

IN RE: COLBY LANGLINAIS, ET AL  
APPEAL FROM DECISION OF  
LAFAYETTE BOARD OF ZONING  
ADJUSTMENT - BOZ2021-0012

\* 15<sup>TH</sup> JUDICIAL DISTRICT COURT  
\*  
\* DOCKET NO. 2012-2524-C  
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\* PARISH OF LAFAYETTE  
\*  
\* STATE OF LOUISIANA  
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**ANSWER TO APPEAL**

NOW INTO COURT, through undersigned counsel, comes LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT (hereinafter sometimes referred to as “LCG” or “Appellee”), who responds to the Appeal from the Lafayette Office of Board of Zoning Adjustment (“BOZA”), Case Number BOZ2021-0012, filed herein by Appellants, COBLY LANGLINAIS, JEANNE LANGLINAIS, GREGORY DUGAN, STEPHANIE CORNAY, GORDON J. SCHOEFFLER, ALISON SCHOEFFLER, ANDREW HILL, JILL KREAMER and PHILLIP ORTEGO, as follows:

**PRELIMINARY OBJECTIONS TO APPELLANTS’  
ORIGINAL PETITION OF APPEAL**

At the outset, LCG objects to many of the allegations contained in Appellants’ one-hundred and sixty-three (163) paragraph Original Petition of Appeal on the grounds that many allegations are entirely irrelevant to the singular issue on appeal before this Court – whether BOZA acted arbitrarily and capriciously in upholding the decision of the Administrator declaring, pursuant to Unified Development Code (“UDC”) 89-21(c), that Short-Term Rentals (an undefined use) are a permitted use in RS-1 zoning districts.

Further, because this Court is sitting as an appellate court, the law does not entitle Appellants to offer evidence or assert facts outside of those contained in the “record” below to be established in this matter. To the extent Appellants’ Original Petition of Appeal references evidence or asserts facts not contained in the “record” considered by BOZA, LCG objects to the inclusion and consideration of said facts in this Appeal.

Nevertheless, LCG answers each paragraph of Appellants’ Original Petition of Appeal herein while reserving said objections.

**ANSWER**

1.

The allegations of Paragraph 1 of Appellants’ Appeal state legal conclusion(s), and as such require no response on behalf of the Appellee. To the extent that Paragraph 1 does require a

response, Appellee admits to and does not contend Appellants' rights to appeal pursuant to La. R.S. 33:4727(E) and Lafayette Development Code ("LDC") 89-68(g).

2.

The allegations of Paragraph 2 of Appellants' Appeal are admitted to the extent that a hearing was held by BOZA on April 8, 2021 involving an appeal of a decision by the Administrator, dated November 10, 2020, declaring, pursuant to UDC 89-21(c), that Short-Term Rentals (an undefined use) are a permitted use in RS-1 zoning districts. The remaining allegations of Paragraph 2 purport to cite to a dissertation of the record of the proceedings and deliberations of BOZA, which the record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

3.

The allegations of Paragraph 3 of Appellants' Appeal are admitted and Appellee does not contend the timeliness of Appellants' Appeal.

4.

The allegations of Paragraph 4 of Appellants' Appeal are denied.

5.

The allegations of Paragraph 5 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of the Appellee. To the extent that Paragraph 5 does require a response, Appellee avers that the allegations of Paragraph 5 are denied and/or denied for lack of sufficient information to justify a reasonable belief therein. Further, answering, to the extent "Appellants" consist of property owners who were not included in the class of Appellants before BOZA, LCG objects to the inclusion of these additional parties/Appellants.

6.

The allegations of Paragraph 6 of Appellants' Appeal as to the status and claims of appellants are denied for lack of sufficient information to justify a reasonable belief therein. The remainder of the allegations of Paragraph 6 of Appellants' Appeal are denied. Further, answering, to the extent "Appellants" consist of property owners who were not included in the class of Appellants before BOZA, LCG objects to the inclusion of these additional parties/Appellants.

7.

LCG objects to the allegations of Paragraph 7 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 7 of Appellants' Appeal require no response on behalf of the Appellee. To the extent that Paragraph 7 does require a response, Appellee avers that the allegations of Paragraph 7 are denied.

8.

LCG objects to the allegations of Paragraph 8 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 8 of Appellants' Appeal as to where the Appellants live and own property are denied for lack of sufficient information to justify a reasonable belief therein. The remainder of the allegations of Paragraph 8 of Appellants' Appeal are denied.

