

John Bel Edwards  
GOVERNOR



Rebekah Gee MD MPH  
SECRETARY

**State of Louisiana**  
Department of Health  
Bureau of Legal Services

November 22, 2016

VIA U.S. MAIL  
17th JDC – Lafourche Parish  
Office of the Clerk of Court  
P.O. Box 818  
Thibodaux, LA 70301

RE: La. Dept. of Health v. John Delatte, Jr.

Dear Sir or Madame:

In connection with the above-referenced matter, please find for filing original and three (3) copies of an Ex-Parte Petition to Make Compliance Order Executory, together with accompanying Judgment. Please forward a copy to the judge for the section to which the suit is assigned. Please serve a copy upon the defendant per the service instructions contained on the judgment. Finally, please return a stamped/conformed copy to me in the enclosed self-addressed, stamped envelope.

This is a "state filing" that, in accordance with La.R.S. 40:31 and La.R.S. 13:4521, is exempt from filing fees.

Feel free to contact me at the number below if you have any questions or need additional information.

With kind regards, I am

Very truly yours,



Sandra A. Jelks

/SAJ  
enclosures

Bienville Building • 628 North 4<sup>th</sup> Street • P.O. Box 3836 • Baton Rouge, Louisiana 70821-3836  
Phone: (225) 342-9937 • Fax: (225) 342-2232 • [www.ldh.la.gov](http://www.ldh.la.gov)  
"An Equal Opportunity Employer"

LOUISIANA DEPARTMENT OF \* SUIT NO. \_\_\_\_\_  
HEALTH \*  
VERSUS \* 17<sup>th</sup> JUDICIAL DISTRICT COURT  
\*  
\* PARISH OF LAFOURCHE  
\*  
JOHN DELATTE, JR. \* STATE OF LOUISIANA  
\*\*\*\*\*

**EX PARTE PETITION TO MAKE COMPLIANCE ORDER(S) EXECUTORY**  
**PURSUANT TO LA. R.S. 40:6(G)**

The petition of Dr. Jimmy Guidry, M.D., in his official capacity as State Health Officer, Louisiana Department of Health (“LDH”), Office of Public Health, through undersigned counsel, respectfully represents:

1.

Dr. Jimmy Guidry, State Health Officer for LDH, Office of Public Health, is granted jurisdiction and authority to enforce the State Sanitary Code (Louisiana Administrative Code Title 51) pursuant to La. R.S. 40:4 and R.S. 40:5, including enforcement of compliance orders pursuant to LSA R.S. 40:6(G).

2.

Made defendant herein is **John Delatte, Jr.** a person of full age of majority, domiciled in Louisiana, whose registered address is 1102 South Bayou Drive, Golden Meadow, Louisiana 70359.

3.

Defendant John Delatte, Jr. is the owner of the mobile home and premises located at 116 and 118 West 72<sup>nd</sup> Street, Cut Off, Louisiana 70345.

4.

A Compliance Order issued pursuant to La. R.S. 40:4, 40:5, 40:6, and Sanitary Code Part I, §111, signed by Dr. Jimmy Guidry, State Health Officer, and J.T. Lane, LDH Assistant Secretary for the Office of Public Health, was hand delivered to John Delatte, Jr. on August 29, 2014. A certified copy of said Compliance Order, which bears the LDH-assigned number OPH-2014-OW-010, together with all attachments thereto, is attached to this petition as **Exhibit DHH-A**. The process server’s return associated with the hand delivery of Compliance Order No. OPH-2014-OW-010 is attached hereto as **Exhibit DHH-B**.

5.

As more particularly described therein, Compliance Order No. OPH-2014-OW-010 was

issued only after LDH personnel conducted various inspections and provided John Delatte, Jr. with all notice(s) required under Sanitary Code Part I.

6.

Compliance Order No. OPH-2014-OW-010 was issued to John Delatte, Jr. because he failed, after numerous notices and other attempts by LDH to obtain voluntary compliance, to comply with Sanitary Code Part XIII, §707(A), which states that:

Individual sewerage systems shall be kept in service and in a serviceable condition sufficient to insure compliance with this code and in order to avoid creating or contributing to a nuisance or a public health hazard.

7.

As noted in the exhibits attached to Compliance Order No. OPH-2014-OW-010, the onsite aerobic sewage treatment system presently in use at John Delatte, Jr.'s property located at 116 and 118 West 72<sup>nd</sup> Street, Cut Off, Louisiana 70345, is not in good repair or properly functioning, nor are all associated waste plumbing lines attached to the sewage treatment system, in violation of Sanitary Code Part XIII, §707(A), which states that:

Individual sewerage systems shall be kept in service and in a serviceable condition sufficient to insure compliance with this code and in order to avoid creating or contributing to a nuisance or a public health hazard.

8.

Despite being properly served with Compliance Order No. OPH-2014-OW-010, John Delatte, Jr. did not thereafter, within the twenty days allowed under Sanitary Code Part I, §111 or otherwise, submit to either LDH or the Division of Administrative Law any form of written request that might be construed as a request for an administrative appeal of said Compliance Order.

9.

A Notice and Order of Imposition of Penalties ("NOIP") issued pursuant to La. R.S. 40:4, 40:5, 40:6, and Sanitary Code Part I, §113, signed by Dr. Jimmy Guidry and J.T. Lane, was finally hand delivered, after numerous attempts, via domiciliary service to John Delatte, Jr. on November 9, 2015. A certified copy of the NOIP is attached hereto as **Exhibit DHH-C**. The process server's return associated with the hand delivery of the NOIP is attached hereto as **Exhibit DHH-D**.

10.

As noted therein, the NOIP was preceded by a Post Order Inspection Report ("POIR"), attached hereto as **Exhibit DHH-E**, conducted and completed by LDH personnel on September

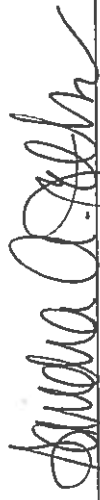
18, 2014, and served upon John Delatte, Jr. via United States Postal Service (USPS), Certified Mail, Return Receipt Requested. A copy of the USPS return receipt is attached hereto as **Exhibit**

**DHH-F.**

11.

LDH issued the NOIP because John Delatte, Jr. failed to notify LDH in writing, as required by the POIR, that he had complied with Compliance Order No. OPH-2014-OW-010.

Respectfully Submitted:



Sandra A. Jelks (Bar Roll No. 22088)

L.a. Department of Health

Bureau of Legal Services

P.O. Box 3836

Baton Rouge, Louisiana 70821-3836

Telephone: (225) 342-9937

Facsimile: (225) 342-2232

sandra.jelks@la.gov

\* JIMMY GUIDRY, M.D.  
\* STATE HEALTH OFFICER  
\*  
\* STATE OF LOUISIANA  
\*  
\* DEPARTMENT OF HEALTH  
\* & HOSPITALS  
\*  
\* OFFICE OF PUBLIC HEALTH  
\*  
\* JOHN DELATTE, JR. OWNER  
\* 1102 SOUTH BAYOU DRIVE  
\* GOLDEN MEADOW, LA 70357  
\* \* \* \* \*

COMPLIANCE ORDER  
OPH-2014-OW-010

The State Health Officer acting through the Office of Public Health of the Department of Health & Hospitals is statutorily responsible for the promulgation and enforcement of the Louisiana Public Health Sanitary Code pursuant to LSA-R.S. 36:258 (B), LSA-R.S. 40:4, and LSA-R.S. 40:5.

WHEREAS, the Lafourche Parish Sanitarian Services acting through the Office of Public Health, is the properly designated agent of the Department of Health and Hospitals for the enforcement of the Louisiana Public Health Sanitary Code.

WHEREAS, John Delatte, Jr. hereafter referred to as the Respondent, a person of full age of majority, domiciled in Lafourche Parish, Louisiana, owns the property at 116 & 118 West 72<sup>nd</sup> Street, Cut Off, LA 70345.

A copy of the ACT OF CASH SALE is attached hereto as **Exhibit A**.

WHEREAS, on October 1, 2013, Tamerage Granier, Sanitarian, conducted an inspection of the sewage system at 116 & 118 West 72nd Street, Cut Off, LA 70345. The inspection revealed that the aerator was not present for the aerobic treatment unit and the aerator airline was broken. These conditions are in violation of the Louisiana Administrative Code, Title 51, (Public Health Sanitary Code) Part XIII, Chapter 7, Paragraph 707.A, as follows:

“Individual sewerage systems shall be kept in service and in a serviceable condition sufficient to insure compliance with this code and in order to avoid creating or contributing to a nuisance or a public health hazard”.

