

Use of Eminent Domain and Condemnation

MELISSA FOLSE OUBRE, EXECUTIVE COUNSEL, PORT OF SOUTH LOUISIANA

ANDREA HERMER, GENERAL COUNSEL, PORTS OF INDIANA

ALLYN HOAGLUND, HOAGLUND LAW



PORTS OF INDIANA
3 PORTS - 2 WATERWAYS - 1 SYSTEM

PORTS LEGAL ISSUES WORKSHOP
FEBRUARY 22, 2018
SESSION AGENDA

1. Speaker Introductions/Overview of Speakers' Ports
2. Case Presentation: St. Bernard Port, Harbor & Terminal District v. Violet Dock Port, Inc., Supreme Court of Louisiana, Case No. 2017-C-0434
 - Key Case Topics:
 - Eminent Domain/Condemnation/Expropriation Process
 - Kelo ("public purpose" = "economic development purpose")
 - Business Enterprise Clause
 - Just Compensation
 - Evaluation of Expert Valuation Testimony
 - Discussion
3. Challenges/Limits on Port's Exercising Eminent Domain/Condemnation/ Expropriation Authority
 - Anti-Kelo Statutes
 - Prior Public Use Doctrine
 - Appraisal Process -- Valuations
 - Environmental Conditions
 - Timing
 - Damages (Costs)
 - Federal (Grant) Requirements
4. Pitfalls of Eminent Domain Litigation
5. Questions