9.

The allegations of Paragraph 9 of Appellants' Appeal as to the Appellants status and where they live and own property are denied for lack of sufficient information to justify a reasonable belief therein. The remainder of the allegations of Paragraph 9 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of the Appellee. To the extent that Paragraph 9 does require a response, Appellee avers that the allegations of Paragraph 9 are denied. Further, answering, to the extent "Appellants" consist of "similarly situated citizens of Lafayette" who were not included in the class of Appellants before BOZA, LCG objects to the inclusion of these additional parties/Appellants.

10.

Assignments of Error 1-16 state legal conclusions, and as such require no response on behalf of the Appellee. To the extent that the Assignments of Error require a response, Appellee avers that the allegations of the Assignments of Error 1-16 are denied.

11.

LCG objects to the allegations of Paragraph 11 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are

irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 11 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.

12.

LCG objects to the allegations of Paragraph 12 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 12 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.

13.

The allegations of Paragraph 13 of Appellants' Appeal are admitted.

14.

LCG objects to the allegations of Paragraph 14 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 14 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.

15.

LCG objects to the allegations of Paragraph 15 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 15 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.

16.

LCG objects to the allegations of Paragraph 16 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal.

Further answering, the allegations of Paragraph 16 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.

17.

The allegations of Paragraph 17 of Appellants' Appeal as to first sentence are denied at this time for lack of sufficient information to justify a reasonable belief therein. The remainder of the allegations of Paragraph 17 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of the Appellee. To the extent that Paragraph 17 does require a response, Appellee avers that the allegations of Paragraph 17 are denied.

18.

The allegations of Paragraph 18 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.

19.

The allegations of Paragraph 19 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of the Appellee. To the extent that Paragraph 19 does require a response, Appellee avers that the allegations of Paragraph 19 are denied.

20.

The allegations of Paragraph 20 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of the Appellee. To the extent that Paragraph 20 does require a response, Appellee avers that the allegations of Paragraph 20 are denied

21.

The allegations of Paragraph 21 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of the Appellee. To the extent that Paragraph 21 does require a response, Appellee avers that the allegations of Paragraph 21 are denied.

22.

The allegations of Paragraph 22 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of the Appellee. To the extent that Paragraph 22 does require a response, Appellee avers that the allegations of Paragraph 22 are denied.

23.

LCG objects to the allegations of Paragraph 23 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the

allegations of Paragraph 23 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.

24.

LCG objects to the allegations of Paragraph 24 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 24 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.

25.

LCG objects to the allegations of Paragraph 25 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 25 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.

26.

LCG objects to the allegations of Paragraph 26 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 26 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.

27.

The allegations of Paragraph 27 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.

28.

The allegations of Paragraph 28 of Appellants' Appeal are denied.

29.

The allegations of Paragraph 29 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of Appellee. To the extent that Paragraph 29 does require a response, Appellee avers that the allegations of Paragraph 29 are denied.

30.

LCG objects to the allegations of Paragraph 30 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 30 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.

31.

LCG objects to the allegations of Paragraph 31 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 31 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.

32.

LCG objects to the allegations of Paragraph 32 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 32 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.

33.

LCG objects to the allegations of Paragraph 33 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 33 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.

34.

LCG objects to the allegations of Paragraph 34 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a

part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 34 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.

35.

LCG objects to the allegations of Paragraph 35 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 35 of Appellants' Appeal are denied.

36.

LCG objects to the allegations of Paragraph 36 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 36 of Appellants' Appeal do not require an answer on behalf of the Appellee. However, to the extent that Paragraph 36 does require a response, Appellee avers that the allegations of Paragraph 36 are denied.

37.

The allegations of the first sentence of Paragraph 37 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of Appellee. To the extent that the first sentence of Paragraph 37 does require a response, Appellee avers that the allegations in the first sentence of Paragraph 37 are denied. Further answering, the remaining allegations of Paragraph 37 of Appellants' Appeal are denied.

38.

LCG objects to the allegations of Paragraph 38 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 38 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.



39.

The allegations of Paragraph 39 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

40.

The allegations of Paragraph 40 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

41.

The allegations of Paragraph 41 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

42.

The allegations of Paragraph 42 of Appellants' Appeal as the Lafayette Mayor-President's appointment of Mary Sliman as Administrator of Development and Planning are admitted. The remaining allegations of Paragraph 42 of Appellants' Appeal as to the exact date of said appointment are denied for lack of sufficient information to justify a reasonable belief therein.

