me.

7 Q Before you went last week to get your  
8 eyes checked, when was the last time you had been  
9 to the doctor before that?

10 A That would be, like, a week before that.  
11 I had a -- I had an appointment at the clinic in  
12 the Lower 9th Ward. Lower 9th Ward Health Clinic.

13 Q And you went there to the Lower 9th Ward  
14 Clinic?

15 A Yeah.

16 Q Why'd you go there?

17 A I have diabetes.

18 Q Same check, to check on the diabetes?

19 A Yeah. I go there -- I've been going  
20 there because I can't afford to go them other  
21 places, man. They are too high.

22 Q Right.

23 A You know what I'm saying?

24 Q I understand.

25 And they provide free care over there?

1           A     I mean, it's not totally free, but it's  
2           not high as other places. You know what I'm  
3           saying? They charge you, like, 15, \$20 to see the  
4           doctor, like that.

5           Q     Okay.

6                     And you saw the doctor and he, or she,  
7           checked on your diabetes?

8           A     Right. And gave me my prescription. I  
9           have diabetes, high blood pressure, high  
10          cholesterol.

11          Q     Did you -- you're going to have to  
12          forgive me because I'm not real familiar with all  
13          of the places around here.

14                    How close is the Lower 9th Ward Clinic  
15          from your house?

16          A     It's about -- it's about maybe a  
17          mile-and-a-half, 2 miles.

18          Q     You drove there from your house?

19          A     Yeah. Yeah.

20          Q     How did you get to work today; you drove  
21          to work?

22          A     Yeah.

23          Q     What kind of car do you have?

24          A     I got a 2001 Toyota Tacoma.

25          Q     How long have you been owning your

1 Toyota?

2 A Since I bought it in -- I bought it in  
3 2005.

4 Q After the storm or before?

5 A After the storm.

6 Q How much did you pay for it?

7 MR. JUPITER:

8 Objection.

9 THE WITNESS:

10 A I think it was 12 -- 12,000. \$12,000.  
11 12,049, something like that. It was used.

12 BY MR. CASTILLE:

13 Q Did you pay cash for it?

14 A No.

15 Q Financed it?

16 A Financed it. I financed it. Actually, I  
17 had to get my mamma to cosign.

18 Q And before you went to the Lower 9th Ward  
19 Clinic the week before last, when was the last time  
20 you had gone to the doctor before that?

21 A That would be the week -- that would be,  
22 like, the middle part of December.

23 Q Same place?

24 A Yeah.

25 Q So same thing, diabetes check?

1 A Yeah.

2 Q What about before December?

3 A Before December?

4 Q Uh-huh.

5 A Probably -- probably in November. I go  
6 every month.

7 Q You go every month?

8 A Right.

9 Q Always to get your diabetes checked?

10 A Right. See, like, every -- every 6  
11 months or so they make you take -- take blood work  
12 to see if the medicine is messing up your kidneys  
13 or your liver, or whatever like that. You see what  
14 I'm saying? That's how they do.

15 Q So -- but you've been going every month  
16 for how long; do you remember?

17 A Since -- since -- last year was '08.  
18 I've been going there since the latter part of  
19 2007. So I say somewhere around, like, November  
20 2007.

21 Q And always at Lower 9th Ward Clinic since  
22 2007?

23 A Right. Right.

24 Q So from 2007 to now, have you gone any  
25 other place other than the clinic downtown that you

1 told me about and the Lower 9th Ward Clinic?

2 A Oh, let me see, let me see. Yeah. I  
3 went to -- I went to Kenner Regional one time. I  
4 had got, like, pneumonia.

5 Q When was that?

6 A That was like in 2007. Maybe around --  
7 maybe around -- maybe around October, or something  
8 like that.

9 Q Okay. Let's go back. I know I'm going  
10 to be testing your brain before long.

11 Before November 2007, where did you go;  
12 were you still going to the Lower 9th Ward? Let's  
13 kind of break it up. What about between October --  
14 I mean, August 29, 2007, that's when the hurricane  
15 hit and November 2007?

16 MR. JUPITER:

17 I'm sorry. Slow down, because you  
18 said August 29th, 2007.

19 MR. CASTILLE:

20 I'm sorry.

21 BY MR. CASTILLE:

22 Q Between August 29, 2005 --

23 A All right.

24 Q -- and 2007, where did you go?

25 A Well, after -- after the storm hit and I

1           went to Houston, I came back -- you're talking  
2           about doctor-wise; right?

