

SWBNO INCREASES ITS FORECAST OF DAMAGE TO UPTOWN HOMES CAUSED BY SELA DRAINAGE PROJECT BY \$49 MILLION TO NOW TOTAL \$115 MILLION

In an internal acknowledgment of the extent of damage to Uptown homes and businesses caused by construction of the massive SELA Drainage Project, the SWBNO recently increased by \$49 million its forecast of the total damage caused by the project to \$115,703,588. The SWBNO has agreed to investigate and resolve property damage issues caused by the construction.

Contained within a recently obtained financial report for the year ending 2015, the increase reflects independent auditors' assessment of the nature and extent of the damages, and also the financial health of the SWBNO, with assets exceeding \$3.0 billion. The SWBNO is an independent, stand alone entity separate from the City of New Orleans.

Damage to homes and businesses were specifically anticipated before the construction began. The joint website currently maintained by the SWBNO and Army Corps of Engineers confirms the "that there will be impacts to the surrounding area due to construction of the SELA project". According to the website, "Impacts include ...noise, vibratory impacts resulting from moving and operating heavy construction equipment, and the potential impact to structures located within a close proximity to construction activities..."

A pre-construction agreement jointly signed by the SWBNO and USACE in 2010 features aerial maps highlighting the specific Uptown properties they expected would be damaged by the construction project.

Despite its agreement to reimburse affected owners, the SWB is refusing to pay, according to Michael Whitaker, who, along with Joe Bruno, represent 275 Uptown property owners in an action for reimbursement.

"The vast majority of our clients attempted to work with the SWB, follow their process and submit claims for property repair. Every single one has been denied, however, forcing the owners to resort to the legal system."

Whitaker observed that "while the SWB publicizes its " successful claims process" it omits the fact that no claims are being paid."

Now, Whitaker and Bruno expect to face off against the SWB in a trial this summer on behalf of their clients who are over the age of 70, and thus legally entitled to priority on the Court's calendar. These will serve as test cases for the claims of the remaining property owners.