43.

The allegations of Paragraph 43 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

44.

LCG objects to the allegations of Paragraph 44 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are

irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 44 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

45.

LCG objects to the allegations of Paragraph 45 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 45 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

46.

LCG objects to the allegations of Paragraph 46 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 46 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

47.

LCG objects to the allegations of Paragraph 47 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the

allegations of Paragraph 47 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

48.

The allegations of Paragraph 48 of Appellants' Appeal, insofar as they allege that Administrator of Development and Planning and/or LCG had a legal obligation to notify Appellants of the referenced decision, are denied. Further answering, the allegations of Paragraph 48 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

49.

The allegations of Paragraph 49 of Appellants' Appeal that the Administrator/Administrator "summarily and unilaterally dismissed the operator's appeal to BOZA" are denied. Further answering, the allegations of Paragraph 49 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

50.

The allegations of Paragraph 50 of Appellants' Appeal, insofar as they allege that Administrator of Development and Planning and/or LCG had a legal obligation to notify Appellants of the Administrator's actions and the dismissal of the appeal, are denied. Further answering, the allegations of Paragraph 50 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

51.

The allegations of Paragraph 51 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

52.

The allegations of Paragraph 52 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of LCG. To the extent that Paragraph 52 does require a response, LCG avers that the allegations of Paragraph 52 are denied. Further answering, LCG specifically denies that the Administrator's decision, upheld by BOZA was "illegal, contrary to law, and clearly erroneous."

53.

The allegations of Paragraph 53 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of LCG. To the extent that Paragraph 53 does require a response, Appellee avers that the allegations of Paragraph 53 are denied. Further answering, LCG specifically denies that the Administrator/Administrator "summarily" dismissed the operator's appeal to BOZA.

54.

LCG objects to the allegations of Paragraph 54 of Appellants' Appeal for the reasons set forth in the Preliminary Objections stated above on the grounds that these allegations: (i) are irrelevant to the issue on appeal before this Court; and/or (ii) assert facts which may not form a part of the record below and, as such, go beyond the scope of this Appeal. Further answering, the allegations of Paragraph 54 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.

55.

The allegations of Paragraph 55 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

56.

The allegations of Paragraph 56 of Appellants' Appeal are admitted.

57.

The allegations of Paragraph 57 of Appellants' Appeal, insofar as they allege that the Administrator and/or LCG did not provide "documents or evidence to BOZA on which she based or in support of her decision" prior to the BOZA hearing, are denied. Further answering, the allegations of Paragraph 57 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

58.

The allegations of Paragraph 58 of Appellants' Appeal, insofar as they allege or imply that the Administrator and/or LCG did not provide "documents or evidence to BOZA on which she based or in support of her decision" prior to the BOZA hearing, are denied. Further answering, the allegations of Paragraph 58 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of the Appellee. To the extent that Paragraph 58 does require a response, Appellee avers that the allegations of Paragraph 58 are denied.

59.

The allegations of Paragraph 59 of Appellants' Appeal are denied. LCG specifically denies that: (i) it did not provide "documents or evidence to BOZA on which she based or in support of her decision" prior to the BOZA hearing; and (ii) "BOZA's decision on the appeal was procedurally defective, rendered without any evidence supporting the Administrator's decision, and was otherwise illegal, arbitrary and capricious, and rendered through gross negligence."

60.

The allegations of Paragraph 60 of Appellants' Appeal are denied. LCG specifically denies that: (i) it did not provide "documents or evidence to BOZA on which she based or in support of her decision" prior to the BOZA hearing; and (ii) "BOZA's decision made subject of this appeal was illegal, arbitrary and capricious, and rendered through gross negligence."

61.

The allegations of Paragraph 61 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of the Appellee. To the extent that Paragraph 61 does require a response, Appellee avers that the allegations of Paragraph 61 are denied.

62.

The allegations of Paragraph 62 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

63.

The allegations of Paragraph 63 of Appellants' Appeal states a legal conclusion, and as such require no response on behalf of the Appellee. To the extent that Paragraph 63 does require a response, Appellee avers that the allegations of Paragraph 63 are denied.

64.

The allegations of Paragraph 64 of Appellants' Appeal are denied. Further answering, LCG specifically denies that BOZA's decision was "clearly erroneous and illegal."

65.

