

Hon. Susie Morgan

by Paige O'Hale

Paige O'Hale served as one of Judge Susie Morgan's law clerks during her first year on the bench. O'Hale is now an assistant U.S. attorney for the Eastern District of Louisiana. The opinions expressed in this article are those of the author and may not be attributed to the U.S. Department of Justice.

Were it not for a summer job in the local district attorney's office, Judge Susie Morgan of the Eastern District of Louisiana (EDLA) might be Professor Susie Morgan, lecturing to her students about the intricacies of a difficult piece of literature. Instead, that temporary position, which she took after finishing her master's degree and while she was considering whether to pursue a doctorate, led her to recognize that the courtroom rather than the classroom was the best fit. Degree in hand from the Paul M. Hebert Law Center at LSU, Judge Morgan embarked on a now 30-plus-year legal career that, she contends, was the best preparation for a seat on the federal bench.

After clerking for Chief Judge Henry A. Politz of the U.S. Court of Appeals for the Fifth Circuit, Morgan entered private practice in Shreveport, La., with the firm of Wiener, Weiss & Madison. Unlike most attorneys who dedicate their practice to a discrete area, she was "never afraid to accept the challenge" of venturing into new territory. Whether it was commercial litigation, bond work for municipalities, teasing out ownership rights to mineral servitudes along the Sabine River, or serving as general counsel for the Biomedical Research Foundation of Northwest Louisiana (BRF), Morgan excelled.

Indeed, Charlie McBride, both a former client and longtime friend, points to her work with the BRF as an exemplar of her creativity and meticulousness. Morgan ably guided the BRF as its general counsel for 20 years—from its inception to its full-blown realization as a biomedical- and technology-focused engine for the Shreveport economy. According to McBride, Morgan's "endless patience for intricate details" and "unflappable" resolve helped guarantee the BRF's success. "There are many days when I wish she were still in private practice."

After many years of practice in north Louisiana, Morgan and husband Larry Feldman, also a well-respected attorney, relocated to New Orleans just weeks before Hurricane Katrina made landfall in August 2005. Like many Crescent City denizens, they stayed in New Orleans during the storm. From the parking garage of Touro Hospital, they watched as floodwater crept into nearby neighborhoods. "Hurricane Katrina," she observes, "was worth 20 years of living here."



As soon as they could return from temporary digs in Baton Rouge, they worked to help the city rebuild.

Not surprisingly, as one of the deadliest natural disasters in modern history, Katrina spawned endless litigation. Then an attorney with Phelps Dunbar LLP, Morgan and her partners represented the Louisiana Stadium and Exposition District (LSED) in its lawsuit to recover compensation for the Superdome's storm-induced roof failure. That stadium, the LSED's petition poetically underscored, was intended to be "an ark in any storm where residents who could not otherwise evacuate would be safely housed." The case required marshalling experts to opine on roof design and installation, meteorology, and physics, as well as braving at least one vertigo-worthy trip via catwalks onto the Superdome's roof. After three years of shepherding this complicated and hard-fought case, she secured a favorable settlement for the LSED.

With decades of experience managing complex litigation, Judge Morgan approaches her judicial duties with a sensibility that is rooted in her past, drawing on her deep appreciation for what lawyers do, her knowledge of how lawyers think, and her understanding of how to get cases ready for trial. Margaret Shehee, of Kilpatrick Life Insurance Company and Rose-Neath Funeral Homes, remarks that she knew her companies "were in capable hands, whether in court or conduct-

ing business with state agencies,” with Judge Morgan as their attorney. Although “I hated to lose her as our counsel,” she acknowledges, “our loss is the judiciary’s gain.”