A copy of same is attached hereto as Exhibits B, B1.

WHEREAS, on October 2 2013, a Notice of Violation letter was mailed United States Postal Service (USPS), Certificate of Mailing, to the Respondent, stating the violations of the Louisiana Public Health Sanitary Code, Title 51, Part XIII, Chapter 7, Paragraph 707.A, as follows:

“Individual sewerage systems shall be kept in service and in a serviceable condition sufficient to insure compliance with this code and in order to avoid creating or contributing to a nuisance or a public health hazard.”

The letter requested that the Respondent repair the approved sewage system by November 3, 2013.

A copy of same is attached hereto as Exhibit C.

WHEREAS, on November 6, 2013, Tamerage Granier, Sanitarian, conducted a re- inspection of the sewage system at 116 & 118 West 72nd Street, Cut Off, LA 70345. There- inspection revealed that the aerator was not present for the aerobic treatment unit and the aerator airline was broken. These conditions are in violation of the Louisiana Administrative Code, Title 51, (Public Health Sanitary Code) Part XIII, Chapter 7, Paragraph 707.A, as follows:

“Individual sewerage systems shall be kept in service and in a serviceable condition sufficient to insure compliance with this code and in order to avoid creating or contributing to a nuisance or a public health hazard.”

A copy of same is attached hereto as Exhibit D.

WHEREAS, on November 7, 2013, an additional Notice of Violation letter was mailed via United States Postal Service, Certified Mail, Return Receipt Requested, to the Respondent requesting he attend an informal conference to be held on December 10, 2013, at the Lafourche Parish Sanitarian Services Office at 10:00 A.M. to discuss the continued violations of the Louisiana Administrative Code, Title 51 (Public Health Sanitary Code), Title 51, Part XIII, Chapter 7, Paragraph 707.A.

A copy of same is attached hereto as **Exhibit E.**

WHEREAS, on November 23, 2014, the Notice of Violation letter was returned to the Sanitarian Services Office marked as unclaimed by the USPS.

A copy of same is attached hereto as **Exhibit F.**

WHEREAS, on January 17, 2014, an additional Notice of Violation letter, dated January 15, 2014, was hand delivered, to the Respondent, requesting he attend an informal conference to be held on January 22, 2014, at the Lafourche Parish Sanitarian Services Office at 11:00 A.M. to discuss the continued violations of the Louisiana Administrative Code, Title 51 (Public Health Sanitary Code), Title 51, Part XIII, Chapter 7, Paragraph 707.A.

A copy of same is attached hereto as **Exhibit G.**

WHEREAS, on January 22, 2014, a conference was held with Letecia Turley, Lafourche Parish Sanitarian Manager, and Chasity Cheramie, Region 3 Sanitarian Regional Director, to discuss the correction of the violations of the Louisiana Administrative Code, Title 51, (Public Health Sanitary Code) Part XIII, Chapter 7, Paragraph 707.A. The Respondent failed to attend the conference.

A copy of same is attached hereto as **Exhibit H.**

WHEREAS, on April 24, 2014, after two previous attempts to hand deliver additional Notice of Violation letters were conducted on January 27, and February, 27, 2014 (**Exhibit I**), a Notice of Violation letter, dated April 1, 2014, was finally hand delivered to Sarah Reynolds, Occupant, of the property located at 116 & 118 West 72<sup>nd</sup> Street, Cut Off, Louisiana, 70345, stating the violations of the Louisiana Administrative Code, Title 51 (Public Health Sanitary Code), Part XIII, Chapter 7, Paragraph 707.A. as follows:

**“Individual sewerage systems shall be kept in service and in a serviceable condition sufficient to insure compliance with this code and in order to avoid creating or contributing to a nuisance or a public health hazard.”**

The hand delivered letter requested that the Respondent repair the approved sewage system by April 29, 2014.

A copy of same is attached hereto as **Exhibit J.**

WHEREAS, on April 29, 2014, Tamerage Granier, Sanitarian, conducted an final inspection of the sewage system at 116 & 118 West 72<sup>nd</sup> Street, Cut Off, LA 70345. The inspection revealed that the aerator was not present for the aerobic treatment unit and the aerator airline was broken. These conditions are in violation of the Louisiana Administrative Code, Title 51, (Public Health Sanitary Code) Part XIII, Chapter 7, Paragraph 707.A. as follows:

**“Individual sewerage systems shall be kept in service and in a serviceable condition sufficient to insure compliance with this code and in order to avoid creating or contributing to a nuisance or a public health hazard.”**

A copy of same is attached hereto as **Exhibits K.**

NOW, therefore, in accordance with the authority vested in me as State Health Officer, and in concurrence with the Secretary, herein represented by the Assistant Secretary, in accordance with Delegation effective October 15, 2011, I hereby order that the Respondent, a person of full age of

majority, correct all violations issued in the Notice of Violation Letter, dated October 2, 2013, and April 1, 2014, within 20 days of receipt of this Compliance Order. Failure to correct the violations, or any future violations, may result in civil fines of up to \$100.00 per day per violation up to a maximum of \$10,000.00 in a calendar year and all other remedies allowed by law.

You are further advised that you have the right to appeal this Compliance Order by filing a written request for an adjudicatory hearing regarding any final decision made by the state health officer. If a hearing is requested, an application for an adjudicatory hearing must be received by the state health officer within (20) days after receipt of this Compliance Order. All documents and written requests for a hearing shall be submitted to the state health officer at: DHH-OPH-Onsite Wastewater Program, P.O. BOX 4489, Baton Rouge, Louisiana 70821-4489.

Upon timely receipt of a written application requesting an adjudicatory hearing, the request will be submitted to the Division of Administrative Law and a hearing will be scheduled (pursuant to R.S. 49:991 et seq).

Kathy Kliebert  
Secretary of DHH

M. Be Suss 8-18-14  
J.T. Lane Date  
Assistant Secretary of DHH  
*delegated authority*

Jimmy Guidry 8/11/14  
Dr. Jimmy Guidry Date  
State Health Officer

# EXHIBIT A

## ACT OF CASH SALE

UNITED STATES OF AMERICA  
STATE OF LOUISIANA  
PARISH OF LAFOURCHE

BE IT KNOWN, that on this 16<sup>th</sup> day of March in the year of Our Lord, TWO THOUSAND AND FIVE (2005),

BEFORE ME, Shella P. St. Pierre, Notary Public, duly commissioned and qualified in and for the Parish of Lafourche, State of Louisiana, and in the presence of

Dimity Boalov and Stacy Courtwright, lawful witnesses residing in said Parish,

PERSONALLY CAME AND APPEARED:

**LAWRENCE J. CRISTEN, III**, (#439-76-1617), married to Barbara Danos Christen, being of legal age, domiciled in the Parish of Lafourche, State of Louisiana, whose present mailing address is: 136 Winchester Way, Lockport, Louisiana, 70374;

**ADRIAN J. LEGENDRE** (#433-33-1968), married to Addy Christen Legendre, being of legal age, domiciled in the Parish of Lafourche, State of Louisiana, whose present mailing address is: 11578 Highway 1, Lockport, Louisiana, 70374; (hereinafter referred to as Seller)

who declares that Sellers have sold, and, by these presents, do sell, cede, transfer, convey, abandon and deliver with all the legal warranties and with full substitution and subrogation to all rights and actions in warranty against all preceding owners, to and unto:

**JOHN JOSEPH DELATTE, JR.** (#439-27-4429), judiciously divorced in Lafourche Parish, Louisiana, from Angie Billiot; being of legal age, domiciled in the Parish of Lafourche, State of Louisiana, whose present mailing address is: Post Office Box 722, Cut Off, Louisiana 70328 (hereinafter referred to as Purchaser)

here present accepting and purchasing for himself, his heirs, successors or assigns, and acknowledging due delivery and possession thereof, the following described property, to-wit:

### PROPERTY DESCRIPTION:

A certain parcel of land on the right descending bank of Bayou Lafourche about 45 miles below the city of Thibodaux, in the town of Cut Off, Louisiana, located in Section 4, T-18-S, R-21-E.

