

STATE OF LOUISIANA * PARISH OF JACKSON * 2ND JUDICIAL DISTRICT COURT

DONALD L. ESSMEIER, DALTON
E. CRUSE AND JAMES SCHMIDT

FILED: March 26, 2012

VERSUS NO. 32,584

TOWN OF JONESBORO,
HONORABLE LESLIE THOMPSON,
AS MAYOR AND INDIVIDUALLY,
HONORABLE LASTEVIC COTTONHAM,
AS TOWN COUNCILMAN AND
INDIVIDUALLY, HONORABLE DEVIN
FLOWERS, AS TOWN COUNCILMAN
AND INDIVIDUALLY, HONORABLE
CHARLA THOMPSON, AS TOWN
COUNCILWOMAN AND INDIVIDUALLY

BY: Melody Gates
DEPUTY CLERK OF COURT

AMENDED AND SUPPLEMENTAL
ANSWER TO PARAGRAPH 4

NOW INTO COURT, through undersigned counsel, comes Defendants, TOWN OF JONESBORO, HONORABLE LESLIE THOMPSON, as Mayor and Individually, HONORABLE LASTEVIC COTTONHAM, as Councilman and Individually, HONORABLE DEVIN FLOWERS, as Councilman and Individually, and HONORABLE CHARLA THOMPSON, as Councilwoman and Individually, who amends their answer to Plaintiff's Petition respectfully:

I.

Defendants' reiterates their responses/answers to paragraphs 1, 2, 3, 5, 6, 7 and 8 in the original Answer.

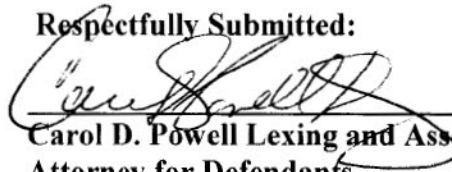
IV.

Defendants amends paragraph 4 as follows, Defendants denies all allegations in paragraph 4 in that the Court of Appeal did not rule that the Defendants' appeal was to continue as a "devolutive appeal" as the Appellate Court did not reach a determination of whether Defendants' appeal was a suspensive or devolutive only that if Defendants failed to perfect to a suspensive appeal that the remedy would be to convert the appeal to a devolutive appeal. Further Answering Defendants asserts that it was properly perfected to a suspensive appeal within the time delays allowed by law. Alternatively, Defendants assert the affirmative defense that this matter is currently stayed by the District Court.

Alternatively, a Motion to Stay is currently pending in the Appellate Court. Therefore, the Judgment is unenforceable until a ruling is rendered by the Appellate Court.

WHEREFORE, DEFENDANTS PRAY that their Amended Answer be deemed good and sufficient, and after due proceedings are had, for Judgment dismissing Plaintiffs demands with prejudice and Plaintiffs be cast for all cost including attorney fees.

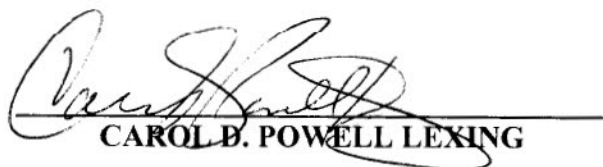
Respectfully Submitted:



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above foregoing Amended and Supplemental Answer to Paragraph 4 has been forwarded to Bobby Culpepper, 525 East Court Avenue, Jonesboro, Louisiana 71251 by facsimile at (318) 259-6278 and Louis G. Scott, 510 Pine Street, Monroe, Louisiana 71201 by facsimile at (318) 387-9576 and U.S. Mail, postage prepaid on this 27th day of March, 2012.



CAROL D. POWELL LEXING