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Contact: Juan LaFonta, (504) 288-4911 or Andrew Jacoby, (504) 407-1314

## **ENTERGY CLASS ACTION LAWSUIT SENT BACK TO STATE COURT FOR DECISION**

Entergy's efforts to move to federal court [a class-action lawsuit](#) filed by Louisiana customers due to massive blackouts as a result of the failure of their 8-line power transmission system into the metro area of New Orleans have failed, according to a decision issued by the U.S. Eastern District Court.

U.S. District Judge Eldon Fallon ruled in his decision that Entergy failed to prove a local court was not the proper jurisdiction to resolve [the claims filed by Louisiana customers](#) against Entergy Corporation, Entergy New Orleans LLC and Entergy Louisiana LLC after the main 70-year-old utility tower located in Avondale holding the eight transmission lines fell into the Mississippi River following the 2021 Hurricane Ida.

"The reality this is a state case under state law involving a catastrophic failure in Louisiana's power system with Louisiana domiciliaries and Louisiana injuries," said Interim Class Counsel Celeste Brustowicz.

Orleans District Court Judge Rachel D. Johnson will now consider the class action for which [Attorney Stuart H. Smith](#) is lead counsel along with Barry Cooper, Ms. Brustowicz and Andrew Jacoby of Cooper Law Firm of New Orleans, as well Attorney Juan LaFonta. [These attorneys were appointed by Judge Johnson as Interim Class Counsel in 2021.](#)

Entergy customers paid rate increases to maintain and build stronger and redundant transmission systems as protective measures in New Orleans, according to [the original filed class action suit](#). The class action lawsuit states that Entergy created a system that could not and would not sustain even a minor hurricane with wind gusts at or below 100 MPH. Entergy made the decision to not invest in the underground transmission of electricity or other measures required for withstanding hurricanes and predicted climate change, which in an environment like Southeast Louisiana, would have assured regular, consistent, and sustained protected service to all their customers.

"This decision upholds the steps our group of experts and attorneys have taken to stand up for people and businesses injured as a result of Entergy's negligence and failure to transmit energy to its customers. We seek to hold Entergy responsible for taking all reasonable actions to fortify and harden its system," said Mr. LaFonta.

"Entergy's greed and lies set the foreseeable stage for hundreds of thousands of people to be left without refrigeration, air conditioning, and in many cases sewerage problems. Yet, the Entergy corporation knew of the deficiencies in their infrastructure and failed to act upon them. This is gross negligence. We stand ready to assist our people in receiving quick justice. We will prosecute to achieve maximum relief for our residents."

***[PRESS: Call or email Brylski at \(504\) 460-1468 or cbrylski@aol.com](#)***

***Link to remand:***

[http://www.brylskicompany.com/uploads/1/7/4/0/17400267/doc\\_42\\_plt\\_remand\\_motion\\_granted.pdf](http://www.brylskicompany.com/uploads/1/7/4/0/17400267/doc_42_plt_remand_motion_granted.pdf)

More about Stuart Smith's historic settlements can be found here:

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