3           Q     Doctor, hospital, anybody, any health  
4           care.

5           A     When I came back from Houston, which was,  
6           like, in October, I went to Ochsner because I  
7           had -- I got a gum disease -- not a gum disease,  
8           but a gum infection. Like, my gum got real, real  
9           sore. I went to Ochsner and they treated me over  
10          there. Ochsner Hospital over there, you know.

11          Q     And this was in October of 2005?

12          A     Right. When I came back from the -- when  
13          I first came back to go to work.

14          Q     Okay.

15          A     Right. Then after that -- after that, I  
16          got situated. I started going to these clinics out  
17          here in Kenner.

18          Q     Okay.

19                   What clinics did you go to in Kenner?

20          A     You know, I don't really know the name of  
21          them, but I went to, like, about three of them.  
22          Three different clinics; one was on Williams, one  
23          was on -- one was on Veterans, and -- two was on  
24          Williams and one was on Veterans.

25          Q     I don't know if you -- I'm not real good

1 at this, but, like, my dad keeps all of his medical  
2 stuff. So if he goes, he always keeps the  
3 paperwork from his clinic; whatever they give him,  
4 he keeps it, like, in a -- he keeps it in a shoe  
5 box.

6 A Yeah.

7 Q Do you keep any of your paperwork like  
8 that?

9 A No.

10 Q Or did you just take it and throw it  
11 away?

12 A Not really, not really.

13 Q Your appointment last week, you kept any  
14 paperwork from that appointment?

15 A Yeah. I got that on my dresser.

16 Q What about your appointment the week  
17 before that, you kept any of that paperwork?

18 A I don't know. I ain't sure.

19 Q You're not sure?

20 A I ain't sure.

21 Q Still looking at August 29, 2005 through  
22 November 2007, did you go to any other hospitals,  
23 clinics, see any doctors?

24 A No.

25 Q Other than the two on Williams, the one

1 on Veterans?

2 A No. Huh-uh. I went to -- I went to  
3 Kenner Regional that time with that pneumonia; and  
4 I went to Ochsner when I came back. Other than  
5 that, I just went to the clinics.

6 Q Okay.

7 A I was just going to clinics just to see  
8 about my diabetes and get medicine, get my  
9 prescriptions.

10 Q Just so I'm sure I've got everything, you  
11 told me about the one on Veterans?

12 A Right.

13 Q The two on Williams?

14 A Right.

15 Q You went to Ochsner, you went to Kenner  
16 Regional, and, of course, you went to the Lower 9th  
17 Ward Clinic, and then you went to the one around  
18 Tulane, that you don't remember the name of on  
19 Poydras Street. You think it's Tulane something,  
20 but it's around Poydras?

21 A It's exactly, right. This is the  
22 Superdome.

23 Q Yep.

24 A It's around the side. It's around the  
25 side going to the left-hand side.

1 Q It wasn't a Tulane Hospital or Tulane  
2 Clinic because Tulane is around that area.

3 MR. JUPITER:

4 Objection.

5 BY MR. CASTILLE:

6 Q If you don't remember, that's fine.

7 A All I know -- when I looked at what you  
8 call it, they had Tulane Medical something on the  
9 appointment, because they mailed the appointment.  
10 The clinic got me to go there, you see what I'm  
11 saying? They mailed the appointment to me from  
12 that building.

13 Q Okay. All right. You caught me on  
14 something a little earlier. When I was asking you  
15 about from November 2007 to today, I was asking you  
16 about doctors. You kind of picked up on that I was  
17 saying doctors.

18 From November 2007 through today, have  
19 you gone to any other health care provider, whether  
20 hospital or anything, other than the ones you've  
21 already given me? You told me about the Lower 9th  
22 Ward, you told me about the Tulane.

23 Any other place that you went to?

24 A No.

25 Q Okay. Let's look at before the storm.

1 Let's take the 1 year before the storm. Let's  
2 stick with August to August.

3 August 2004 to 2005, did you go to the  
4 doctor or hospital, or any health care provider?

5 A I was going to -- they had a clinic down  
6 in the 9th Ward, I was going there. But in 2000 --  
7 let me see -- it had to be, like, 2003, I think.

8 MR. JUPITER:

9 Let's stick with what he's asking you  
10 right now, 2004 to 2005.

11 BY MR. CASTILLE:

12 Q Yeah. I'm going to keep working back.  
13 So 2004 to 2005, do you know if you went anywhere?

14 A I can't -- let me see. 2004 to 2005.  
15 No. I can't -- I don't believe.

16 Q Okay. So --

17 A 2004, 2005, yeah. I had -- no. I was  
18 probably going to that clinic on Claiborne.  
19 Claiborne and Caffin. Caffin and Claiborne.  
20 C-A-F-F-I-N.