Immediately upon assuming the bench in 2012, Judge Morgan began presiding over many cases of public interest. For example, the battle over who would succeed former Chief Justice Catherine “Kitty” Kimball on the Louisiana Supreme Court landed on Judge Morgan’s docket early in her tenure. The consent decree reforming the New Orleans Police Department (NOPD), however, will likely stand as her greatest contribution to improving civic life in her new hometown. With Judge Morgan’s guidance, the NOPD is on the forefront of the national police reform movement, having made great strides in ensuring constitutional policing and embracing a culture of transparency. “This isn’t just some run-of-the-mill civil case,” observes Jonathan Aronie, primary monitor of the team overseeing the consent decree’s implementation. Instead, he explains, this is a case of constitutional importance to the citizens of a major American city. “[T]his case is no different from a school desegregation case, or a women’s right to vote case, or a voting rights case. And Judge Morgan gives it her total attention.” He adds that “she will not let up in any way until the terms of the consent decree—and the constitutional protections those terms reflect—are fulfilled.”

Judge Morgan’s federal service also goes beyond her assigned case duties. For example, she—along with fellow Judge Jane Triche Milazzo—helps supervise the EDLA’s Rise & Recover Re-Entry Court, a 14-month program designed to promote successful community rein-

tegration and reduce recidivism for criminal defendants on supervised release. This strong work ethic has earned her the admiration of her colleagues and law clerks. Fifth Circuit Judge Jacques L. Wiener Jr. lauds her “sharp legal mind and equally sharp sense of humor,” noting that her “record as a practicing lawyer and trial judge speaks for itself.” Alex Campbell, her first clerk, notes that her skills as an “eloquent writer” with an “incredible eye for detail” provided an enviable example of how to “distill complex issues into easy-to-understand rulings and statements of law.” For Campbell, the “opportunity to work with and learn from Judge Morgan was not only a great experience, but also a great honor.” Finally, husband Larry Feldman praises how hard she has endeavored to be “a great role model”—for both fellow attorneys and her daughters.

When she is not on the bench, “Judge Morgan’s passion for the law is rivaled only by her passion for her beloved Saints,” quips Minia Bremenstul, another former clerk. She also enjoys Jazz Fest, reading, and spending time with her husband and her two grandchildren. As for attorneys who practice before her in the EDLA, rumor has it that a witty Elvis reference never hurts. ☺

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²Happily, her mother recovered and lived to the remarkable age of 103.

³217 F.R.D. 309 (S.D.N.Y. 2003) (*Zubulake I*); 216 F.R.D. 280 (S.D.N.Y. 2003) (*Zubulake II*); 220 F.R.D. 212 (S.D.N.Y. 2003) (*Zubulake III*); and 229 F.R.D. 422 (S.D.N.Y. 2004) (*Zubulake V*).

⁴987 F. Supp. 254 (S.D.N.Y. 1997); *aff’d in part, rev. in part*, 136 F.3d 123 (2d Cir. 1998).

⁵“This is crazy stuff, even for New York City.” Eleanor Randolph, *Joke on Giuliani Just Keeps on Rolling Along*, L.A. TIMES, Dec. 4, 1997, articles.latimes.com/1997/dec/04/news/mn-60503.

⁶202 F. Supp. 2d 82 (S.D.N.Y. 2002).

⁷71 U.S. (4 Wall.) 2 (1866).

⁸Bill O’Reilly, *Impeach Judge Shira Scheindlin*, FOX NEWS, June 7, 2002, www.foxnews.com/2002/06/07/impeach-judge-shira-scheidlin.html.

⁹349 F.3d 42 (2d Cir. 2003).

¹⁰925 F. Supp. 2d 540 (S.D.N.Y. 2013); 959 F. Supp. 2d 540 (S.D.N.Y. 2013).

¹¹959 F. Supp. 2d at 556.

¹²Editorial Board, *New York City Policing, by the Numbers*, N.Y. TIMES, Dec. 28, 2015, nyti.ms/1ZwDl2u.

¹³Dahlia Scheindlin, *How the ‘stop and frisk’ ruling helps end one occupation*, +972 MAG., Aug. 14, 2013, 972mag.com/how-the-stop-and-frisk-ruling-helps-end-one-occupation/77395.

¹⁴No. 11-cv-2694, 2012 WL 1575302 (S.D.N.Y. May 3, 2012), *amended by* 898 F. Supp. 2d 618 (S.D.N.Y. 2012).

¹⁵852 F. Supp. 2d 379 (S.D.N.Y. 2012), *aff’d*, 519 Fed. Appx. 39 (2d Cir. 2013).