

SEALED

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

UNITED STATES OF AMERICA	*	CRIMINAL NO: 07-270
v.	*	SECTION: "R"
JOSEPH JOURDAIN	*	VIOLATION: 18 U.S.C. § 4
	*	*
	*	*

FACTUAL BASIS

Should this matter proceed to trial, both the government and the defendant, **JOSEPH JOURDAIN**, do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crime to which the defendant is pleading guilty and that the government would prove the following beyond a reasonable doubt at trial:

The government would present evidence that in early 2002, Oliver Thomas, met with Stanford Barré. Barré enlisted Oliver Thomas to assist him in maintaining a parking contract Barré had with the French Market Corporation (FMC), City of New Orleans, in light of the election of a new Mayor. Barré was concerned that the new Mayor would replace his company. Barré believed that based on Oliver Thomas's position on the New Orleans City Council and because of his position on the FMC Board that he could delay, at least temporarily, the termination of Barré's parking contract with FMC.

During this meeting with Oliver Thomas, Barré discussed his fear that he would lose several financial interests that he had acquired under the previous mayoral administration and requested Oliver Thomas' help with the new Mayor. At the end of the meeting between Barré and Oliver Thomas, Barré bribed Oliver Thomas with \$10,000.00 in cash. Barré later brought Oliver Thomas another \$5,000.00 cash bribe for a total of \$15,000.00 in cash. Later, Oliver Thomas contacted Barré to tell him that he could assist him if he included a close personal associate of his, **JOSEPH JOURDAIN**, in the parking proceeds. Barré agreed to Oliver Thomas's terms.

Oliver Thomas contacted **JOSEPH JOURDAIN** and said he should go see Stanford Barré because Barré had something for **JOURDAIN**. **JOURDAIN** did not previously know Barré. Oliver Thomas gave **JOSEPH JOURDAIN** Barré's telephone number and instructed **JOURDAIN** to contact Barré. **JOSEPH JOURDAIN** contacted Barré and they met at Barré's office located in the Municipal Auditorium. During the meeting, Barré explained how he received revenue from the FMC parking lots and he told **JOURDAIN** that he would kickback to him one-third of what he received. Barré gave **JOURDAIN** a check in the amount of \$1,487.33 which **JOURDAIN** deposited into his bank account.

On or about March 19, 2002; May 1, 2002; and July 22, 2002, Barré gave **JOURDAIN** checks in the amounts of \$1,723.33; \$1,666.85; \$4,295.91 respectively. **JOURDAIN** received calls from Barré or someone at Barré's direction to let him know that his checks were ready. After receiving a call from Barré's office, **JOURDAIN** would go to Barré's office to collect the checks. **JOURDAIN** performed no work for any of this money nor did he invest any money in the company. During the time that **JOURDAIN** was collecting these checks from Barré,

JOURDAIN received a call from Oliver Thomas asking him to meet with him. During this meeting, Oliver Thomas asked **JOURDAIN** if he had been paid by Barré and how much.

Oliver Thomas then told **JOURDAIN** that he wanted \$1,000.00 in cash. On or about the next day **JOURDAIN** met with Oliver Thomas and gave him a \$1,000.00 illegal cash payment.

On approximately three other occasions, Oliver Thomas and **JOURDAIN** met for the purpose of **JOURDAIN** kicking back cash to Oliver Thomas. At each meeting, **JOURDAIN** gave Oliver Thomas an illegal cash payment of approximately \$1,000.00 for a total of \$3,000.00 to \$4,000.00 in kickbacks. On each occasion, **JOURDAIN** concealed the felony of bribery by paying Oliver Thomas in cash in order not to create a record and at no point did **JOURDAIN** report the commission of the felony to law enforcement.

The government would call special agents from the Federal Bureau of Investigation to testify about a confession provided to them from **JOURDAIN** when **JOURDAIN** was confronted with the evidence that he, Barré, and Oliver Thomas were involved in a bribery scheme.

Further, the government would introduce records and call witnesses from the City of New Orleans and FMC to establish the relationship between the City and the FMC and Oliver Thomas's position with the New Orleans City Council and on the FMC. Additionally, the government would present evidence that the City of New Orleans received federal assistance in excess of \$10,000 during the one year time period beginning January 1, 2002, and ending December 31, 2002.

Defendant **JOSEPH JOURDAIN** acknowledges that the above evidence constitutes a knowing violation of Title 18, United States Code, Section 4, Misprision of the Felony of Bribery of a Public Official (18 U.S.C. § 666(a)(1)(B)).

JOSEPH JOURDAIN Date
Defendant

GARY W. BIZAL Date
Counsel for Defendant

BRIAN M. KLEBBA Date
Assistant United States Attorney

JON MAESTRI Date
Assistant United States Attorney

BRIAN CAPITELLI Date
Assistant United States Attorney