21 Q But you don't remember the name of that  
22 clinic? You don't remember?

23 A No. I don't remember the name.

24 Q Okay. All right.

25 Let's jump back a little bit more.

1 August 2003 to August 2004?

2 A All right.

3 Q Where'd you go?

4 A That's the year I found out I had --

5 Q Diabetes?

6 A Right.

7 What happened was I caught cold and I  
8 coughed one night and I threw a muscle, man. I  
9 went to Charity because it was, like, about 1:00,  
10 2:00 in the morning. I went to Charity and they  
11 gave me medicine and ran some tests on me. That's  
12 how I found out I got diabetes.

13 Q And that was in 2003?

14 A Right.

15 Q Okay.

16 Any other place that you go to; any  
17 doctor, any health care providers between  
18 August 2003 and August 2004?

19 A No. Not that I can remember.

20 Q Just Charity that one time?

21 A Yeah.

22 Q And when the doctor diagnosed you with  
23 diabetes at Charity, did he send you somewhere else  
24 to go to another clinic to follow up?

25 A I was going there a couple months to get

1 my stuff.

2 Q To Charity?

3 A Yeah. I was going there a couple of  
4 months, you know what I'm saying? But then  
5 sometimes I find it hard to get there, you see what  
6 I'm saying? Go way up there, so I just start going  
7 to the clinic.

8 Q Okay.

9 A The clinic was right around my house.  
10 That's how I start going to the clinic and just get  
11 my prescriptions.

12 Q So you're going to the clinic by your  
13 house because it was closer?

14 A Right. It was closer for me to get to  
15 the clinic than Charity.

16 Q I see.

17 Which clinic was that?

18 A That's the one on Caffin and Claiborne.

19 Q Got it.

20 And that's here in the -- that's in the  
21 Lower 9th Ward?

22 A Right. Right. That's, like, maybe a  
23 mile-and-a-half from my house.

24 Q When was the last time you went there;  
25 that was in 2004?

1           A     Probably.  Probably 2000 -- 2004.  I  
2           probably went there in -- probably went there in  
3           2005, too.

4           Q     Do you know why you might have gone in  
5           2005; again, to follow up with your diabetes?

6           A     That's all I was doing.

7           Q     So everything since you got diagnosed  
8           with diabetes has been checking up on the diabetes?

9           A     You got to be monitored, you know.  
10          You've got to keep going to be monitored.

11          Q     That's when you started the monthly  
12          doctor visits?

13          A     Right.  Monthly, 2 months, something like  
14          that.  Month-and-a-half.  They not going to let you  
15          go too long without going to see the doctor with  
16          diabetes.

17          Q     You take insulin?

18          A     No.

19          Q     They have you on a special diet?

20          A     Yeah.

21          Q     Exercise?

22          A     Yeah.

23          Q     Are you doing a good job?

24          A     Every day.

25                   (Discussion off the record.)

1 BY MR. CASTILLE:

2 Q So you went to Charity back in 2003 when  
3 they diagnosed you. Now, you said you were  
4 coughing and you threw out your back?

5 A I coughed -- I was asleep. I went to  
6 sleep.

7 Q Uh-huh.

8 A I had a dry cough, and I woke up and I  
9 coughed hard and I pulled a muscle.

10 Q So you went to Charity to check on your  
11 muscle?

12 A Yeah.

13 Q That you pulled in your back?

14 A And that's how I found out.

15 Q Because they ran tests on you?

16 A Right.

17 Q And they ran tests and they said you  
18 pulled out a muscle, but, oh, by the way, you also  
19 have diabetes?

20 A Right. They took my sugar, they took my  
21 blood. You know they take your blood, and find out  
22 you have sugar.

23 Q Right.

24 Before that time, when had you been to  
25 Charity before, before that time you threw out your

1 back?

2 A Before that, it was probably -- let's  
3 see -- probably around -- probably around 2000,  
4 2001, something like that.

5 Q What'd you do, what happened then; why  
6 did you have to go?

7 A Me and my buddy had got into it and I got  
8 my tooth knocked out.

9 Q That's the one down here on the bottom?

10 A Right.

11 Q How does he look?

12 A Huh?

13 Q How does he look?

14 A I ain't catch him. He really got lucky.  
15 He hit me with the elbow.

16 Q Did you go to the emergency room?

17 A Yeah.

18 Q Did they take you in a ambulance or you  
19 drove there?

20 A No. I got a ride there.

21 Q You got a ride?

22 A Yeah.

23 Q What did they do, did they put any  
24 stitches?

25 A No. It wasn't all the way out -- it was

1 almost all the way out.