Commencing at the intersection of the right-of-way of Louisiana Highway #1 and the right-of-way of West 72<sup>nd</sup> Street; thence at a bearing of South 66 degrees 15' 00" West along the right-of-way of West 72<sup>nd</sup> Street for a distance of 880' to a 1/2" iron pipe, said point being the POINT OF BEGINNING. Thence continuing along said right-of-way at a bearing of South 66 degrees 15' 00" West for a distance of 143.00' to a 1/2" iron pipe; thence at a bearing of North 23 degrees 45' 00" West for a distance of 84.00' to a 1/2" iron pipe on the property line of Marie Pitre and three others; thence along said property line at a bearing of North 66 degrees 15' 00" East for a distance of 143.00' to a 1/2" iron pipe; thence at a bearing of South 23 degrees 45' 00" for a distance of 84.00' to the POINT OF BEGINNING.

Said parcel of land is more fully shown and identified as Lot 4 on a map by J. Wayne Plaisance, Inc., entitled "SURVEY PLAT SHOWING RUBY PIERCE SUBDIVISION ALONG WEST 72<sup>nd</sup> STREET, BEING IN SECTION 4, T-18-S, R-21-E, CUT OFF, LAFOURCHE PARISH, LOUISIANA" dated October 8, 2003 and recorded on February 19, 2004 in the Conveyance Records of Lafourche Parish under Entry No. 954227. Said parcel of land contains 12,012 square feet.

Together with all buildings and improvements thereon and all rights, ways, privileges and servitude there unto belonging or in any wise appertaining.

Any reference to any mineral reservations, restrictions, servitude, easements, rights of way, or other encroachments adversely affecting the title or physical condition



of the herein above described property shall not be construed as an acknowledgment, confirmation or reestablishment thereof.

Sellers hereby declare under oath unto me, Notary, that the property herein sold stands as registered in the name of the Sellers, and that it has not been heretofore alienated by said Sellers, and that there are no mortgages, liens, or encumbrances against the said property.

This sale is made and accepted for and in consideration of the price and sum of **TWELVE THOUSAND FIVE HUNDRED DOLLARS AND NO/100 (\$12,500.00)** Cash in hand paid by in the Purchaser to the Seller in ready current money, at or before the execution hereof, the receipt of which is hereby acknowledged by the Seller who by these presents grants full acquittance and discharge, herefor.

The subject property will be sold to Purchaser without any warranty by Sellers as to the condition of the improvements and/or buildings and without recourse whatsoever, even for the return of the purchase price; Purchaser acquires at their sole peril and risk, it being understood that Purchaser takes the subject property "as is" and "where is", acknowledging reliance solely on its own examination and inspection of the subject property and not under any warranty or representation, expressed or implied from Sellers. Purchaser expressly waives any rights or redemption and/or quant minoris. Sellers make no representation nor warranties whatsoever relating to the use and occupancy of said premises, the square footage or the fitness of the property and its improvements for any particular purpose. Purchaser shall have no right or cause of action against Sellers to assert any controversy, claim demand or litigation in connection with the subject property.

The parties hereto waive and dispense with the production of any mortgage, conveyance or other certificates required by law, and relieve me, Notary from any and all responsibility in connection therewith. The parties hereto further agree that this instrument was prepared with the status of the parties and boundary descriptions provided to me by the parties themselves, releasing me, undersigned Notary, from any and all responsibility herefor.

All taxes due on the property herein conveyed have been fully paid and discharged for the past year. Any taxes due and payable for the current year shall be prorated as of the date of this sale.

Should any zoning, planning or other Parish ordinances affect this transfer, the parties hereto relieve me, Sheila P. St. Pierre, undersigned Notary, of any responsibility to determine or see to compliance of these regulations.

THUS DONE AND PASSED AND SIGNED at my office in Larose, Lafourche Parish, Louisiana, on the day, month, and year first above written, in the presence of the witnesses herein above named and undersigned, who have signed these presents with the said appearers and me Notary, after due reading of the whole.  
WITNESSES:

Ginny Bookout

Sally Guzman

Lawrence J. Christen, III

Adrian J. Legendre

John J. Delatte, Jr.

I DO HEREBY CERTIFY  
THIS TO BE AN EXACT  
COPY OF ORIGINAL  
SHEILA P. ST. PIERRE  
NOTARY PUBLIC #14941

Sheila P. St. Pierre, Notary Public #14941  
My commission expires at death.

EXHIBIT B

EXISTING MECHANICAL TREATMENT SYSTEM  
INSPECTION FORM

Date of Request:  Date of Inspection:

Owner's Name:  Record Update:

Physical Address:

Mailing Address:

Date of Installation:  Permit Number:  Tag Number:

System Brand:  Size:  gpd

Aerator Model:  Aerator Serial #:

Sample Port Provided:  Control Box/Alarm in Place:  Access Ports at Ground Level:

System Maintained:  Date Serviced:  Date System Pumped Out:

Hauler Company Name:  Maintenance Contract Provider:

Discharge Condition:  Discharge Location:

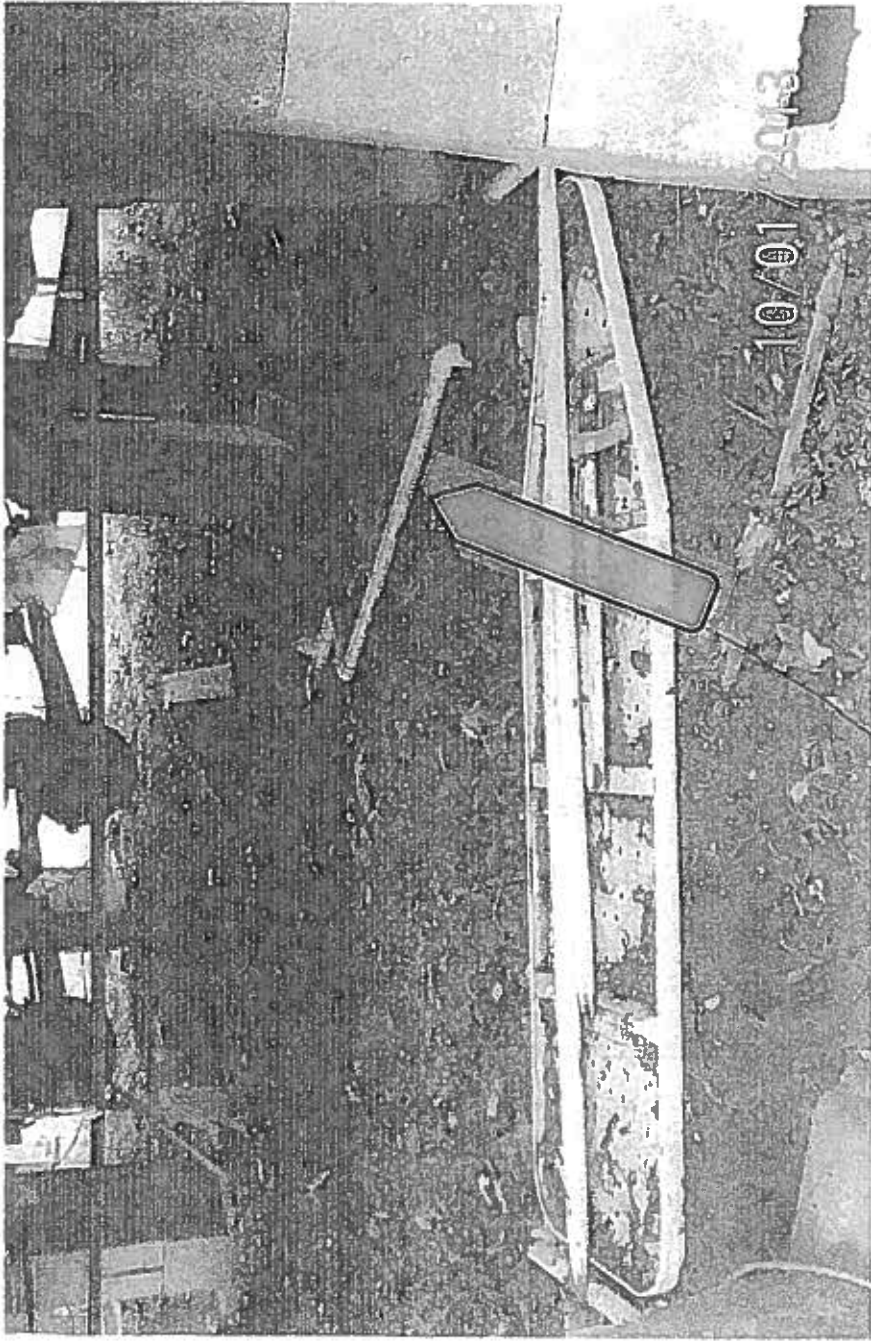
All Distance Requirements Met:

Additional comments:

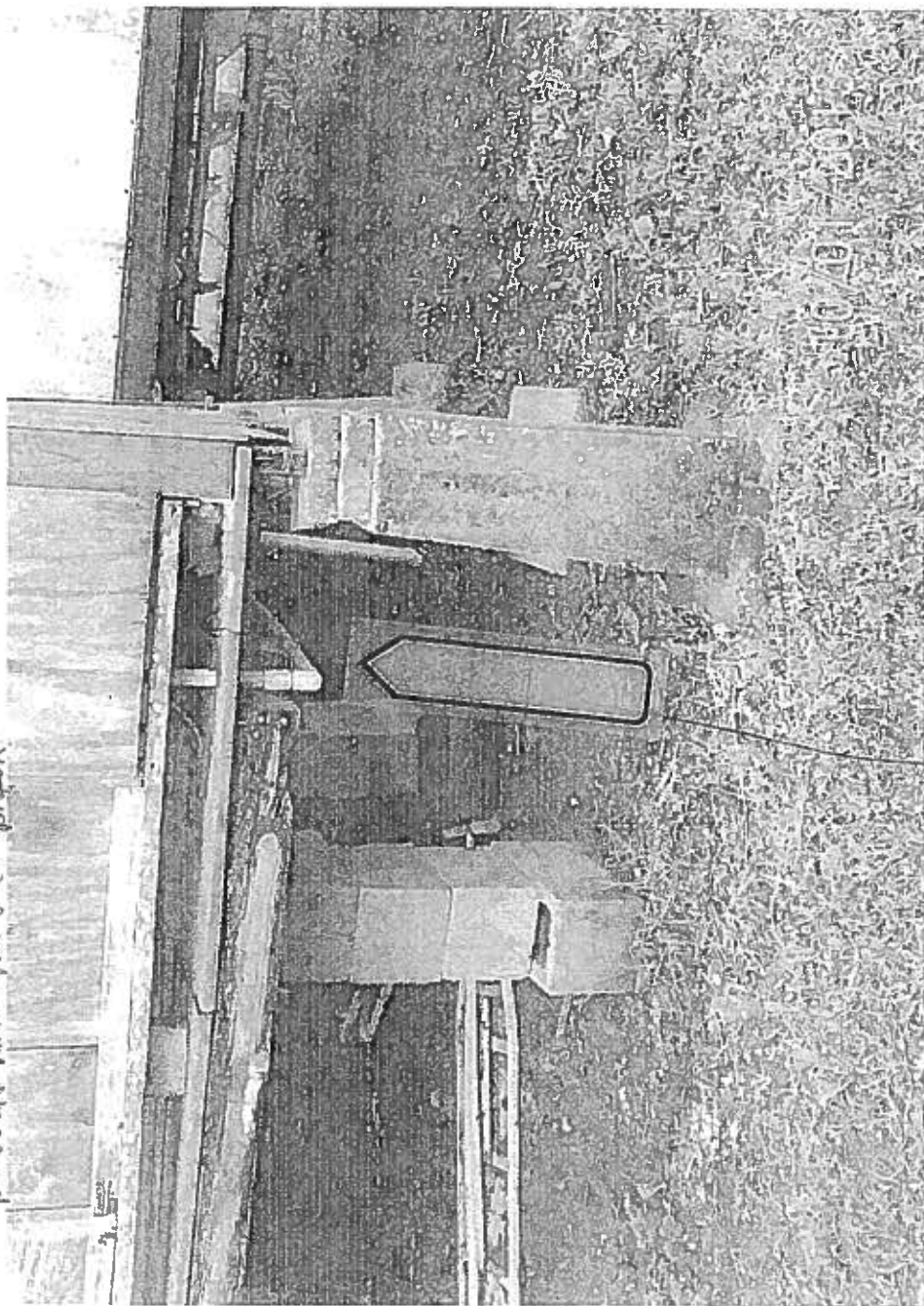
Sanitarian conducted survey:  R.S.#:

System Approved for Use:

GPS Coordinates:  Latitude  Longitude



The water valve has been broken



No water in place

Bobby Jindal  
GOVERNOR



Kathy H. Kliebert  
SECRETARY

EXHIBIT C

State of Louisiana  
Department of Health and Hospitals

SL-14A

October 02, 2013

SECRET

CERTIFICATE OF MAILING

John Delatte  
1102 South Bayou Drive  
Golden Meadow, LA 70357

PERMIT # 1085348

RE: NOTICE OF VIOLATION: MECHANICAL TREATMENT PLANT LOCATED AT  
116 & 118 WEST 72<sup>nd</sup> ST., CUT OFF, LA 70345

Dear Mr. Delatte:

Inspections of the above referenced mechanical treatment plant conducted by a representative of this Department on April 14, 2013, and October 01, 2013, revealed the following item(s) not in conformity with the Louisiana State Sanitary Code:

1. There is no aerator in place for the aerobic treatment unit.
2. The aerator airline is broken.

The above is in violation of the Louisiana Administrative Code, Title 51, State Sanitary Code, Part 13, Chapter 7, Paragraph 707.A. which states:

"Individual sewerage systems shall be kept in service and in a serviceable condition sufficient to insure compliance with this Code and in order to avoid creating or contributing to a nuisance or a public health hazard."

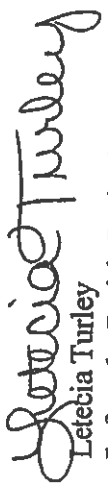
**You must contract a licensed installer/maintenance provider to make the necessary repairs to the mechanical treatment plant no later than November 03, 2013.**

OFFICE OF PUBLIC HEALTH • LAFOURCHE PARISH HEALTH UNIT  
2535 VETERANS BOULEVARD • THIBODAUX, LOUISIANA 70301  
PHONE # (985) 447-0954 • FAX # (985) 447-0812  
"AN EQUAL OPPORTUNITY EMPLOYER"

Page 2 of 2

Failure to comply could result in enforcement actions by this Agency not limited to fines, sanctions and other penalties as allowed by law.

Sincerely,

  
Leticia Turley  
Lafourche Parish Sanitarian Manager

cc: Chasity Cheramie, Region 3 Sanitarian Director

|                                                                                               |                                    |                        |  |
|-----------------------------------------------------------------------------------------------|------------------------------------|------------------------|--|
| U.S. POSTAL SERVICE                                                                           |                                    | CERTIFICATE OF MAILING |  |
| MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT<br>PROVIDE FOR INSURANCE—POSTMASTER |                                    |                        |  |
| Recd                                                                                          | STATE OF LOUISIANA                 |                        |  |
|                                                                                               | DEPARTMENT OF HEALTH AND HOSPITALS |                        |  |
|                                                                                               | OFFICE OF PUBLIC HEALTH            |                        |  |
|                                                                                               | LAFOURCHE PARISH HEALTH UNIT       |                        |  |
|                                                                                               | 2535 VETERANS BLVD.                |                        |  |
|                                                                                               | THIBODAUX, LA 70301                |                        |  |
| One piece of ordinary mail addressed to:                                                      |                                    |                        |  |
| John Delatte                                                                                  |                                    |                        |  |
| 1102 South Bayou Drive                                                                        |                                    |                        |  |
| Golden Meadow, LA 70357                                                                       |                                    |                        |  |

PS Form 3817, Mar. 1989



EXHIBIT D

EXISTING MECHANICAL TREATMENT SYSTEM  
INSPECTION FORM

Date of Request:

Date of Inspection: Nov 6, 2013

Owner's Name: John Delatte

Record Update:

Physical Address: 116 & 118 W. 72nd St, Cut Off, LA 70345

Mailing Address: 1102 S. Bayou Dr, Golden Meadow, LA 70357

Date of Installation: 4/15/05

Permit Number: 1085348

Tag Number:

System Brand: Delta

Size: 900

gpd

Aerator Model: None in place

Aerator Serial #:

Sample Port Provided: YES

Control Box/Alarm in Place:

Access Ports at Ground Level: YES

System Maintained: NO

Date Serviced:

Date System Pumped Out:

Hauler Company Name:

Maintenance Contract Provider:

Discharge Condition: Not Acceptable

Discharge Location: W. 72nd St ditch

All Distance Requirements Met:

Additional comments: There is no aerator in place for the aerobic treatment unit.  
The aerator airline is broken.

