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AVIATION BOARD MUST PAY FOR IGNORING JUDGE CONTEMPT

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By Joe Darby

West Bank bureau

A state judge held the New Orleans Aviation Board in contempt of court Tuesday for failing to obey a court order to turn over public records to The Times-Picayune.

Civil Court Judge Robert Pitre of Jefferson Parish on Oct. 16 ordered the board to make available to the newspaper its records of applications for contracts under the airport's Disadvantaged Business Enterprise plan, which sets up goals and preferences for companies certified as disadvantaged economically or socially.

But the Aviation Board made available only a fraction of the information covered by the order, the newspaper contends.

Tuesday, Pitre again ordered the board to immediately make the records available and declared the board in contempt, fining it \$100 a day retroactive to Oct. 30.

Jim Swanson, attorney for the Times-Picayune, said after the ruling that it is unusual for a judge to hold a public body in contempt.

"I am pleased that Judge Pitre recognized that the Aviation Board failed to comply with his prior ruling and held the board in contempt," Swanson said. "I am hopeful that today's ruling will spell the end of the Aviation Board's efforts to avoid its obligations under the public records law."

Ronald Vega, an attorney for the Aviation Board, said he had no comment.

The Times-Picayune originally sued the board Sept. 24 after it refused to let reporters see the contract application records, and Swanson argued Tuesday that the board failed to comply with Pitre's order to do so. The board was to provide 25 applications per day, Swanson said, but it failed to meet the timetable. When records were turned over, he said, reporters received only one page out of each 15-page applications. Moreover, while the board was supposed to provide 75 applications, it provided only 18.

After further refusals of cooperation, Swanson said, the newspaper filed its motion for contempt.

Vega told Pitre the board had exercised its right to withhold information it considered confidential and contended that Times-Picayune attorneys failed to properly communicate with him. Only one page of each application was provided because the other pages all contained confidential information, he said. Vega said he had wanted to sit down with the newspaper's attorneys to determine exactly what was privileged information.