2 Q They just pulled it the rest of the way  
3 out?

4 A Yeah. Just pulled it out.

5 Q And they said get him next time?

6 A Yeah.

7 Q What about before 2001, did you go to  
8 Charity for anything else?

9 A Let me think. Let me think.

10 I can't remember now. I'm trying to  
11 think.

12 Q Because I know you had diabetes and you  
13 threw your back out or you pulled a muscle and you  
14 went to Charity; and then you followed up a couple  
15 of times over there before you started going to the  
16 other clinic that's closer to the 9th Ward?

17 A Right. And all I was going for was  
18 prescriptions.

19 Q All you were going to the clinic was for  
20 prescriptions?

21 A Yeah.

22 Q And Charity after that time you found out  
23 that you had diabetes?

24 A Right. Right.

25 Q And then in 2001, you got your tooth

1           knocked out by your buddy and you went to the ER?

2           A       (Nods head up and down.)

3           Q       What about -- so you don't remember -- I  
4           know we're getting, you know, further back.

5                    Do you remember any other time?

6           A       Let me see. You know, I can -- see, when  
7           I was younger, man, I used to always get my head  
8           popped, and stuff, and I had to go to Charity. See  
9           right there, right here? One of these times.

10          Q       Why did you get your head popped?

11          A       Playing. I was a kid.

12          Q       Okay. So this was when you were a kid?

13          A       Yeah. Yeah.

14          Q       Okay.

15                    So how long ago was the last time you got  
16          your head popped like that?

17          A       Oh, let me see. It was about -- let's  
18          see, I got my stitches right here over one of my  
19          eyes, that was probably -- probably about -- man, I  
20          couldn't even guess, bro. I won't be able to  
21          guess. Probably about '90, something like that.

22          Q       1990?

23          A       Yeah.

24          Q       So you weren't a kid in 1990?

25          A       No. I'm talking about I was playing

1 football then. Probably '85, '87, something like  
2 that.

3 Q So the last time you think you went to  
4 Charity prior to 2001 was around 1990?

5 A Yeah. I got hit in the eye playing  
6 football, with an elbow.

7 Q You were, like, 40 years old. 39, 40,  
8 you were playing football then?

9 MR. JUPITER:

10 Objection.

11 THE WITNESS:

12 A Yeah.

13 BY MR. CASTILLE:

14 Q Just around the neighborhood?

15 A Just in the park playing. We was messing  
16 around, man, playing a little touch and a dude  
17 elbowed me up.

18 Q Okay. All right.

19 Now, when you said back around '84, '85,  
20 that was -- what was that for?

21 A That's what I'm saying, I -- that's when  
22 I got hit.

23 Q You got hit in '90 or --

24 A No. '84 or '85.

25 Q You would have been a little younger

1           then?

2           A     Yeah.  About '84, '85.

3           Q     All right.

4                     Do you know they're thinking about  
5     building a new Charity Hospital building around  
6     here somewhere; do you know about that?

7           MR. JUPITER:

8                     Is that a question?

9     BY MR. CASTILLE:

10          Q     Do you know about that?

11          A     I hear about it.

12          Q     Okay.

13                     You know Charity closed after the storm;  
14     right?

15          A     Right.

16          MR. JUPITER:

17                     Objection.

18     BY MR. CASTILLE:

19          Q     You filed a lawsuit.  Are you aware of  
20     that?

21          A     Right.

22          Q     Do you know what the lawsuit's about?

23          A     Right.

24          Q     Tell me what your understanding of what  
25     the lawsuit is about.

1           A     Trying to get -- trying to get the  
2           government to reopen Charity.

3           Q     Okay.

4                     You want them to reopen?

5           A     Sure, man.

6           Q     Why?

7           A     Because people need -- people need  
8           somewhere to go see a doctor.

9           Q     Okay.

10                    You've been going to the clinics. You  
11           would rather go to Charity than go to the clinics?

12           MR. JUPITER:

13                    Object. Go ahead.

14           THE WITNESS:

15           A     The Charity -- the clinics close at 5:00,  
16           man, what about something after 8:00, 9:00 at  
17           night, or something? What if your child get sick  
18           at night or something, what you going to do then?  
19           You can't bring them to the clinic.

20                    If you ain't got insurance you can't  
21           bring them to the hospital, they'll turn you down.

22           BY MR. CASTILLE:

23           Q     Right.

24           A     What you going to do then?

25           Q     Now, you want old Charity or would you

1           like a new Charity building?