The allegations of Paragraph 65 of Appellants' Appeal are admitted as to the decision of BOZA being a 3-2 vote amongst its five-member board. The remaining allegations of Paragraph 65 are denied. Further answering, LCG specifically denies that the Administrator's decision was "unlawful."

66.

The allegations of Paragraph 66 of Appellants' Appeal are denied as to the first sentence. The remaining allegations of Paragraph 66 of Appellants' Appeal are denied and/or are merely conclusory or do not apply to LCG requiring neither an admission nor a denial, and LCG is not required to answer same. However, in the event an answer is required, same are denied. Further, the record of the proceeding and deliberations of LCG are the best evidence of the proceedings, deliberations, history of this matter, and the dealings of the parties. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

67.

The allegations of Paragraph 67 of Appellants' Appeal are denied and/or are merely conclusory or do not apply to LCG requiring neither an admission nor a denial, and LCG is not required to answer same. However, in the event an answer is required, same are denied. Further, the record of the proceeding and deliberations of LCG are the best evidence of the proceedings, deliberations, history of this matter, and the dealings of the parties. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

68.

The allegations of Paragraph 68 of Appellants' Appeal are denied. Further answering, LCG specifically denies that BOZA's decision was "not supported by the facts, law, or evidence and was thus rendered with gross negligence and contrary to law."

69.

The allegations of Paragraph 69 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of the Appellee. To the extent that Paragraph 69 does require a response, Appellee avers that the allegations of Paragraph 69 are denied.

70.

The allegations of Paragraph 70 of Appellants' Appeal are denied.

71.

The allegations of Paragraph 71 of Appellants' Appeal are denied.

72.

The allegations of Paragraph 72 of Appellants' Appeal are denied. Further answering, the record of the proceeding and deliberations of LCG are the best evidence of the proceedings, deliberations, history of this matter, and the dealings of the parties. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

73.

The allegations of Paragraph 73 of Appellants' Appeal as to which zoning districts the Appellants live are denied for lack of sufficient information to justify a reasonable belief therein.

The remaining allegations of Paragraph 73 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of the LCG. To the extent that the remainder of Paragraph 73 does require a response, LCG avers that the remainder of the allegations of Paragraph 73 are denied.

74.

The allegations of Paragraph 74 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of the LCG. To the extent that Paragraph 74 does require a response, LCG avers that the allegations of Paragraph 74 are denied.

75.

The allegations of Paragraph 75 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of the LCG. To the extent that Paragraph 75 does require a response, LCG avers that the allegations of Paragraph 75 are denied.

76.

The allegations of Paragraph 76 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of the LCG. To the extent that Paragraph 76 does require a response, LCG avers that the allegations of Paragraph 76 are denied.

77.

The allegations of Paragraph 77 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of the LCG. To the extent that Paragraph 77 does require a response, LCG avers that the allegations of Paragraph 77 are denied. Further answering, LCG specifically denies that "the Administrator's determination was clearly erroneous."

78.

The allegations of Paragraph 78 of Appellants' Appeal are denied. Further answering, LCG specifically denies that BOZA's decision was "illegal, contrary to law and otherwise clearly erroneous."

79.

The allegations of Paragraph 79 of Appellants' Appeal are merely conclusory and/or state a legal conclusion, requiring neither an admission nor a denial, and LCG is not required to answer same. However, in the event an answer is required, same are denied.



80.

The allegations of Paragraph 80 of Appellants' Appeal are merely conclusory and/or state a legal conclusion, requiring neither an admission nor a denial, and LCG is not required to answer same. However, in the event an answer is required, same are denied.

81.

The allegations of Paragraph 81 of Appellants' Appeal are merely conclusory and/or state a legal conclusion, requiring neither an admission nor a denial, and LCG is not required to answer same. However, in the event an answer is required, same are denied.

82.

The allegations of Paragraph 82 of Appellants' Appeal are merely conclusory and/or state a legal conclusion, requiring neither an admission nor a denial, and LCG is not required to answer same. However, in the event an answer is required, same are denied.

83.

The allegations of Paragraph 83 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of the LCG. To the extent that Paragraph 83 does require a response, LCG avers that the allegations of Paragraph 83 are denied.

84.

The allegations of Paragraph 84 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of the LCG. To the extent that Paragraph 84 does require a response, LCG avers that the allegations of Paragraph 84 are denied.

85.

The allegations of Paragraph 85 of Appellants' Appeal are denied. Further answering, LCG specifically denies that Appellants were deprived of their Due Process Rights.

