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DSS GENERAL COUNSEL

STATE OF LOUISIANA,
THROUGH DEPARTMENT
OF SOCIAL SERVICES,
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DOCKET NO. 64,167 DIV. "C"

2010 MAY 26 P 3:38

26TH JUDICIAL DISTRICT COURT

VERSUS

WEBSTER PARISH

PARISH OF WEBSTER

_____DY

ANDY NELSON, d/b/a
TENDER YEARS KID KARE

STATE OF LOUISIANA

CONSENT JUDGMENT

This matter was set for hearing May 11, 2010 on the State's rule for contempt of court. The parties reached an agreement beforehand, and a conference was held in chambers. Present were Robert A. Moore for defendant Andy Nelson; James Johnson, former counsel in this case for defendant; and Anthony Caruso for the State of Louisiana, participating via telephone. Having reviewed the Consent Agreement, the Court being satisfied that the agreement was entered into freely and voluntarily, and it appearing that the law and the evidence justify the relief sought, therefore

IT IS ORDERED that defendant Andy Nelson is hereby found in contempt of court for violating the preliminary injunction signed by this Court on February 21, 2005 and modified by this Court on December 20, 2007;

IT IS FURTHER ORDERED that defendant Andy Nelson pay a fine of \$1,000.00 (ONE THOUSAND DOLLARS) for the contempt of court described above; said fine to be suspended for the reasons orally assigned;

IT IS FURTHER ORDERED that defendant Andy Nelson, together with his agents, employees, representatives, officers, and any other person acting at his direction or on his behalf, is enjoined, restrained, and prohibited from providing care and supervision to any child or children, not including his own children or grandchildren, after 11:59 p.m. May 31, 2010; this injunction to remain in place until 12:01 a.m. June 1, 2015;

IT IS FURTHER ORDERED that a permanent injunction issue, effective immediately upon the expiration of the injunction in the paragraph above, enjoining, restraining, and prohibiting defendant Andy Nelson, together with his agents, employees, representatives, officers, and any other person acting at his direction and any other person acting at his direction or on his behalf, from providing care and supervision to any child or children, not including his

own children or grandchildren, without first having obtained a child day care license from the Department of Social Services or any successor agency or agencies;

IT IS FURTHER STIPULATED by the parties that defendant Andy Nelson has operated a child day care facility as defined in La. R.S. 46:1403 without a license for a total of 1,000 (ONE THOUSAND) days during the period spanned by this litigation, subjecting him to the minimum statutory daily fines for such unlicensed operation.


IT IS FURTHER STIPULATED that the State hereby waives and agrees not to pursue such statutory fines for unlicensed operation contingent upon defendant Andy Nelson's compliance with the terms of this Order, but that the State will be free to seek imposition of such fines for each day of unlicensed operation stipulated to above, if Andy Nelson violates the terms of this Consent Order.

This Judgment shall become effective at 11:59 p.m. May 31, 2010.


Minden, Louisiana, this 27 day of May, 2010.

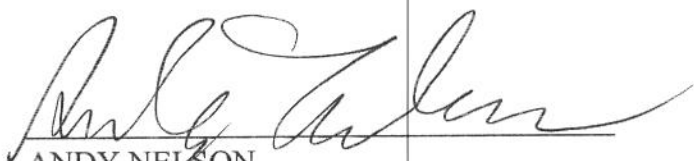

HON. JEFF COX
JUDGE, 26TH JUDICIAL DISTRICT COURT

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PLEASE SEE NEXT PAGE FOR
SERVICE INFORMATION

ATTEST


A TRUE COPY
Deputy Clerk District Court
WEBSTER PARISH, LA

PLEASE SERVE ANDY NELSON
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