2                   MR. JUPITER:

3                           Objection.

4           BY MR. CASTILLE:

5                   Q       If they built a new Charity Hospital  
6           building, would you have a problem with that?

7                   MR. JUPITER:

8                           Same objection.

9                   THE WITNESS:

10                   A       I would have a problem with it because  
11           that Charity there, I mean, even though it's old, I  
12           think it could be, you know, refurbished.

13           BY MR. CASTILLE:

14                   Q       Okay. You would rather the old one than  
15           a new one?

16                   MR. JUPITER:

17                           Objection.

18                   THE WITNESS:

19                   A       I mean, I don't see the difference as  
20           long as, you know, if they open Charity and fix it  
21           up, you know, I don't see the difference in old or  
22           new.

23           BY MR. CASTILLE:

24                   Q       Okay. So you wouldn't have a problem  
25           with a new one then?

1 MR. JUPITER:

2 Objection.

3 THE WITNESS:

4 A Actually, I wouldn't have a problem with  
5 a new one, but I'm saying why would they get rid of  
6 that building; they could fix that building. It  
7 could be fixed, I think.

8 BY MR. CASTILLE:

9 Q Hmmm. You're a painter. Do you do any  
10 construction work?

11 A Well, you know, we do a lot of different  
12 work.

13 Q Okay.

14 Do you ever fix up houses?

15 A That's what I do.

16 Q That's what you do?

17 A Right.

18 Q So painting is not just painting, it's  
19 fixing up houses, too?

20 A I paint, sheetrock, tape, float, put down  
21 floors, put down ceramic tile, put up cabinets, put  
22 up doorframes.

23 Q When you're doing that work, do you ever  
24 get to a house where you go, man, it's just --  
25 these people might as well just tear this house

1 down and build a new one?

2 MR. JUPITER:

3 Objection.

4 BY MR. CASTILLE:

5 Q Have you ever had that happen to you?

6 MR. JUPITER:

7 Objection.

8 THE WITNESS:

9 A I've seen them like that before, but I  
10 ain't never had a job like.

11 BY MR. CASTILLE:

12 Q But you've seen a house like that?

13 A Sure.

14 Q And you said they would do better just  
15 tearing that house down and building a new one?

16 A Yeah. I've seen that before.

17 Q Probably cheaper to tear it down and  
18 build a new one?

19 A Yeah.

20 Q I've seen them that way, too, Mr.  
21 Leblanc. I understand.

22 A See it all around the city. Just take a  
23 ride.

24 Q There's a lot of houses around the City  
25 that way, it's better to just tear them down?

1 A (Nods head up and down.)

2 MR. JUPITER:

3 Objection.

4 BY MR. CASTILLE:

5 Q I'm sorry. That was -- like I said, the  
6 court reporter can't -- unless we actually say  
7 something, they can't get it down. I saw you  
8 gesture.

9 A (Nods head up and down.)

10 Q You're saying yes? You've seen them that  
11 way?

12 A Uh-huh. Yeah.

13 Q There's a lot going on in the room, Mr.  
14 Leblanc. You feeling uncomfortable?

15 A I'm feeling all right.

16 Q I don't want you to feel uncomfortable  
17 with everybody looking at you.

18 MR. JUPITER:

19 We're ready.

20 BY MR. CASTILLE:

21 Q So you say you've driven around the City  
22 a lot and you see the houses that it's better to  
23 just tear down and build new ones?

24 MR. JUPITER:

25 Objection. I'm sorry. Objection.

1 BY MR. CASTILLE:

2 Q Any around here that you know of --

3 MR. JUPITER:

4 Objection.

5 BY MR. CASTILLE:

6 Q -- that it's better to just tear down and  
7 build a new one?

8 A Yeah. They got them around here. They  
9 got them all over.

10 Q You prepared an affidavit back on  
11 January 12 of 2008?

12 A Uh-huh.

13 Q Do you remember preparing an affidavit?

14 A I remember signing it, yeah.

15 Q You remember signing one.

16 I'm going to hand you a binder and  
17 there's a tab. I'll go ahead and open it for you.

18 A (Reviewing document.)

19 Q Take a few minutes and look at that.

20 A (Reviewing document.)

21 Uh-huh. I remember this.

22 Q Okay.

23 Is it accurate?

24 A Yeah. It's accurate.

25 Q Look at paragraph number 6.

1 A (Reviewing document.)

2 MR. ROSENFELD:

3 Want my glasses, Mr. LeBlanc?

4 THE WITNESS:

5 I see what it say.

6 BY MR. CASTILLE:

7 Q Anything inaccurate in that paragraph?

8 A All it's saying is that I paid a fee,  
9 because I was required to pay medical treatment --  
10 yeah. I paid treatment because I required medical  
11 treatment and was able to retain it free. Yeah.