86.

LCG objects to the allegations of Paragraph 86 of Appellants' Appeal on the grounds that these allegations are irrelevant to the issue on appeal before this Court. Further answering, the allegations of Paragraph 86 of Appellants' Appeal, insofar as they allege or imply that a conditional use permit is required to operate a Short-Term Rental, are denied.

87.

The allegations of Paragraph 87 of Appellants' Appeal are admitted.

88.

The allegations of Paragraph 88 of Appellants' Appeal are denied.

89.

The allegations of Paragraph 89 of Appellants' Appeal are merely conclusory and/or state a legal conclusion, requiring neither an admission nor a denial, and LCG is not required to answer same. However, in the event an answer is required, same are denied.

90.

The allegations of Paragraph 90 of Appellants' Appeal are merely conclusory and/or state a legal conclusion, requiring neither an admission nor a denial, and LCG is not required to answer same. However, in the event an answer is required, same are denied.

91.

The allegations of Paragraph 91 of Appellants' Appeal are denied. Further answering, LCG specifically denies the Administrator's decision was "based on an erroneous interpretation of the LDC and/or former UDC."

92.

The allegations of Paragraph 92 of Appellants' Appeal are denied. Further answering, LCG specifically denies that the Administrator's decision, which was upheld by BOZA, was "illegal, contrary to law and otherwise clearly erroneous."

93.

The allegations of Paragraph 93 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein. Further answering, allegations of Paragraph 93 of Appellants' Appeal are denied.

94.

The allegations of Paragraph 94 of Appellants' Appeal are denied.

95.

The allegations of Paragraph 95 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of LCG. To the extent that Paragraph 95 does require a response, LCG avers that the allegations of Paragraph 95 are denied.

96.

The allegations of Paragraph 96 of Appellants' Appeal are denied.

97.

The allegations of Paragraph 97 of Appellants' Appeal are denied.

98.

The allegations of Paragraph 98 of Appellants' Appeal are denied.

99.

The allegations of Paragraph 99 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of LCG. To the extent that Paragraph 99 does require a response, LCG avers that the allegations of Paragraph 99 are denied. Further answering, LCG specifically denies that the Administrator's decision, which was upheld by BOZA was "illegal, contrary to law and otherwise clearly erroneous."

100.

The allegations of Paragraph 100 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

101.

The allegations of Paragraph 101 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

102.

The allegations of Paragraph 102 of Appellants' Appeal are denied as written.

103.

The allegations of Paragraph 103 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

104.

The allegations of Paragraph 104 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of LCG. To the extent that Paragraph 104 does require a response, LCG avers that the allegations of Paragraph 104 are denied. Further answering, the allegations of Paragraph 104 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

105.

The allegations of Paragraph 105 of Appellants' Appeal are denied. Further answering, the allegations of Paragraph 105 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

106.

The allegations of Paragraph 106 of Appellants' Appeal are denied.

107.

The allegations of Paragraph 107 of Appellants' Appeal are denied. To the extent the allegations of Paragraph 107 of Appellants' Appeal purport to establish a basis for the proposition that BOZA's affirmation of the Administrator's decision is in error, then same are denied. In fact, these allegations directly support the validity of the Administrator's use and implementation of the provisions of UDC 89-21(c).

108.

The allegations of Paragraph 108 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of LCG. Further answering, the allegations of Paragraph 108 of Appellants' Appeal purport to cite to the UDC, which document is the best evidence of its contents, and same are pled herein, *in extenso*. Further, answering, to the extent the Appellants' allegations vary from the provisions of said document, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

109.

The allegations of Paragraph 109 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of LCG. To the extent that Paragraph 109 does require a response, LCG avers that the allegations of Paragraph 109 are denied.

110.

The allegations of Paragraph 110 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of LCG. To the extent that Paragraph 110 does require a response, LCG avers that the allegations of Paragraph 110 are denied.

111.

The first two sentences of Paragraph 111 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of LCG. To the extent that these allegations require a response, LCG avers that these allegations are denied. The remaining allegations of Paragraph 111 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.

112.

The allegations of Paragraph 112 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of LCG. To the extent that Paragraph 112 does require a response, LCG avers that the allegations of Paragraph 112 are denied.

113.

The allegations of Paragraph 113 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of LCG. Further answering, the allegations of Paragraph 113 of Appellants' Appeal purport to cite to the UDC/LDC, which documents are the best evidence of their contents, and same are pled herein, *in extenso*. Further answering, to the extent the Appellants' allegations vary from the provisions of said documents, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein.