Sanitarian conducted survey: Jamesy Brinen

R.S.#: 1333

System Approved for Use:

GPS Coordinates: Latitude Longitude

EXHIBIT E



**State of Louisiana**  
Department of Health and Hospitals  
Office of Public Health

November 07, 2013

SL-12  
(05/2005)

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

John Delatte  
1102 S. Bayou Dr.  
Golden Meadow, LA 70357

RE: DELTA MECHANICAL TREATMENT PLANT LOCATED AT 116 & 118 WEST  
72<sup>ND</sup> STREET, CUT OFF, LA 70345  
PERMIT: #1085348

Dear Mr. Delatte:

A regulatory letter was mailed to you on **October 2, 2013** notifying you that you were in violation of Part 13, Chapter 7, Paragraph 707.A of the Louisiana State Sanitary Code which regulates the installation of approved individual sewage disposal systems.

In an effort to resolve this serious matter, we request that you attend a semi-formal conference on **December 10, 2013 at 10:00AM, at the Lafourche Parish Health Unit, 2535 Veterans Blvd., Thibodaux, La** in order to assess the severity of the situation and reach a compliance agreement.

Please contact us at the number listed below as to your ability to meet with us on the aforementioned date.

Sincerely,

  
Letecia Turley  
Sanitarian Parish Manager

cc: Chasity Cheramie, Sanitarian Regional Director

LT/jmn

OFFICE OF PUBLIC HEALTH • Lafourche Parish Health Unit • REGION III  
2535 Veterans Boulevard, Thibodaux, La 70301  
Phone #: 985-447-0954 • Fax #: 985-447-0812  
"AN EQUAL OPPORTUNITY EMPLOYER"



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

|                                                                                                                                                                                                                                                                                                                                         |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>SENDER: COMPLETE THIS SECTION</b>                                                                                                                                                                                                                                                                                                    |  |
| <input type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.<br><input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.<br><input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. |  |
| <b>1. Article Addressed to:</b><br>John Delatte<br>1102 S. Bayou Dr.<br>Golden Meadow, LA 70357                                                                                                                                                                                                                                         |  |
| <b>3. Service Type</b><br><input checked="" type="checkbox"/> Certified Mail<br><input type="checkbox"/> Express Mail<br><input type="checkbox"/> Registered<br><input type="checkbox"/> Insured Mail<br><input type="checkbox"/> Restricted Delivery (Extra Fee)<br><input type="checkbox"/> Yes<br><input type="checkbox"/> No        |  |
| <b>4. Restricted Delivery? (Extra Fee)</b><br><input type="checkbox"/> Yes<br><input type="checkbox"/> No                                                                                                                                                                                                                               |  |
| <b>2. Article</b><br>7013 1710 0001 2607 9201                                                                                                                                                                                                                                                                                           |  |
| <b>PS Form 3811, February 2004</b><br>Domestic Return Receipt<br>102595-02-M-1840                                                                                                                                                                                                                                                       |  |

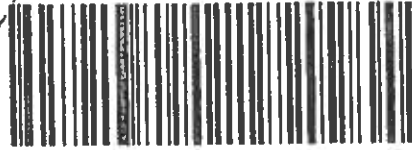
|                                                                                                                                                                                                                                               |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>U.S. Postal Service<sup>TM</sup> RECEIPT</b><br><b>CERTIFIED MAIL<sup>TM</sup></b><br>(Domestic Mail only; No insurance coverage provided)<br>For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a> |  |
| <b>OFFICIAL MAIL</b>                                                                                                                                                                                                                          |  |
| Postage \$ 3.10                                                                                                                                                                                                                               |  |
| Postmark Date 2.15.07                                                                                                                                                                                                                         |  |
| Postmark Hour 11:00                                                                                                                                                                                                                           |  |
| Postmark City, State, ZIP+4 <sup>®</sup> 70357                                                                                                                                                                                                |  |
| Return Receipt Fee (Endorsement Required) \$ 0.00                                                                                                                                                                                             |  |
| Restricted Delivery Fee (Endorsement Required) \$ 0.00                                                                                                                                                                                        |  |
| Total Postage & Fees \$ 3.10                                                                                                                                                                                                                  |  |
| Sent to John Delatte                                                                                                                                                                                                                          |  |
| Street, City, State, ZIP+4 <sup>®</sup> 1102 S. Bayou Dr. Golden Meadow, LA 70357                                                                                                                                                             |  |
| PS Form 3800, August 1995                                                                                                                                                                                                                     |  |

Do another  
letter

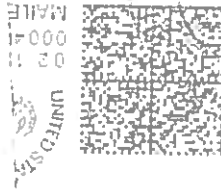
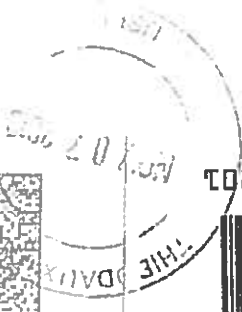
EXHIBIT F

STATE OF LOUISIANA  
DEPARTMENT OF HEALTH AND HOSPITALS  
OFFICE OF PUBLIC HEALTH  
LAFOURCHE PARISH HEALTH UNIT  
2535 VETERANS BLVD.  
THIBODAUX, LA 70301

CERTIFIED MAIL



7013 1710 0001 2607 9201



John Delatte

1102 S. Bayou Dr.

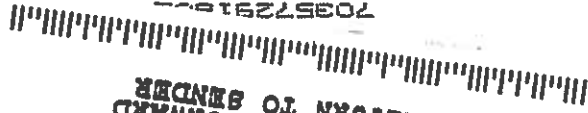
Caldan Meadow, LA 70357

NIXIE

000004035-1N

12/04/13

RETURN TO SENDER  
UNABLE TO FORWARD  
RETURN TO SENDER  
UNABLE TO FORWARD  
RETURN TO SENDER



70357291877

1st CLASS 11/8/13  
2nd CLASS 11/10/13  
RETURNED 11/23/13





## EXHIBIT G

### State of Louisiana Department of Health and Hospitals Office of Public Health

January 15, 2014

SL-12  
(05/2005)

HAND DELIVERED

John Delatte  
1102 South Bayou Drive  
Golden Meadow, LA 70357

RE: DELTA MECHANICAL TREATMENT PLANT LOCATED AT 116 & 118 WEST  
72<sup>ND</sup> STREET, CUT OFF, LA 70345  
PERMIT: #1085348

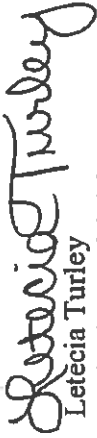
Dear Mr. Delatte:

A regulatory letter was mailed to you on October 2, 2013, notifying you that you were in violation of Part 13, Chapter 7, Paragraph 707.A of the Louisiana State Sanitary Code which regulates the installation of approved individual sewage disposal systems.

In an effort to resolve this serious matter, we request that you attend a semi-formal conference on January 22, 2014 at 11:00 AM, at the Lafourche Parish Health Unit, located at 2535 Veterans Blvd., Thibodaux, LA in order to assess the severity of the situation and reach a compliance agreement.

Please contact us at the number listed below as to your ability to meet with us on the aforementioned date.

Sincerely,

  
Letecia Turley  
Sanitarian Parish Manager

cc: Chasity Cheramie, Sanitarian Regional Director

LT/jmn

OFFICE OF PUBLIC HEALTH • Lafourche Parish Health Unit • REGION III  
2535 Veterans Boulevard, Thibodaux, La 70301  
Phone #: 985-447-0954 • Fax #: 985-447-0812  
"AN EQUAL OPPORTUNITY EMPLOYER"

DEPARTMENT OF HEALTH & HOSPITALS

OFFICE OF PUBLIC HEALTH

Department of Health & Hospitals  
Vs. John Delatte

PROCESS SERVER'S RETURN

RETURN FOR PERSONAL SERVICE

DOMICILIARY SERVICE

On the 17 day of January, 2014 I served a  
Conference Notice on  
John Delatte.