12 Q It says that you lacked transportation?

13 A Yeah. Lacked transportation.

14 MR. JUPITER:

15 He lacked adequate transportation.

16 THE WITNESS:

17 I didn't see that.

18 BY MR. CASTILLE:

19 Q Your Tacoma wasn't working last year?

20 A Hold on. Let me read that. (Reviewing  
21 document.)

22 Well, I've been having trouble with my  
23 truck.

24 Q Oh, really?

25 A Yeah.

1 Q What's wrong with your truck?

2 A About -- what you mean? What was wrong  
3 with it at that time?

4 Q Uh-huh.

5 A Huh?

6 Q Yeah.

7 A What happened was I was in a rush one day  
8 and I -- I accidentally pumped diesel in it, bro.

9 Q Oh, yeah?

10 A And I had trouble with it for awhile, you  
11 know what I'm saying?

12 Q You pumped diesel oil in it?

13 A Yeah. Diesel fuel.

14 Q Diesel fuel?

15 A Yeah.

16 Q In the gas tank?

17 A Yeah. Rushing one night.

18 Q When was that?

19 A That was -- that was -- that was almost  
20 right when I first got my truck.

21 Q Back in 2001?

22 A No. I didn't get my truck in 2001.

23 Q Oh, I'm sorry.

24 A I got my truck in 2005.

25 Q You got it in 2005?

1           A     It was about -- it was about around --  
2           right after Christmas. Right after Christmas  
3           because I was running back and forth from my  
4           sister's house in Kenner to my sister's house in  
5           Marrero, you know what I'm saying? And I had  
6           bought some Chinese food, and I was trying to hurry  
7           up and bring it to my sister's house.

8                     And I was low on gas. That actually was  
9           around -- I'll tell you exactly when it was. It  
10          was around February, because I had my tax papers.  
11          I was going to try and let my sister fill them out  
12          across over in Marrero. And I was running late, I  
13          got the food, and I was trying to get home quick  
14          and I looked down and my gas meter was low.

15                    Me being the idiot, I went to the pump --  
16          and you ever seen the diesel pump?

17                 Q     It's big.

18                 A     It won't fit in there. That's what I'm  
19          saying. But I didn't pay attention. I just backed  
20          the thing out, bro, and shot \$20 worth of diesel in  
21          my truck. That's what I did. I ain't lying to  
22          you.

23                    Then when I turned out the thing and I  
24          got on the expressway, the truck just bogged down.  
25          I didn't know what was wrong with it. But I didn't

1 realize I had put diesel oil in it until I  
2 called -- my sister called Triple A, and Triple A  
3 sent the guy out there. And then I told the guy  
4 what happened, and he said, man, you must have put  
5 diesel oil in your truck.

6 You know what I'm saying?

7 Q Uh-huh.

8 A So after that, boy, it took me a couple a  
9 months to get it back running right like it was,  
10 you know.

11 Q Okay.

12 A I was having problems with every time I  
13 put the -- pump in it, it was like it was firing  
14 out, you know?

15 Q What did you have to do to it to get it  
16 fixed; you didn't have to change the engine did  
17 you?

18 A I didn't change the engine.

19 Q Did you have to change the carburetor or  
20 the fuel injection?

21 A The fuel injection. They had to do all  
22 of that, get it all cleaned out. My nephew said he  
23 could do it. I brought him over there, he got it  
24 running somewhat, you know what I'm saying, but it  
25 still wasn't running, you know, that good. You

1 know what I'm saying?

2 And then I had another guy look at it. I  
3 should have just put it in the shop for the money I  
4 spent on it.

5 Q Yeah.

6 You bought your truck, though, in 2005?

7 A I bought it in 2005.

8 Q Right.

9 But you haven't been back to Charity  
10 since you bought your truck, though; have you?

11 A No.

12 Q Because it was closed; right?

13 A Right.

14 MR. JUPITER:

15 Objection.

16 BY MR. CASTILLE:

17 Q All right.

18 After those 2 months, did you continue to  
19 have problems with your truck?

20 A Man, I think I'm saying, it took me  
21 about -- I ain't lying -- maybe -- it maybe was,  
22 like, I guess, they had some -- they had some left  
23 in the gas tank where it took a while before -- it  
24 didn't act right for about 5 or 6 months, man.

