

AFFIDAVIT OF FREDDIE L. PHILLIPS, JR.

STATE OF LOUISIANA

PARISH OF East Baton Rouge

On this 31st day of October, 2011, before me, Notary Public, in and for the Parish of East Baton Rouge, State of Louisiana, and in the presence of the undersigned witnesses personally appeared:

Freddie L. Phillips, Jr., whose official business street address is declared to be 8055 Hanks Drive, which is located in the city or town of Baton Rouge in the State of Louisiana, and for which the zip code is 70812.

Rev. Phillips stated to me that he is a 1983 graduate of Glen Oaks High School, Baton Rouge, Louisiana. He further stated to me that he also is a graduate of Inter-Baptist Theological Seminary in Houston, TX. He stated that he graduated with a Bachelor's Degree in Religious Education and that he also holds a Master's Degree in Theology from Southwestern Bible College in Fort Worth, TX. He further stated that he is the Founder/Pastor of the Outreach Center at Jehovah Ministry in Baton Rouge, LA. He also stated that he sits on the Boards of the following religious organizations: International Fellowship of Independent Interdenominational Churches, God's Comfort Ministerial Alliance, Faith City International Ministries, and Impart Ministries International. Rev. Phillips also indicated that he is a featured instructor at the Faith City Bible College and School of Ministry in Baton Rouge, LA. Rev. Phillips also stated that he is President of Premier Auction Services in Baton Rouge, Louisiana and that he frequently serves as Bid Assistant for Auction Sells Fast, LLC, an entity for which Robert Edwin Burns serves as President and CEO. Rev. Phillips also indicated that he is a recognized expert in the field of appraising sports memorabilia and that a feature article profiling his services appeared in the July 16, 2009 edition of The Advocate touting his expertise in appraising sports memorabilia.

Rev. Phillips further stated to me that he is the owner of a cell phone for which the associated phone number is 225-229-3341. Rev. Phillips further stated that he had, on numerous occasions leading up to April 8, 2011, discussed with Robert Edwin Burns the desire to create video clips promoting the Glen Oaks High School 30-Year reunion for the Class of 1981 and, in so doing, to provide former classmates with knowledge of how real estate auctions work. Rev. Phillips also stated that he called Robert Edwin Burns on the date of Friday, April 8, 2011 at approximately 2:32 p.m. to see if Mr. Burns had gotten the opportunity to film a video clip or two on that day. Mr. Burns indicated that he had not but that his hope was to do as he'd done on two prior occasions and call Ms. Karen Kennedy regarding being able to visit the Boardroom located at 5222 Summa Court and film the video clips. Rev. Phillips further indicated that he spoke with Mr. Robert Edwin Burns for a total of 44 minutes during Mr. Burns' office visit that day.

Rev. Phillips further indicated that he was on the phone with Mr. Burns at 4:50 p.m. when he heard Mr. Burns and Ms. Kennedy engage in a friendly conversation in which Ms. Kennedy relayed that, because she was about to leave the building, that Mr. Burns would also have to leave as she could not leave him there unattended. Rev. Phillips further stated that Mr. Burns' final words to him on the phone were, "Freddie, I've got to go now. Ms. Kennedy is about to leave, so I have to gather my equipment and exit also. I will call you back as soon as I'm in the car." Rev. Phillips further stated to me that Mr. Burns did call him back at 4:53 p.m. and they resumed their prior phone conversation.

Rev. Phillips further relayed to me that he attended the National Auctioneer's Licensing Law Officials Agency (NALLOA) Convention in Nashville, Tennessee in July of 2008. Unaware that he was entitled to be reimbursed as Secretary-Treasurer of the LALB, he further stated that, at the convention, Auctioneer Barbara Bonnette, who was herself a former LALB Member, informed Rev. Phillips that he was eligible for full reimbursement. Accordingly, Rev. Phillips further relayed that he requested that reimbursement at the November, 2008 LALB meeting, at which time the LALB voted unanimously to approve his reimbursement.