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
I served a Notice of Violation on \_\_\_\_ at  
\_\_\_\_\_ by leaving same at  
the dwelling-house or usual place of abode of  
\_\_\_\_\_ in the hands of  
\_\_\_\_\_, a person of suitable age and discretion,  
residing therein as a member of within named  
person's domiciliary establishment.

Date of Return: 1/17/14

Process Server January Amiri

Date of Return:

Process Server

## 1

\_\_\_\_\_

\_\_\_\_\_

[illegible]

Bobby Jindal  
GOVERNOR



Kathy H. Kliebert  
SECRETARY

## EXHIBIT I

# State of Louisiana

Department of Health and Hospitals  
Office of Public Health

January 27, 2014

SL-13  
(05/2005)

### HAND DELIVER

John Delatte  
1102 South Bayou Drive  
Golden Meadow, LA 70357

RE: ENFORCEMENT OF THE STATE SANITARY CODE PURSUANT TO LSA-R.S. 36:258 (B), LSA-R.S. 40:4, AND LSA-R.S. 40:5.

Dear Mr. Delatte:

A letter was hand delivered to you, January 17, 2014, requesting that you attend a conference on January 22, 2014, at the Lafourche Parish Health Unit, in order to review the inspection reports and assess the severity of the situation. A compliance agreement could not be reached since you failed to attend nor did legal counsel represent you.

Your records were reviewed in your absence. Please be advised that this office has no alternative than to request the State Health Officer to issue a Compliance Order to have you correct the violations of the Louisiana Administrative Code, Title 51, State Sanitary Code, Part XIII as follows:

Chapter 7, Paragraph 707.A: There is no aerator in place for the aerobic treatment unit. The airline for the aerator is broken..

Failure to correct the violations can result in civil fines up to \$100 day per violation up to a maximum of \$10,000 per calendar year and all other remedies allowed by law.

Please be advised that the issuance of the Compliance Order can only be prevented if compliance is verified by this office by March 6, 2014.

OFFICE OF PUBLIC HEALTH • Lafourche Parish Health Unit • REGION III  
2535 Veterans Boulevard, Thibodaux, La 70301  
Phone #: 985-447-0954 • Fax #: 985-447-0812  
"AN EQUAL OPPORTUNITY EMPLOYER"

Sincerely,

  
Letecia Turley  
Sanitarian Parish Manager

cc: Chasity Cheramie, Sanitarian Regional Director

LT/jmn



**State of Louisiana**  
Department of Health and Hospitals  
Office of Public Health

February 27, 2014

SL-13  
(05/2005)

**HAND DELIVER**

John Delatte  
1102 South Bayou Drive  
Golden Meadow, LA 70357

RE: ENFORCEMENT OF THE STATE SANITARY CODE PURSUANT TO LSA-  
R.S. 36:258 (B), LSA-R.S. 40:4, AND LSA-R.S. 40:5.

Dear Mr. Delatte:

A letter was hand delivered to you, January 17, 2014, requesting that you attend a conference on January 22, 2014, at the Lafourche Parish Health Unit, in order to review the inspection reports and assess the severity of the situation. A compliance agreement could not be reached since you failed to attend nor did legal counsel represent you.

Your records were reviewed in your absence. Please be advised that this office has no alternative than to request the State Health Officer to issue a Compliance Order to have you correct the violations of the Louisiana Administrative Code, Title 51, State Sanitary Code, Part XIII as follows:

Chapter 7, Paragraph 707.A: There is no aerator in place  
for the aerobic treatment unit. The airline for the aerator  
is broken..

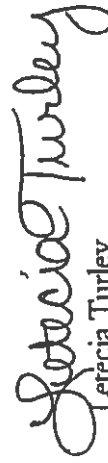
Failure to correct the violations can result in civil fines up to \$100 day per violation up to a maximum of \$10,000 per calendar year and all other remedies allowed by law.

Please be advised that the issuance of the Compliance Order can only be prevented if compliance is verified by this office by April 1, 2014.

OFFICE OF PUBLIC HEALTH • Lafourche Parish Health Unit • REGION III  
2535 Veterans Boulevard, Thibodaux, La 70301  
Phone #: 985-447-0954 • Fax #: 985-447-0812  
\*AN EQUAL OPPORTUNITY EMPLOYER\*



Sincerely,

  
Letecia Turley  
Sanitarian Parish Manager

cc: Chasity Cheramie, Sanitarian Regional Director

LT/jmn

Bobby Jindal  
GOVERNOR



Kathy H. Kliebert  
SECRETARY

EXHIBIT J

**State of Louisiana**  
Department of Health and Hospitals  
Office of Public Health

April 1, 2014

SL-13  
(05/2005)

**HAND DELIVER**

John Delatte  
1102 South Bayou Drive  
Golden Meadow, LA 70357

RE: ENFORCEMENT OF THE STATE SANITARY CODE PURSUANT TO LSA-R.S.  
36:258 (B), LSA-R.S. 40:4, AND LSA-R.S. 40:5.

Dear Mr. Delatte:

A letter was hand delivered to you, January 17, 2014, requesting that you attend a conference on January 22, 2014, at the Lafourche Parish Health Unit, in order to review the inspection reports and assess the severity of the situation. A compliance agreement could not be reached since you failed to attend nor did legal counsel represent you.

Your records were reviewed in your absence. Please be advised that this office has no alternative than to request the State Health Officer to issue a Compliance Order to have you correct the violations of the Louisiana Administrative Code, Title 51, State Sanitary Code, Part XIII as follows:

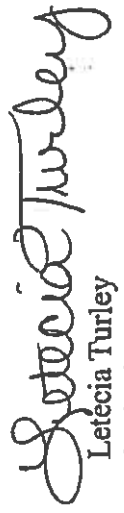
Chapter 7, Paragraph 707.A: There is no aerator in place for the aerobic treatment unit. The airline for the aerator is broken.

Failure to correct the violations can result in civil fines up to \$100 day per violation up to a maximum of \$10,000 per calendar year and all other remedies allowed by law.

Please be advised that the issuance of the Compliance Order can only be prevented if compliance is verified by this office by April 29, 2014.

OFFICE OF PUBLIC HEALTH • Lafourche Parish Health Unit • REGION III  
2535 Veterans Boulevard, Thibodaux, La 70301  
Phone #: 985-447-0954 • Fax #: 985-447-0812  
"AN EQUAL OPPORTUNITY EMPLOYER"

Sincerely,

A handwritten signature in black ink, reading "Letecia Turley". The signature is written in a cursive style with a large, stylized "L" and a long, sweeping underline.

Letecia Turley  
Sanitarian Parish Manager

cc: Chasity Cheramie, Sanitarian Regional Director

DEPARTMENT OF HEALTH & HOSPITALS

OFFICE OF PUBLIC HEALTH

Department of Health & Hospitals

Vs. John Delatte

PROCESS SERVER'S RETURN

RETURN FOR PERSONAL SERVICE

DOMICILIARY SERVICE

On the \_\_\_ day of \_\_\_, 20\_\_ I served a Notice of Violation on \_\_\_\_\_.

On the 24 day of April, 2014  
I served a Notice of Violation on John Delatte the  
dwelling-house or usual place of abode of John Delatte by leaving same at John Delatte the  
John Delatte in the hands of Sarah Kessler, a  
person of suitable age and discretion, residing  
therein as a member of within named person's  
domiciliary establishment.

Date of Return:

Date of Return: 4/24/14

Process Server

Process Server Jimmy Armer

EXHIBIT K

EXISTING MECHANICAL TREATMENT SYSTEM  
INSPECTION FORM

Date of Request:

Date of Inspection: Apr 29, 2014

Owner's Name: John Delatte

Record Update:

Physical Address: 116 & 118 W. 72nd St, Cut Off, LA 70345

Mailing Address: 1102 S. Bayou Dr, Golden Meadow, LA 70357

Date of Installation: 4/15/05

Permit Number: 1085348

Tag Number:

System Brand: Delta

Size: 900

gpd

Aerator Model: None in place

Aerator Serial #:

Sample Port Provided: YES

Control Box/Alarm in Place:

Access Ports at Ground Level: YES

System Maintained: NO

Date Serviced:

Date System Pumped Out:

Hauler Company Name:

Maintenance Contract Provider:

Discharge Condition: Not Acceptable

Discharge Location: W. 72nd St ditch

All Distance Requirements Met:

Additional comments: There is no aerator in place for the aerobic treatment unit.  
The aerator airline is broken.