25 Q After that it started --

1           A     Then after that it started acting better,  
2     you know.  So I don't know.

3                     The guy told me -- the guy that took the  
4     gas tank down told me -- I went -- I finally  
5     brought it to the shop on Airline, and he told me I  
6     had to clean the fuel injections, and all that.  He  
7     took the gas tank down, but it still didn't acted  
8     all the way like 100 percent.

9           Q     Right.

10          A     It still was sluggish and it would stop.  
11     It would stop -- like, you run to the red light and  
12     stop, it would kill, and all that kind -- you know  
13     what I'm saying?  And a few months later, it just  
14     start acting all right.

15          Q     The end of that sentence of paragraph 6  
16     says "and I am on a fixed income".

17                     That's just not right; is it?

18          MR. JUPITER:

19                     Objection.

20          THE WITNESS:

21          A     I'm -- look, man, look.  I don't know how  
22     that got down there.  I'm not on fixed income,  
23     though, you see what I'm saying?  You know what I'm  
24     saying?  Like I told you, I work and I get work  
25     when I get it.  That's how I work.

1 BY MR. CASTILLE:

2 Q Uh-huh.

3 No Social Security?

4 A No. No Social Security, no SSI, no none  
5 of that.

6 Q No disability?

7 A No. I maybe -- you know, whenever I  
8 talked, I maybe didn't understand what they was  
9 asking me.

10 Q Okay.

11 When was the last time you had medical  
12 insurance?

13 A I ain't never had medical insurance.

14 Q Never, ever?

15 A Never.

16 Q When you went to the Ochsner Emergency  
17 Room, that was -- did you have to pay for that?

18 A Yeah, I had to pay for that.

19 Q Do you know how much it was?

20 A \$300-something, I think.

21 Q What about -- you don't qualify for  
22 Medicare; do you?

23 A No.

24 Q Medicaid?

25 A No.

1           Q     I asked you this before and you didn't  
2           give me an answer, so I'm going to open up the door  
3           again so that you can tell me.

4                     You were explaining to me why you thought  
5           it was a good idea to reopen Charity. Any other  
6           reasons?

7           MR. JUPITER:

8                     I'm going to object to the  
9           characterization of his testimony. Do you  
10          have a question? Would you rephrase your  
11          question?

12         BY MR. CASTILLE:

13          Q     I forgot what the question was.

14          COURT REPORTER:

15                     You were explaining to me why you  
16          thought it was a good idea to open  
17          Charity. Any other reasons?

18         BY MR. CASTILLE:

19          Q     Why do you think it would be a good idea  
20          to open Charity again?

21          A     Why?

22          Q     Uh-huh.

23          A     Are you from New Orleans?

24          Q     My folks are from New Orleans. I went to  
25          school here.

1 A You ever rode around the City?

2 Q Yeah.

3 A Huh?

4 Q Yeah.

5 A You see how it looks?

6 Q Yeah.

7 A You think rich people live down here?

8 Q I don't know.

9 A Huh?

10 Q I don't know. You tell me.

11 A No, man. This is the ghetto, man. It's  
12 the ghetto. People need help. They need help,  
13 man. Bottom line.

14 Q All right. Anything else?

15 A Man, you know what I'm saying? I think  
16 that's a good enough answer for you.

17 Q It is, if that's your answer. I just --  
18 this is a deposition so I want to know it all now.

19 A Yeah. You know what I'm saying, I tell  
20 you the truth. People need help, man.

21 Q All right.

22 I had sent some discovery, some questions  
23 for you to answer. And I had -- one of the  
24 questions was I was trying to get some of your tax  
25 information and your attorney said that you didn't

1 have any of your tax returns?

2 A No.

3 Q You don't have any of that?

4 A Huh-uh.

5 Q Okay.

6 But you file them?

7 A Yeah. I file them.

8 Q Okay.

9 I've got a form, a tax release so that I  
10 can request your tax records, and I need you to  
11 sign. I'll hand it to your attorney.

12 MR. JUPITER:

13 I'm going to raise an objection right  
14 now. Let me take a look at it.

15 MR. CASTILLE:

16 Okay. We can go off the record.

17 (Recess taken at 3:40 p.m. Back on  
18 record at 3:41 p.m.)

19 MR. CASTILLE:

20 I want to go back on the record.

21 BY MR. CASTILLE:

22 Q I'm going to let you go in just a minute,  
23 Mr. LeBlanc.

24 A All right. I appreciate it.

25 MR. JUPITER:

1                   We're going to put our address on it,  
2                   too, so we'll get copies of them, too.

3                   (Discussion off the record.)

4                   MR. CASTILLE:

5                   Okay. Mr. Leblanc, with that last  
6                   document, that's the last question I have  
7                   once we get that signed.