114.

The allegations of Paragraph 114 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of LCG. To the extent that Paragraph 114 does require a response, LCG avers that the allegations of Paragraph 114 are denied.

115.

The allegations of Paragraph 115 of Appellants' Appeal are denied.

116.

The allegations of Paragraph 116 of Appellants' Appeal are denied.

117.

The allegations of Paragraph 117 of Appellants' Appeal are denied. Further answering, LCG specifically denies that BOZA's decision was "clearly erroneous, illegal, and contrary to law."

118.

The allegations of Paragraph 118 of Appellants' Appeal are denied.

119.

LCG objects to the allegations of Paragraph 119 of Appellants' Appeal on the grounds that these allegations are irrelevant to the issue on appeal before this Court. Further answering, the allegations of Paragraph 119 of Appellants' Appeal are denied.

120.

The allegations of Paragraph 120 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein. Further answering, all other remaining allegations of Paragraph 120 of Appellants' Appeal are denied.

121.

The allegations of Paragraph 121 of Appellants' Appeal are denied.

122.

The allegations of Paragraph 122 of Appellants' Appeal purport to cite to a dissertation of the record of the proceedings and deliberations of LCG, which record itself is the best evidence of those proceedings and deliberations. To the extent the Appellants' recitations vary from the record and the history of the proceedings and deliberations, then the allegations as written are denied and/or denied for lack of sufficient information to justify a reasonable belief therein. Further answering, the allegations of Paragraph 122 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of the Appellee. To the extent that Paragraph 122 does require a response, LCG avers that the allegations of Paragraph 122 are denied.

123.

The allegations of Paragraph 123 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of LCG. To the extent that Paragraph 123 does require a response, LCG avers that the allegations of Paragraph 123 are denied. Further answering, LCG specifically denies that BOZA's decision was "clearly erroneous, illegal, and contrary to law."

124.

The allegations of Paragraph 124 of Appellants' Appeal are admitted.

125.

The allegations of Paragraph 125 of Appellants' Appeal are admitted.

126.

The allegations of Paragraph 126 of Appellants' Appeal require no response on behalf of LCG. To the extent that Paragraph 126 does require a response, and in light of LCG's admissions contained in Paragraphs 124 and 125 of this Answer, LCG avers that the allegations of Paragraph 126 of Appellants' Appeal are rendered moot and not at issue before this Court.

127.

The allegations of Paragraph 127 of Appellants' Appeal require no response on behalf of LCG. To the extent that Paragraph 127 does require a response, and in light of LCG's admissions contained in Paragraphs 124 and 125 of this Answer, LCG avers that the allegations of Paragraph 127 of Appellants' Appeal are rendered moot and not at issue before this Court.

128.

The allegations of Paragraph 128 of Appellants' Appeal require no response on behalf of LCG. To the extent that Paragraph 128 does require a response, and in light of LCG's admissions contained in Paragraphs 124 and 125 of this Answer, LCG avers that the allegations of Paragraph 128 of Appellants' Appeal are rendered moot and not at issue before this Court.

129.

The allegations of Paragraph 129 of Appellants' Appeal require no response on behalf of LCG. To the extent that Paragraph 129 does require a response, and in light of LCG's admissions contained in Paragraphs 124 and 125 of this Answer, LCG avers that the allegations of Paragraph 129 of Appellants' Appeal are rendered moot and not at issue before this Court.

130.

The allegations of Paragraph 130 of Appellants' Appeal require no response on behalf of LCG. To the extent that Paragraph 130 does require a response, and in light of LCG's admissions

contained in Paragraphs 124 and 125 of this Answer, LCG avers that the allegations of Paragraph 130 of Appellants' Appeal are rendered moot and not at issue before this Court.

131.

The allegations of Paragraph 131 of Appellants' Appeal require no response on behalf of LCG. To the extent that Paragraph 131 does require a response, and in light of LCG's admissions contained in Paragraphs 124 and 125 of this Answer, LCG avers that the allegations of Paragraph 131 of Appellants' Appeal are rendered moot and not at issue before this Court. Further answering, and out of an abundance of caution, the allegations of Paragraph 131 of Appellants' Appeal are denied as written.

132.