Sanitarian conducted survey: Janey Green

R.S.#: 1333

System Approved for Use:

GPS Coordinates: Latitude Longitude



The receiver airline is broken.

STATE OF LOUISIANA  
PARISH OF EAST BATON ROUGE

**CERTIFICATION OF**  
**COMPLIANCE ORDER**

BE IT KNOWN THAT on the date hereinafter noted, before me, the undersigned Notary Public, did personally appear:

**Jimmy Guidry, M.D., State Health Officer**

Who did declare that, pursuant to the requirements of La. R.S. 40:6(G)(1), he does hereby certify that the attached records of the Louisiana Department of Health and Hospitals, consisting of 26 sheets of paper, constitute a true, correct, and complete copy of the *Compliance Order* number **OPH-2014-OW-010** issued by said department, including any and all addenda, exhibits, and attachments made a part thereof. Who did further declare that, in his capacity as State Health Officer, he is authorized to act as custodian of all such compliance orders, and is further authorized to make any necessary certifications with respect thereto.

  
\_\_\_\_\_  
Jimmy Guidry, M.D.  
State Health Officer

THUS DONE AND SIGNED before me, the undersigned Notary Public, this 26<sup>th</sup> day  
of August, 2016.

  
\_\_\_\_\_  
NOTARY PUBLIC

DAVID L. MCCAY  
LA BAR ROLL #23527  
NOTARY PUBLIC, STATE OF LOUISIANA  
MY COMMISSION IS FOR LIFE

## DEPARTMENT OF HEALTH &amp; HOSPITALS

## OFFICE OF PUBLIC HEALTH

Department of Health &amp; Hospitals

Vs.

John Delatte

## PROCESS SERVER'S RETURN

RETURN FOR PERSONAL SERVICE

## DOMICILIARY SERVICE

On the 29 day of August, 2014 I served a  
Compliance Order on  
John Delatte.

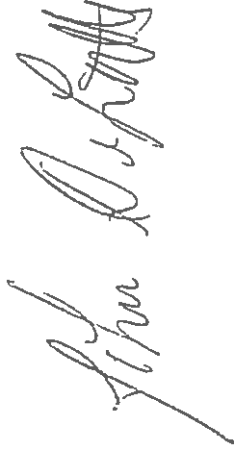
On the \_\_\_\_ day of \_\_\_\_, 20\_\_\_\_  
I served a Compliance Order on \_\_\_\_ the  
\_\_\_\_ by leaving same at \_\_\_\_ the  
dwelling-house or usual place of abode of  
\_\_\_\_ in the hands of \_\_\_\_, a  
person of suitable age and discretion, residing  
therein as a member of within named person's  
domiciliary establishment.

Date of Return: 8/29/14

Process Server James Amie

Date of Return:

Process Server





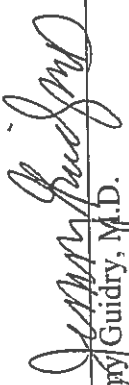
STATE OF LOUISIANA  
PARISH OF EAST BATON ROUGE

**CERTIFICATION OF**  
**NOTICE AND ORDER OF IMPOSITION OF PENALTIES**

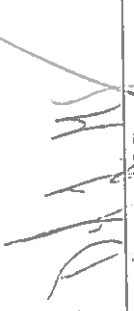
BE IT KNOWN THAT on the date hereinafter noted, before me, the undersigned Notary Public did personally appear:

**Jimmy Guidry, M.D., State Health Officer**

Who did declare that, pursuant to the requirements of La. R.S. 40:6(G)(1), he does hereby certify that the attached records of the Louisiana Department of Health and Hospitals, consisting of 2 sheets of paper, constitute a true, correct, and complete copy of the *Notice and Order of Imposition of Penalties* issued by said department and hand delivered, by a representative of the Office of Public Health, to John Delatte, Jr. on November 9, 2015, including any and all addenda, exhibits, and attachments made a part thereof. Who did further declare that, in his capacity as State Health Officer, he is authorized to act as custodian of all such compliance orders, and is further authorized to make any necessary certifications with respect thereto.

  
Jimmy Guidry, M.D.  
State Health Officer

THUS DONE AND SIGNED before me, the undersigned Notary Public, this 26<sup>th</sup> day  
of August, 2016.

  
NOTARY PUBLIC

DAVID L. MCCAY  
LA BAR ROLL #23527  
NOTARY PUBLIC, STATE OF LOUISIANA  
MY COMMISSION IS FOR LIFE

**NOTICE AND ORDER OF IMPOSITION OF PENALTIES**  
**(RE: Compliance Order No. OPH-2014-QW-010)**

**Hand Delivery**

**DHH-C**

Date: May 20, 2015

Notice Issued to: John Delatte (hereinafter "Respondent")

Notice Mailed to: 1102 South Bayou Drive  
Golden Meadow, LA 30357

Our records indicate that some or all of the violations cited in the above referenced Compliance Order you received on or about August 29, 2014, were not corrected by the deadline(s) set forth therein. Notice of such noncompliance was set forth in the Post Order Inspection Report that this office issued on or about January 05, 2015, noting therein that penalties would begin to immediately accrue on a daily basis until this office received written notice (and thereafter verified) that the violations had been corrected. Several attempts to notify you of the Post Order Inspection Report have, also, been attempted by this office. Now that you have received both the Compliance Order and Post Order Inspection Report:

Notice is hereby given that pursuant to Louisiana Administrative Code Title 51, Part 1, §113, a penalty in the amount set forth below is ordered and imposed against the above named Respondent(s). Unless an appeal is requested or application for mitigation is submitted as set forth herein, said penalty shall be due and payable 20 calendar days after your receipt of this notice.

You have the right to request a reduction/mitigation of the penalty by sending a written request to the State Health Officer within 20 calendar days of your receipt of this notice. Your written request for a reduction/mitigation should be addressed to the State Health Officer, Retail Food Program, P.O. Box 4489, Baton Rouge, LA 70821-4489, and may describe any amounts spent on obtaining compliance, and any other factors which may have affected your ability to address the violations.

You also have the right to appeal this penalty imposition by filing a written request for an administrative appeal with the Division of Administrative Law, within 20 calendar days of your receipt of this notice. This appeal should be mailed to: Retail Food Program, P.O. Box 4489, Baton Rouge, LA 70821-4489.

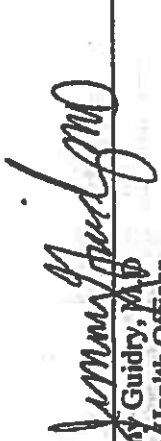
If you do not request mitigation or seek an appeal within the time delays noted herein, this office may thereafter institute all necessary civil action to collect the penalty imposed herein.

**Calculation of Penalty:**  
**January 5, 2015 through May 20, 2015 = 136 days**

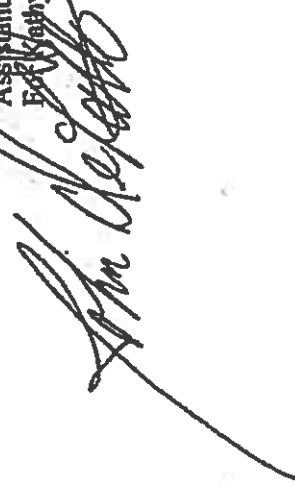
**136 days @ \$100.00 per 2 Class A violations (Class A Violation-see Louisiana Administrative Code-Title 51-Part I, §113.A.3.1.) = \$27,200.00**

**Total Penalty: \$10,000.00 currently owed (Maximum penalty amount per year).**

**SO ORDERED at Baton Rouge, Louisiana:**

  
Jimmy Guidry, M.D.  
State Health Officer

  
J. T. Jane  
Assistant Secretary, DHH/OPH  
For Kathy H. Kliebert, DHH Secretary



DEPARTMENT OF HEALTH & HOSPITALS

OFFICE OF PUBLIC HEALTH

Department of Health & Hospitals  
vs. John Delatte

PROCESS SERVER'S RETURN

RETURN FOR PERSONAL SERVICE

DOMICILIARY SERVICE

On the 9<sup>th</sup> day of November, 2015 I served a Notice  
and Order of Imposition of Penalties on  
John Delatte.

