

**LOUISIANA STATE BAR ASSOCIATION RESOLUTION
TO CREATE THE CLASS ACTION, MASS TORT & COMPLEX LITIGATION
SECTION**

WHEREAS, the Articles and By-Laws of this Association provide that Sections of the Association may be created when the Association deems proper, and in furtherance of its public obligations; and

WHEREAS, the existing sections of the Association do not address the specific areas of class actions, mass torts and complex litigation practice areas and

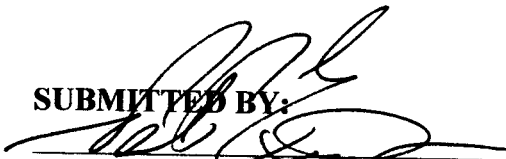
WHEREAS, nearly 100 attorneys in the Association, as charter members of the Class Action, Mass Tort and Complex Litigation Section, have already expressed an interest in the creation of, and membership in, a Class Action, Mass Tort and Complex Litigation Section; and

WHEREAS Val P. Exnicios, Esq. has prepared proposed By-Laws for a Class Action, Mass Tort and Complex Litigation Section;

THEREFORE, BE IT RESOLVED, that the creation of the Class Action, Mass Tort and Complex Litigation Section be approved by this House.

BE IT FURTHER RESOLVED that the proposed By-Laws of the Class Action, Mass Tort and Complex Litigation Section as set forth in the attachment hereto be approved by this House and adopted.

SUBMITTED BY:


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LOUISIANA STATE BAR ASSOCIATION

BYLAWS OF THE CLASS ACTION, MASS TORT AND COMPLEX LITIGATION SECTION

ARTICLE I

NAME AND PURPOSE

Section 1. This section shall be known as the CLASS ACTION, MASS TORT AND COMPLEX LITIGATION SECTION (hereinafter "Section") of the Louisiana State Bar Association.

Section 2. The purposes of this Section are to:

- (1) promote and assist members of the profession in the study and understanding of the laws, regulations, and jurisprudence addressing the legal issues involving class action procedural provisions, mass joinder and complex litigation and
- (2) provide a forum for members of the profession to consider and discuss the legal issues involved in the class action procedural provisions, mass joinder and complex litigation.

ARTICLE II

MEMBERSHIP

Section 1. Any member in good standing of the Louisiana State Bar Association shall, upon request to the Secretary of the Section, be enrolled as a member of the Section. Members so enrolled whose dues are paid in full shall constitute the membership of the Section.

Section 2. Each member of the Section must pay to the Treasurer of the Section annual dues of \$20.00. Dues are payable upon enrollment and thereafter annually on the same fiscal year basis as Louisiana State Bar Association dues. Members of the judiciary shall be entitled to membership in the Section and are not required to pay Section dues.

Section 3. Any member of this Section whose annual dues are more than six months past due ceases to be a member of this Section. Enrolled members whose dues have been paid constitute the membership of this Section.

ARTICLE III

OFFICERS

Section 1. The officers of this Section shall be as follows: Chair; Vice-Chair; Secretary; and Treasurer.

Section 2. Each officer shall hold office for a term of two years, to begin with the adjournment of the annual meeting of the Section at which the member was elected, and to end at the close of the second succeeding annual meeting of the Section; or until such time as a successor shall have been elected; in the event of the death or resignation of a Section Officer, the remaining Officers shall select a member of the Section to fill the unexpired term of the departing Officer.

Section 3. Upon ratification of the Section Bylaws and adoption of the Resolution creating the Section by the House of Delegates of the Association, the first Chair, Vice-Chair, Secretary and Treasurer shall be elected by the Section membership.

ARTICLE IV

NOMINATION AND ELECTION OF OFFICERS

Section 1. Nominations. Ninety days before each annual meeting of the Section, or as soon thereafter as may be practical, the Chair shall appoint a nominating Committee of three members of the Section. This Nominating Committee shall make and report one nomination for each office which is to be filled by election in that year. Upon receipt of the Nominating Committee report, the Chair of the Section shall cause it to be published to Section members prior to the Annual Meeting. Additional nominations may be made prior to the meeting by means of a petition signed by not less than ten members in good standing of the Section, and submitted to the Section Secretary at least 10 days prior to the next scheduled annual meeting.

Section 2. Elections. All elections must be by written or oral ballot or written proxy unless otherwise ordered by resolution duly adopted by the Section Council at the annual meeting at which the election is held.

ARTICLE V

DUTIES OF OFFICERS

Section 1. Chair. The Chair shall:

- (1) preside at all meetings of the Section and represent the Section in all matters concerning the activities and operations of the Section;
- (2) formulate and present at each annual meeting of the Louisiana State Bar Association a report of the work of the Section for the past year; and
- (3) perform all other duties as are customary of the Chair.

Section 2. Vice-Chair. Upon the death, resignation, or during any period of disability of the Chair, the Vice-Chair shall perform the duties of the Chair for the remainder of the Chair's term, except in case of the Chair's disability, and then only so long as the disability continues.