8                   THE WITNESS:

9                   All right.

10                  MR. CASTILLE:

11                  I think I may be done.

12                  THE WITNESS:

13                  Okay.

14                  MR. CASTILLE:

15                  Good talking to you.

16                  THE WITNESS:

17                  Same here, man.

18                  MR. ROSENFELD:

19                  Wait a second.

20                  (Discussion off the record.)

21                  MR. ROSENFELD:

22                  Let's take a break.

23                  (Recess taken at 3:42 p.m. Back on  
24                  record at 3:44 p.m.)

25                  MR. ARAGON:

1                   We don't have any questions for the  
2                   witness.

3                   MR. CASTILLE:

4                   Thank you, sir.

5                   (End of testimony at 3:45 p.m.)

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 R E P O R T E R ' S C E R T I F I C A T E

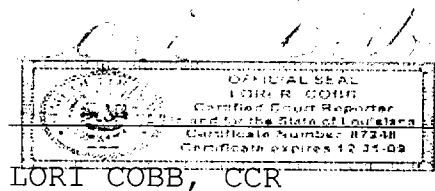
2 I, Lori Cobb, a Certified Court Reporter  
3 (Certificate #87248) for the State of Louisiana, do  
4 hereby certify that the foregoing 62 pages  
5 constitute the transcript of the Deposition of  
6 MELVIN LEBLANC, taken on Tuesday, February 3, 2009,  
7 in the above-entitled and numbered cause; that said  
8 witnesses were duly sworn by me and thereafter  
9 testified as hereinabove set forth;

10 That the proceedings were reported by me  
11 in Stenographic shorthand, and is a true and  
12 correct transcript to the best of my ability and  
13 understanding.

14 That I am not of Counsel, nor related to  
15 any person participating in this cause, and am in  
16 no way interested in the outcome of this event.

17 This certification is valid only for a  
18 transcript accompanied by my digital signature and  
19 the image of my State authorized seal on this page.

20 SIGNED THIS THE 20TH DAY OF FEBRUARY,  
21 2009.



LORI COBB, CCR

22  
23  
24  
25



9418 Brookline Ave., Suite B  
P.O. Box 40766  
Baton Rouge, LA 70835

Office (225) 201-9650  
Fax (225) 201-9651  
depos@courtreportersla.com

February 24, 2009

Melvin Leblanc  
525 Tricou Street  
New Orleans, LA 70117

IN RE: MELVIN LEBLANC, ET AL VERSUS DWAYNE THOMAS, ET AL

Dear Mr. Leblanc:

In reference to the above mentioned case, enclosed is the condensed copy of your deposition, which was taken on February 3, 2009. Please read the transcript and note any amendments to your answers, by page and line number, on the enclosed errata sheet.

Whether or not you make any amendments to your testimony, please sign the errata sheet and return it to my office within 30 days.

If you have any questions, please let me know. Thank you for your cooperation.

Sincerely,

**COPY**

Catherine Butler  
CRLA Production

Cc: Preston Castille, Jr.  
Leonard Aragon



9418 Brookline Ave., Suite B  
P.O. Box 40766  
Baton Rouge, LA 70835

www.courtreportersla.com

Office (225) 201-9650  
Fax (225) 201-9651  
depos@courtreportersla.com

LEONARD ARAGON  
HAGENS, BERMAN, SOBOL, SHAPIRO  
2425 EAST CAMELBACK ROAD  
#650  
PHEONIX, AZ 850169

<b>Invoice Date</b>	<b>Invoice #</b>
<b>2/24/2009</b>	<b>5232HM</b>

Case: MELVIN LEBLANC, ET AL V DWAYNE THOMAS, ET AL  
Case #: 08-548 DIV: N-8  
Witness: MELVIN LEBLANC  
Date: 2/3/2009 9:30:00 AM  
Rep: LORI BERTEAU

**Description**

COPY OF LAY TESTIMONY  
READ AND SIGN  
MASTER CD  
E-TRANSCRIPT NO CHARGE

<b>Sub Total</b>	<b>\$178.95</b>
<b>Payments</b>	<b>\$0.00</b>
<b>Balance Due</b>	<b>\$178.95</b>

**PLEASE INDICATE INVOICE NUMBER ON CHECK. THANK YOU.  
FOR BILLING INQUIRIES CONTACT HOLLY BERGERON  
TAX ID# 80-0077439  
PAYMENT DUE UPON RECEIPT OF INVOICE.  
WE NOW ACCEPT VISA, MASTERCARD AND AMERICAN EXPRESS  
5% PROCESSING FEE**