

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**JOHN FORD**

Plaintiff,

v.

**THE CITY OF NEW ORLEANS and  
MICHAEL S. HARRISON, in his official  
capacity as Superintendent of Police of the  
New Orleans Police Department.**

Defendants.

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**CIVIL ACTION  
NO. 2:16-cv-16433-MVL-KWR  
  
JUDGE LEMMON  
  
MAGISTRATE ROBY**

**STIPULATED ORDER**

The following stipulations have been agreed upon by the parties while the parties work to resolve the relevant issues in this case. Nothing in these stipulations shall constitute an admission of liability or an admission that any ordinance, policy, practice, or procedure of the City of New Orleans, its officers, officials, employees, agents and/or servants, at any time or in any way violated federal or state law, which the City of New Orleans expressly denies.

The parties hereby stipulate to the following:

1. Defendants and their officers, agents, and employees will not enforce New Orleans City Code Section 54-339(1) to the extent this section prohibits named Plaintiff from importing, purchasing, possessing, or using a Taser®, stun gun or other electronic control devices for lawful self-defense anywhere a firearm is allowed to be carried either openly or concealed.

2. Defendants and their officers, agents, and employees will not enforce New Orleans City Code Section 54-339(1) to the extent this section prohibits third-party vendors from selling or shipping electronic control devices to named Plaintiff.
3. Notwithstanding the City's denial of liability in this matter, the parties agree and acknowledge that the City may attempt to resolve this litigation by revising the relevant provisions of City Code § 54-339(1) to address the stun-gun provision that plaintiff alleges to be unconstitutional. Insofar as the City enacts an amended version of the statute that ameliorates the alleged constitutional infirmities associated with the stun gun ban, the City stipulates that plaintiff will be deemed a prevailing party for purposes of 42 USC § 1988.

It is therefore ORDERED that the above stipulation is adopted.

**SO ORDERED.**

Dated: December 14th, 2016



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JUDGE MARY ANN VIAL LEMMON  
United States District Court Judge