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
I served a Notice and Order of Imposition of  
Penalties on \_\_\_\_\_ by  
leaving \_\_\_\_\_ same \_\_\_\_\_ at  
\_\_\_\_\_ the dwelling-house or usual  
place of abode of \_\_\_\_\_ in the  
hands of \_\_\_\_\_, a person of  
suitable age and discretion, residing therein as a  
member of within named person's domiciliary  
establishment.

Date of Return:

11-9-15

Process Server

Lindsey Woodward

Date of Return:

Process Server

CERTIFIED MAIL

7005 2570 0001 6174 9680

DHH-E

Post Order Inspection Report  
NOTICE OF VIOLATIONS  
Department of Health and Hospitals/Office of Public Health  
Sanitarian Services

Permit Number: 1085348    Type: Sewage    Date: 09/18/14    Time In: 4:20

Name of Facility:    Owner: John Delatte

Location/Address: 116 & 118 West 72nd Street    City/State/Zip: Cut Off, LA 70345

Critical Items: These items relate directly to the protection of the public from illness.

Louisiana Administrative Code, Title 51, Part: 13

Code Reference(s): Description of Violation(s):

Chapter 7, Paragraph 707-A

1. There is no aerator in place for the aerobic treatment unit.
2. The airline for the aerator is broken.



Non-Critical Items: These items relate to design, sanitation, and maintenance of operations.

Louisiana Administrative Code, Title 51, Part: 13

Code Reference(s): Description of Violation(s):



Sanitarian Name/Print: Tamerage Granier    Phone: (985) 447-0954    Sanitarian Signature: *Tamerage Granier*    R.S. #: 1333

The above cited violations remain in non-compliance with Compliance Order # OPH-2014-OW-010 and daily penalty assessments shall begin to accrue immediately. Penalties from \$25 to \$100 per violation per day up to a maximum of \$10,000 per violator per year may be assessed. The daily penalties shall accrue until such time as the agency has been notified in writing by the person in charge that compliance has been achieved and such compliance verified by agency staff. Send your written notification of compliance to the state health officer at: LDH/H/OPH/Sanitarian Services, PO BOX 4489, Baton Rouge, LA 70821-4489.

Name of Recipient/Print: No one home    Title:    Signature of Recipient:

| SENDER COMPLETE THIS SECTION                                                                                                                  |  | COMPLETE THIS SECTION ON DELIVERY                                                                                                                                                                                                                                                                                                                                                                                                    |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <p>1. Article Addressed to:</p> <p><i>John DeLatta</i><br/> <i>1102 South Bayou Drive</i><br/> <i>Golden Meadow, LA</i><br/> <i>70359</i></p> |  | <p>A. Signature<br/> <i>X John DeLatta</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)<br/> <i>John DeLatta</i></p> <p>C. Date of Delivery<br/> <i>1/5/15</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes<br/>         If YES, enter delivery address below: <input type="checkbox"/> No</p>                                        |  |
| <p>2. Article Number<br/>         (Transfer from service label)</p>                                                                           |  | <p>3. Service Type<br/> <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Priority Mail Express™<br/> <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise<br/> <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p> <p>4. Restricted Delivery <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> |  |
| <p>7005 2570 0001 6174 9680</p>                                                                                                               |  | <p><b>RECEIVED</b></p> <p><b>JAN 07 2015</b></p> <p><b>CH-OP</b></p> <p><b>Onsite Wastewater</b></p>                                                                                                                                                                                                                                                                                                                                 |  |
| <p>PS Form 3811, July 2013</p>                                                                                                                |  | <p>Domestic Return Receipt</p>                                                                                                                                                                                                                                                                                                                                                                                                       |  |

| U.S. Postal Service™                                                                                                                                                                        |         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| <p><b>CERTIFIED MAIL™ RECEIPT</b><br/>         (Domestic Mail Only; No Insurance Coverage Provided)</p>                                                                                     |         |
| <p>For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a></p>                                                                                         |         |
| <p><b>OFFICIAL USE</b></p>                                                                                                                                                                  |         |
| Postage                                                                                                                                                                                     | \$5.32  |
| Certified Fee                                                                                                                                                                               | 3.30    |
| Return Receipt Fee<br>(Endorsement Required)                                                                                                                                                | 2.70    |
| Restricted Delivery Fee<br>(Endorsement Required)                                                                                                                                           |         |
| Total Postage & Fees                                                                                                                                                                        | \$11.32 |
| <p><b>POSTED</b><br/> <i>12/31/14</i></p>                                                                                                                                                   |         |
| <p>Sent To<br/> <i>John DeLatta</i><br/>         Street, Apt. No.,<br/>         or PO Box No. <i>1102 S. Bayou Drive</i><br/>         City, State, ZIP+4 <i>Golden Meadow, LA 70359</i></p> |         |
| <p>PS Form 3800, June 2002 See Reverse for Instructions</p>                                                                                                                                 |         |

LOUISIANA DEPARTMENT OF  
HEALTH  
VERSUS  
JOHN DELATTE, JR.  
\*\*\*\*\*  
\* SUIT NO. \_\_\_\_\_  
\*  
\* 17<sup>th</sup> JUDICIAL DISTRICT COURT  
\*  
\* PARISH OF LAFOURCHE  
\*  
\* STATE OF LOUISIANA  
\*\*\*\*\*

AFFIDAVIT

STATE OF LOUISIANA  
PARISH OF EAST BATON ROUGE

BEFORE ME, the undersigned Notary Public, personally came and appeared:

**Dr. Jimmy Guidry, State Health Officer**

who, after being duly sworn, did depose and state:

That he is the petitioner in the above and foregoing petition, that he has read the above-captioned petition, and that all of the allegations of fact contained therein are true and correct to the best of his information, knowledge, and belief.

Jimmy Guidry, MD  
**Dr. Jimmy Guidry, State Health Officer**

SWORN TO AND SUBSCRIBED before me, Notary Public, on this 22<sup>ND</sup> day of  
NOVEMBER, 2016.

Sandra A. Jelks  
NOTARY PUBLIC

**SANDRA A. JELKS**  
**NOTARY PUBLIC**  
State of Louisiana  
My Commission Is Issued For Life  
Louisiana Bar Roll No. 22088

LOUISIANA DEPARTMENT OF HEALTH  
VERSUS  
JOHN DELATTE, JR.

\* SUIT NO. \_\_\_\_\_  
\*  
\* 17<sup>th</sup> JUDICIAL DISTRICT COURT  
\*  
\* PARISH OF LAFOURCHE  
\*  
\* STATE OF LOUISIANA  
\*\*\*\*\*

**JUDGMENT**

The Court, having reviewed the above and foregoing petition, together with all exhibits and affidavits attached thereto, finds the law and evidence in favor of plaintiff, Louisiana Department of Health, and against the defendant, John Delatte, Jr. (whose date-of-birth and social security number are unknown to plaintiff). Accordingly:

**IT IS ORDERED, ADJUDGED, AND DECREED** that Compliance Order No. OPH-2014-OW-010, issued by the Louisiana Department of Health to John Delatte, Jr., a copy of which is attached hereto, is hereby made an executory judgment of this Court; and

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that the *Notice and Order of Imposition of Penalties* issued by the Louisiana Department of Health to John Delatte, Jr., a copy of which is attached hereto, is hereby made an executory judgment of this Court and, accordingly, judgment is hereby rendered in favor of the plaintiff, Louisiana Department of Health, and against the defendant, John Delatte, Jr., in the amount of **Ten Thousand Dollars (\$10,000.00)**, together with legal interest thereon from date of judicial demand until paid, and for all costs.

SIGNED in chambers this \_\_\_\_\_ day of \_\_\_\_\_, 2016, at \_\_\_\_\_, Louisiana.

\_\_\_\_\_  
JUDGE, 17<sup>th</sup> Judicial District Court

**PLEASE SERVE NOTICE, PETITION WITH ATTACHMENTS, AND JUDGMENT ON:**

**John Delatte, Jr.**  
1102 South Bayou Drive  
Golden Meadow, Louisiana, 70357