The allegations of Paragraph 132 of Appellants' Appeal require no response on behalf of LCG. To the extent that Paragraph 132 does require a response, and in light of LCG's admissions contained in Paragraphs 124 and 125 of this Answer, LCG avers that the allegations of Paragraph 132 of Appellants' Appeal are rendered moot and not at issue before this Court.

133.

The allegations of Paragraph 133 of Appellants' Appeal require no response on behalf of LCG. To the extent that Paragraph 133 does require a response, and in light of LCG's admissions contained in Paragraphs 124 and 125 of this Answer, LCG avers that the allegations of Paragraph 133 of Appellants' Appeal are rendered moot and not at issue before this Court. Further answering, in all other respects, LCG denies that BOZA's decision was "clearly erroneous, illegal, and contrary to law."

134.

The allegations of Paragraph 134 of Appellants' Appeal are admitted.

135.

The allegations of Paragraph 135 of Appellants' Appeal require no response on behalf of LCG. To the extent that Paragraph 135 does require a response, and in light of LCG's admission contained in Paragraph 134 of this Answer, LCG avers that the allegations of Paragraph 135 of Appellants' Appeal are rendered moot and not at issue before this Court.

136.

The allegations of Paragraph 136 of Appellants' Appeal require no response on behalf of LCG. To the extent that Paragraph 136 does require a response, and in light of LCG's admission



contained in Paragraph 134 of this Answer, LCG avers that the allegations of Paragraph 136 of Appellants' Appeal are rendered moot and not at issue before this Court.

137.

The allegations of Paragraph 137 of Appellants' Appeal require no response on behalf of LCG. To the extent that Paragraph 137 does require a response, and in light of LCG's admission contained in Paragraph 134 of this Answer, LCG avers that the allegations of Paragraph 137 of Appellants' Appeal are rendered moot and not at issue before this Court.

138.

The allegations of Paragraph 138 of Appellants' Appeal require no response on behalf of LCG. To the extent that Paragraph 138 does require a response, and in light of LCG's admission contained in Paragraph 134 of this Answer, LCG avers that the allegations of Paragraph 138 of Appellants' Appeal are rendered moot and not at issue before this Court.

139.

The allegations of Paragraph 139 of Appellants' Appeal require no response on behalf of LCG. To the extent that Paragraph 139 does require a response, and in light of LCG's admission contained in Paragraph 134 of this Answer, LCG avers that the allegations of Paragraph 139 of Appellants' Appeal are rendered moot and not at issue before this Court.

140.

The allegations of Paragraph 140 of Appellants' Appeal require no response on behalf of LCG. To the extent that Paragraph 140 does require a response, and in light of LCG's admission contained in Paragraph 134 of this Answer, LCG avers that the allegations of Paragraph 140 of Appellants' Appeal are rendered moot and not at issue before this Court. Further answering, LCG specifically denies that BOZA's decision was "clearly erroneous, illegal, and contrary to law."

141.

The allegations of Paragraph 141 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of LCG. To the extent that Paragraph 141 does require a response, LCG avers that the allegations of Paragraph 141 of Appellants' Appeal are admitted.

142.

The allegations of Paragraph 142 of Appellants' Appeal are denied.

143.

The allegations of Paragraph 143 of Appellants' Appeal are denied.

144.

The allegations of Paragraph 144 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of LCG. To the extent that Paragraph 144 does require a response, LCG avers that the allegations of Paragraph 144 are denied as written.

145.

The allegations of Paragraph 145 of Appellants' Appeal are denied.

146.

The allegations of Paragraph 146 of Appellants' Appeal are denied.

147.

The allegations of Paragraph 147 of Appellants' Appeal are denied.

148.

The allegations of Paragraph 148 of Appellants' Appeal are denied.

149.

The allegations of Paragraph 149 of Appellants' Appeal are denied.

150.

The allegations of Paragraph 150 of Appellants' Appeal state legal conclusion(s), and as such require no response on behalf of LCG. To the extent that Paragraph 150 does require a response, LCG avers that the allegations of Paragraph 150 are denied.

151.

The allegations of Paragraph 151 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.

152.

The allegations of Paragraph 152 of Appellants' Appeal are denied at this time for lack of sufficient information to justify a reasonable belief therein.

153.

The allegations of Paragraph 153 of Appellants' Appeal are denied. Further answering, LCG specifically denies that the Administrator's decision, upheld by BOZA was "a gross violation of Appellants' substantive and procedural due process rights."

154.

