

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA**

ANNE WHITE HAT, RAMON MEJÍA,
and KAREN SAVAGE,

x

Plaintiffs,

v.

Civil Action No. 6:20-cv-00983

BECKET BREAU, in his official
capacity as Sheriff of St. Martin Parish;
BO DUHÉ, in his official capacity as District
Attorney of the 16th Judicial District Attorney's
Office,

JUDGE ROBERT R. SUMMERHAYS
MAGISTRATE JUDGE
CAROL B. WHITEHURST

Defendants.

X

DECLARATION

I, PETER AASLESTAD, declare and state as follows:

1. I am resident of Virginia and offer this declaration in support of Plaintiffs.
2. I, along with my sisters, own an undivided interest in a parcel of land in the Bayou Chene area of the Atchafalaya Basin in St. Martin Parish.
3. My sisters and I inherited this land from our parents. Our family has owned an interest in this land for several generations.
4. I and my sisters resisted the efforts of Bayou Bridge Pipeline, LLC, to expropriate the land.
5. We did not believe there should be another pipeline running through our property and doing further damage to the Basin.
6. I never consented to Bayou Bridge being on our property.

7. When I learned that the company had gone on to it and began clear-cutting old cypress trees and other kinds of trees and was beginning construction, I got very upset.
8. On July 27, 2018, I brought a case in St. Martin Parish to enjoin the company's activities and eject them from the property.
9. Right after my lawyer filed my case, Bayou Bridge Pipeline filed their expropriation case, but by that time, they had already done a lot of harm to the land.
10. In September, in my injunction case, we entered into a stipulated agreement that they would leave the property, but I later learned that they had already completed most of the construction at that point. I have attached a true and correct copy of that stipulation here as Exhibit A.
11. My sister, Katherine Aaslestad, and I countersued Bayou Bridge in the expropriation proceeding.
12. After a trial, the court found that Bayou Bridge had committed a trespass on our property but did not rule on our related claim that the company had also violated our rights to due process.
13. We appealed the fact that the trial court failed to rule on our due process claim and the Third Circuit Court of Appeals agreed with us, noting that when Bayou Bridge "consciously ordered construction to begin on this property prior to obtaining a judicial determination of the public and necessary purpose for that taking, it not only trampled Defendants' due process rights as landowners, it eviscerated the constitutional protections laid out to specifically protect those property rights."
14. I have attached a copy of the Third Circuit Court of Appeals opinion here as Exhibit B.

15. In July, 2018, I also asked my lawyer, William Quigley, to advise the St. Martin Parish Sheriff's Office that I did not oppose the protesters being on the property and that I did oppose Bayou Bridge's presence there.

16. I confirmed that he sent that communication to the local authorities.

17. I was upset that the company flagrantly trespassed on our property without a legal right to do so, and that protesters who had my permission to be there were arrested and faced felony charges.

18. Aside from the issue of illegality of Bayou Bridge's trespassing on our property, as a landowner with pipelines running through my property, I am very uncertain about what my rights are under the critical infrastructure law after it was amended in 2018 to include pipelines, and whether the company has a right to exclude me and my guests from certain parts of my own property, and whether I could be subject to felony charges under the new law.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 16, 2022

A handwritten signature in black ink, appearing to read 'Peter Aaslestad', written over a horizontal line.

PETER AASLESTAD