



HON. STANWOOD R. DUVAL, JR. (RET.)

United States District Court Judge, Eastern District of Louisiana

The Honorable Stanwood R. Duval, Jr. was a United States District Court Judge for the Eastern District of Louisiana, New Orleans, for more than 22 years until his retirement in 2017. He presided over a range of cases including maritime litigation, contract disputes, large scale insurance coverage disputes, commercial litigation, employment law issues including Title VII, the Fair Labor Standards Act (FLSA), the Age Discrimination in Employment Act (ADEA), the Americans with Disabilities Act (ADA), civil rights, the Employee Retirement Income Security Act (ERISA), product liability, and the interpretation of collective bargaining agreements.

In 2005, Judge Duval created and undertook the management of all the litigation arising out the failure of the levee system in the New Orleans area after Hurricane Katrina. At the height of litigation, under its umbrella, he oversaw more than 1,200 cases which comprised of hundreds of thousands of claims against the United States Army Corps of Engineers, the State of Louisiana, all of the Levee Boards, the responders, insurers, engineers and contractors, dredgers, and the barge, that allegedly caused the breaching of the Industrial Canal flood wall. As a result, Judge Duval and the United States District Court for the Eastern District of Louisiana rapidly, economically and systematically adjudicated the legal issues necessary for determining liability and responsibility for the breaches of the levees and floodwalls surrounding New Orleans, St. Bernard, and Plaquemine Parishes as well as inter alia, insurance coverage and maritime issues.

Prior to his service on the bench, Judge Duval's law practice was varied and litigation intensive. As senior partner of a prominent Louisiana law firm, he participated as lead counsel in hundreds of trials that involved a cross-section of clients with diverse legal issues, that included banks, electric cooperatives, governmental bodies, small business corporations and individuals. His law firm's practice also was involved with mineral litigation, primarily representing plaintiff landowners; personal injury litigation, representing both plaintiffs and defendants, including maritime cases; commercial litigation; contract disputes; property disputes; insurance questions; successions; drafting of wills and trusts; corporate law; utilities law; local governmental law, and domestic law. Judge Duval appeared in both state and federal court in approximately sixty appellate cases including appearances before the Louisiana Supreme Court and the United States Court of Appeals for the Fifth Circuit. Some of these cases involved significant issues of law and are cited as precedent. In addition, from 1988 to 1993, he served as Parish Attorney for the Terrebonne Parish Consolidated Government which required representing the parish at trial, drafting legal opinions and drafting ordinances.

Judge Duval served as a member of the Board of Directors for the First National Bank of Houma (now owned by Whitney Bank) from approximately 1982 to 1990. He was also a member of the Executive Committee of the bank.

Hon. Stanwood R. Duval, Jr. is available to arbitrate and mediate cases throughout the United States.

AREAS of EXPERIENCE

- Banker / Lender Liability
- Business / Commercial / Corporate
- Employment / Labor
- Environmental / CERCLA
- Insurance / Reinsurance
- Intellectual Property (Trademark & Copyright)
- Maritime Law
- Oil, Gas, Energy and Water
- Personal Injury
- Torts & Product Liability

REPRESENTATIVE MATTERS / NOTABLE CASES

■ 2005 - 2015: *In re Katrina Canal Breaches Consolidated Litigation C.A. No. 05-4182*

This task included three three-week trials:

Robinson v. United States, C.A. No. 06-2268, which centered on the damages cause to St. Bernard and New Orleans East

Armstrong v. United States, C.A. No. 10-866, which centered on the failure of the floodwall on the eastern side of the Industrial Canal

Mumford v. Ingram Barge Co., C.A. No. 05-5724; Benoit v. Lafarge International, Inc., C.A. No. 06-7516, which concerned the allegation that a loose barge was a cause of the collapse of the flood wall on the eastern side of the Industrial Canal.

■ 2011: *St. Joseph Abby v. Castille, C.A. No. 10-2717*

Held that under the Due Process Clause and the Equal Protection Clause of the United States Constitution, it was unconstitutional to require persons who solely manufacture and sell caskets to be subject to licensing requirements for funeral directors and funeral establishments finding that such requirements were based solely on economic protectionism.

■ 2008: *Crescent Towing & Salvage Co., Inc. v. M/V Chios Beauty, C.A. No. 05-4207*

Denied of Limitation of Liability based on Captain's negligence in bringing ship into port of New Orleans when port was in imminent danger of hurricane force winds.

■ 2005: *Decorte v. Jordan, C.A. No. 03-1239*

Presided over jury trial which found the District Attorney of New Orleans liable for intentional discrimination where he fired 56 employees, resulting in 96.3% of the African Americans in that office retaining their positions and only 32% of the Caucasians retaining their positions.

■ 2005-2006 *McWaters v. Federal Emergency Management Agency, C.A. No. 05-5488, 408 F.Supp.2d 221 (E.D. La. 2006)*

Prohibited FEMA from wrongfully terminating a statutorily required Short-Term Lodging Program which would have resulted in the premature eviction of Hurricane Katrina evacuees from temporary lodging finding that such housing.

■ 2001: *In Re: MasterCard International Inc., Internet Gambling Litigation, 132 F. Supp. 2d 468 (E.D. La 2002)*

Presided over this MDL panel assigned case concerning RICO claims brought by internet gamblers against VISA and MasterCard.

■ 1998: *Margate Shipping Co. v. M/V JA Orgeron, C.A. No. 94-3964, oral order and reasons, affirmed, 143 F. 3d 976 (5th Cir. 1998)*

Entered salvage award for saving an oil tanker, fuel cells for NASA space shuttle and human life.