Section 3. Secretary. The Secretary is the custodian of all books, papers, documents, and other property of the Section. The Secretary shall keep a true record of the proceedings of all meetings of the Section. The Chair, Vice-Chair, and/or Secretary shall cause to be prepared a summary or digest of the proceedings of the Section at its annual meeting. In conjunction with the Chair and the Vice-Chair, the Secretary as authorized by the Section, shall attend generally to the business of the Section.

Section 4. Treasurer. The Treasurer is the custodian of all financial books, papers, documents, and funds of the Section. The Treasurer shall keep an accurate record of all funds of the Section and of funds expended for the use of the Section, and shall sign such checks as the Section may require for its activities and/or operations as directed by the Officers of the Section Council.

ARTICLE VI

DUTIES AND POWERS OF THE COUNCIL

Section 1. There shall be a Section Officers' Council which shall consist of the Chair, Vice-Chair, Secretary, and Treasurer, and the retiring Chair, who shall be a voting member of the Council for two years following retirement.

Section 2. The Council shall have general supervision and control of the affairs of the Section subject to the Bylaws of this Section, and shall operate by majority vote on all issues. The Council shall authorize all commitments or contracts which require the payment of money, and shall authorize the expenditure of all funds.

ARTICLE VII

MEETINGS

Section 1. The annual meeting of the Section shall be held in conjunction with the Annual Meeting of the Louisiana State Bar Association, in the same city as the annual meeting of the Louisiana State Bar Association, with the program and order of business as may be arranged by the Council; provided that to the extent permitted by rules governing sections of the Louisiana State Bar Association, or by variance granted by the Section Officer Council, the annual meeting of the Section may be held at any place in the State of Louisiana at a time that is within ninety (90) days prior to, or 30 days after, the time of the Louisiana State Bar Association Annual meeting.

Section 2. Special meetings of the Section may be called by the Chair, or by a majority of the Officers of the Council, or by at least 20 members in good standing of the Section, at a time and place the Council determines and with at least 24 hours advance notice to all Section members.

Section 3. The members of the Section present at any meeting constitute a quorum for the transaction of business, but a majority of the Section Officers must be present to constitute a quorum.

Section 4. A binding action of the Section requires a majority vote of the Council, or a majority of the members of the Section.

Section 5. Any recommendation or declaration of the Section regarding existing or proposed legislation, or regarding proposed governmental regulations or administration, in order to constitute the action of the Section, must first be approved by two-thirds of the Officers of the Council of the Section.

ARTICLE VIII

MISCELLANEOUS PROVISIONS

Section 1. The fiscal year of the Section will be the same as that of the Louisiana State Bar Association.

Section 2. No salary or compensation may be paid to any officer or member of this Section, except that actual expenses of the Section's Officers may be reimbursed if approved by unanimous consent of all Officers of the Section. All other expenses approved for reimbursement must be in conformity with the rules of the Louisiana State Bar Association.

Section 3. These Bylaws shall become effective immediately upon approval thereof, as required by the Articles and Bylaws of the Louisiana State Bar Association.

ARTICLE IX

AMENDMENTS

These Bylaws may be amended at any annual meeting of the Section by a majority vote of the members of the Section present and voting, provided each proposed amendment must have been approved by a majority of the members of the Council. No amendment may become effective until approved by the House of Delegates of the Louisiana State Bar Association.

individually
and on behalf of the following
LSBA members pledging
membership in the Section :
Conrad S. P. "Duke" Williams, III
Francis "Frank" Neuner
Wade Shows
Russ Herman
Gerry Meunier
Richard Arcenault
Glenn Armentor
James Garner
Tim Francis
Carroll Rogers
Tom Nosewicz
Michael Chernekoff
William "Bill" Joyce
Andre Lagarde
Ike Ryan
Ethan Penn
Todd Musgrave
Robert Evans
Julie Jacobs
Daniel "Danny" Dysart
Paul Tabary
Walter Willard
Andrew Lemmon
Eric O'Bell
John Houghtaling
James Williams
Darryl Phillips
Frank Dudenhefer
Darlene Jacobs
Al Sarrat
Vincent Glorioso
Maria Glorioso
Barret Beasley
Michael X. St. Martin
Charles "Chuck" Bourque
Melanie Lagarde
Lisa Africk
Joseph Jevic
Phil Cossich
Darren Sumich
Henry Dart

Frank D'Amico, Jr.
Richard Exnicios
Donni Young
Amy Fontenot
Anthony Irpino
Damon Kirin
Roderick "Rico" Alvendia
Mark Glago
Bart Kelly
Jeanne Demarest
Rebecca Urritia
Eric Bopp
Steven Griffith
Raul Bencomo
George Recile
Robert Caluda
John L. Young
Michael Stag
Stuart Smith
Barry Cooper
John Finckbeiner
John Redmann
Edwin Murray
Michael Darnell
Walter Dumas
Gregory DiLeo
Jennifer Eagan
Madro Bandaries
Benjamin Beychok
Vernon Thomas

This 6TH day of May, 2008