The allegations of Paragraph 154 of Appellants' Appeal are admitted as to the fact that Appellants filed their own appeal. The remainder of the allegations of Paragraph 154 of Appellants' Appeal are denied.

155.

The allegations of Paragraph 155 of Appellants' Appeal are denied. Further answering, LCG specifically denies that the Administrator's decision, upheld by BOZA "violated Appellant's due process rights and was illegal, contrary to law, and otherwise clearly erroneous."

156.

The allegations of Paragraph 156 of Appellants' Appeal are denied.

157.

The allegations of Paragraph 157 of Appellants' Appeal require no response on behalf of LCG. To the extent that Paragraph 157 of Appellants' Appeal does require a response, LCG avers that the allegations of Paragraph 157 of Appellants' Appeal are denied for lack of sufficient information to justify a reasonable belief therein.

158.

The allegations of Paragraph 158 of Appellants' Appeal are denied. Further answering, Appellants are required to bear the cost of transcribing the auditory recording of the BOZA meeting pursuant to La. R.S. 33:4727(E)(2).

159.

The allegations of Paragraph 159 of Appellants' Appeal require no response on behalf of LCG. To the extent that Paragraph 159 of Appellants' Appeal does require a response, LCG avers that the allegations of Paragraph 159 of Appellants' Appeal are denied for lack of sufficient information to justify a reasonable belief therein.

160.

The allegations of Paragraph 160 of Appellants' Appeal require no response on behalf of LCG. To the extent that Paragraph 160 of Appellants' Appeal does require a response, LCG avers that the allegations of Paragraph 160 of Appellants' Appeal are denied for lack of sufficient information to justify a reasonable belief therein.

161.

The allegations of Paragraph 161 of Appellants' Appeal are denied. In further answering, see LCG's response contained within Paragraph 168 of this Answer.

162.

The allegations of Paragraph 162 of Appellants' Appeal are denied.

163.

The allegations of Paragraph 163 of Appellants' Appeal are denied.

Any and all allegations contained within the "Wherefore" paragraph are denied for lack of sufficient information to justify a reasonable belief there, and/or merely conclusory or express conclusions of law requiring neither an admission nor denial, and LCG is not required to answer same. However, in the event that an answer is required, same are denied. All allegations not specifically admitted herein to be true are likewise denied.

NOW COMES, LCG, who further answers/responds as follows:

164.

LCG alleges that the Administrator complied with the relevant sections of the UDC, as may be applicable and BOZA did not act arbitrarily and/or capriciously in affirming the Administrator's November 10, 2020 decision at issue in this case.

165.

LCG reserves the right to rely on all additional defenses that may become available.

166.

LCG reserves the right to bring any and all future reconventional demands, counter claims, cross claims, or exceptions against any of the named parties or other third parties.

167.

LCG affirmatively avers that the appellate review of this Court is subject to a prima facie presumption of validity which attaches to BOZA's actions.

168.

LCG affirmatively avers that because this Court is sitting in an appellate court capacity, this Honorable Court's review of BOZA'S decision is confined to the documents in the record before BOZA.

169.

LCG specifically avers any and all affirmative defenses specifically enumerated in the Louisiana Code of Civil Procedure Article 1005 and/or any and all other affirmative defenses recognized by the jurisprudence, as these are plead herein as if copied herein in *extenso*.

170.

To the extent any affirmative defense as plead herein is contradictory, mutually exclusive or otherwise inconsistent, such contradictory, mutually exclusive or inconsistent affirmative defenses are pled in the alternative.

WHEREFORE, Appellee, LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT, prays that this Answer be deemed good and sufficient, and that after all due

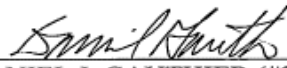
pleadings and proceedings are had, that there be judgment in LCG's favor and against Appellants herein, dismissing Appellants' Appeal with full prejudice and at Appellants' costs, and for any other equitable relief which the justice of the cause may require or permit.

Respectfully submitted,

GREGORY J. LOGAN (#23395)  
LAFAYETTE CITY-PARISH  
ATTORNEY

and

BECKER & HEBERT, LLC

By:   
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Facsimile: 337-235-1748

Counsel for Appellee, LAFAYETTE  
CITY-PARISH CONSOLIDATED  
GOVERNMENT

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been faxed, mailed via United States mail, properly addressed and postage prepaid, and/or electronically mailed to all counsel and/or *pro se* parties in these proceedings this 9<sup>th</sup> day of June, 2021.

  
DANIEL J. GAUTHIER