- **1996: Resolution Trust Corporation v. Gerald C. Barton, 1996 WL 117540 (E.D. La. 1996)**
Complex director liability suit.
- **Exxon Corporation v. St. Paul Fire & Marine Insurance Company, 1996 WL 665751 (E.D. La. 1996)**
Novel issues regarding insurance coverage.
- **1995: Dennis Theriot, et al v. The Parish of Jefferson, 966 F. Supp. 1435 E.D. La. 1995)**
Voting Rights Act suit
- **United States of America v. Drew B. Morvant, D.D.S., et al, 898 F. Supp. 1157 (E.D. La. 1995)**
Case involved the right to medical treatment for a person with disability.

LECTURES and PUBLICATIONS

- Co-Author, *The Discretionary Function: License to Kill? The Federal Tort Claims Act and Hurricane Katrina. Implications of the Robinson/MRGO Decisions: Can the King Do No Wrong?* Loyola Law Review, Co-authored with Janet Daley Duval, 2016
- Author, *Considerations in Choosing Counsel for Multidistrict Litigation Cases Mass and Tort Cases*, 74 La. L. Rev. 391, 2014
- Author, *Sovereign Immunity, Anachronistic or Inherent: A Sword or a Shield?* 84 Tul. L. Rev. 6, 2010

HONORS and AWARDS

- The James J. Buquet, Jr. Award of Distinction, awarded by the Terrebonne Foundation for Academic Excellence, 2014
- Distinguished Achievement Award, awarded by LSU Law Center), 2013
- Distinguished Service Award, awarded by the Houma Kiwanis Club, 1983
- Outstanding Young Man Award, awarded by the Houma-Terrebonne Jaycees, 1974
- "AV" rating in Martindale-Hubbell Legal Rating Service

JUDICIAL EXPERIENCE

- Member, Committee on Pattern Jury Instructions, District Judges Association, Fifth Circuit, Admiralty Section, 2011 - 2016
- United States District Judge, Eastern District of Louisiana, 1994 – 2017 (Senior Status, December 2008)
 - Member, Equal Opportunity Rules Committee for the U.S. District Court, 2012 – 2016
 - Chairman, Local Rules Committee for the U.S. District Court, 2012 – 2016
 - Member, Executive Committee for the U.S. District Court, 2008 - 2012
- Representative to Judicial Conference of the United States Court of Appeals, Fifth Circuit, 2004 – 2007
- Member of the Advisory Committee, Appellate Rules of the Judicial Conference of the United States Courts, 1997 - 2003

LEGAL EXPERIENCE

- Senior Partner, Duval, Funderburk, Sundbery & Lovell, Houma, Louisiana, 1986 – 1994.
- Partner, Duval, Funderburk, Sundbery & Lovell, Houma, Louisiana, 1970 - 1985
- Associate, Duval, Arceneaux & Lewis, 1966 - 1970

PROFESSIONAL LICENSES and ADMISSIONS

- Admitted to the Bar of the State of Louisiana, 1966

PROFESSIONAL AFFILIATIONS and ASSOCIATIONS

- Federal Judges Association
- Federal Bar Association
- New Orleans Bar Association
- Tulane Inns of Court
- Board of Directors, Covenant House, New Orleans, Louisiana, 2001 – Present
- Past President/Current Member, Tulane Inns of Court, 2001 – present
- Member, Society of Bartolus, 2000 – present
- Chairman of Board of Directors, Covenant House, New Orleans, Louisiana, 2014 – 2016
- Volunteer Teacher, Alternative High School for At Risk Students, New Orleans, Louisiana, 2005-2003
- Member, Council of the Louisiana Law Institute, 1996-2000
- Vice-President (1992-1994) and Board Member, Houma-Terrebonne Chamber of Commerce and Member, Houma-Terrebonne Chamber of Commerce Executive Committee
- Parish Attorney, Terrebonne Parish Consolidated Government, 1988 – 1992
- Member, Selection Committee of Volunteer Activists, Houma, Louisiana, 1987-1990
- Vice Chairman, Terrebonne Parish Home Rule Charter Commission, 1981
- Member, Board of Directors of First National Bank of Houma, Louisiana, 1980 - 1990
- Member, Law Reform Committee of the Louisiana State Bar Association, 1980-1984
- Member, Indigent Defender Board 1976 - 1982
- Member, Committee on the Unauthorized Practice of Law of the Louisiana State Bar Association, 1976- 1979
- Member, City of Houma Charter Commission, 1975
- Elected delegate to the Louisiana Constitutional Convention of 1973
- Member, Board of Trustees of St. Matthew's Episcopal School, 1972 - 1979
- Assistant City Attorney, Houma, Louisiana, 1970- 1972
- Elected to Committee to Write Rules of Procedure and appointed to Committee on Executive Branch
- Member, Terrebonne Parish, Louisiana, and American Bar Associations
- Admitted to practice before the state courts, United States Federal Courts for the Eastern, Western and Middle Districts, United States Fifth Circuit Court of Appeal and the United States Supreme Court
- Chairman, state and local governmental committee, Priorities for the Future Region VIII (wrote report detailing priorities for local governments)
- Former Member, Terrebonne Parish Port Commission
- Past President, Houma-Terrebonne Jaycees
- Past Vice President and Board Member, Kiwanis Club

EDUCATION

- Louisiana State University, J.D., 1966
- Louisiana State University, B.A., 1964