Rev. Phillips further relayed that, because a new fiscal year had begun, there was considerable confusion regarding exactly what paperwork was required to obtain reimbursement from a prior fiscal year. The process dragged out for an extended period, and so Rev. Phillips relayed that he'd just made up his mind to forget about the 2008 NALLOA Convention reimbursement and instead merely permit the LALB to pay for him to attend the 2010 convention in Greensboro, North Carolina. Rev. Phillips, relayed, however, that at the May 17, 2010 LALB meeting, he was voted down regarding attending the meeting by a vote of 5-2, with only himself and LALB member Robert Burns voting to approve having Rev. Phillips attend the convention as an LALB representative.

Rev. Phillips further relayed that he wanted to investigate who all affiliated with the LALB had been approved to attend conventions over the past 10 years and how much they were reimbursed and whether they held any officer title with the LALB. He then relayed to me that, after requesting the information of then-LALB Chairman Ken Comer several times with no results, he drafted a certified letter to the LALB Attorney, Anna Dow, dated May 28, 2010 requesting that information. Rev. Phillips further relayed that Ms. Dow responded via mail in a letter dated on or about June 2, 2010 relaying that she didn't have records and that she'd spoken with then-LALB Chairman Ken Comer, who relayed Rev. Phillips needed to call him regarding the matter. Rev. Phillips indicated he then called Mr. Comer several times but to no avail. Rev. Phillips then relayed that Mr. Comer sent each member of the LALB a letter dated June 18, 2010 relaying that no LALB Member would be provided access to records without his approval. Rev. Phillips then relayed that he brought the matter up at the August 2, 2010 LALB meeting which, at his request and the request of then-fellow Board Member Robert Burns, his State Representative, Rep. Regina Barrow, attended. Rev. Phillips further relayed that, at that meeting, he endured numerous character assassinations and was repeatedly interrogated as to why he sought the past travel records. Rev. Phillips further relayed that then-Board

Member Robert Burns was the only Board Member who spoke favorably of Rev. Phillips and that Ms. Nell Stuard, an audience member and past Secretary-Treasurer of the Louisiana Auctioneer's Association, spoke up and said, "These character assassinations against Mr. Phillips are an embarrassment to the profession!" Rev. Phillips further relayed that Rep. Barrow spoke at the meeting relaying that she was "concerned about underlying issues that need to be addressed by this Board." Rev. Phillips further relayed that Rep. Barrow was so taken aback at what all she heard at that meeting that she requested that a special item be placed on the agenda of a meeting of the Joint Committee of Governmental Affairs on November 17, 2010 to air just what all she'd heard at that August 2, 2010 LALB meeting.

Rev. Phillips further relayed that, after the August 2, 2010 LALB meeting, at which it was made abundantly clear to him that he would not be obtaining the historical travel information he was requesting, he filed a Writ of Mandamus against the LALB on August 9, 2010. Rep. Phillips further relayed that the LALB's attorney, Anna Dow, on her own and without consulting the Board, then embarked on an extensive legal battle with Rev. Phillips in which the LALB spent over \$2,000 fighting him getting the past travel information, with Ms. Dow relaying in pleadings that providing the information would require "specialized computer programmers," and that the LALB didn't have the information he was requesting in the format he was requesting. Rev. Phillips also relayed that twice in pleadings Ms. Dow submitted to the court, she indicated that Rev. Phillips had not been approved for 2008 cost reimbursement, and Rev. Phillips relayed he ultimately had to enter the November 2008 LALB minutes into the record of that Writ suit to disprove Ms. Dow's assertion. Rev. Phillips also stated that Ms. Dow, who used to serve as an attorney with the Louisiana Department of Insurance, cited in pleadings a case of Nungesser v. Brown (former Insurance Commissioner), which entailed thousands of investment securities. In sharp contrast, Rep. Phillips relayed the information he was seeking entailed only 15 travel vouchers. Rev. Phillips further relayed that, upon the conclusion of a status conference pertaining to that case on or about November 23, 2010 as he and Ms. Dow exited the courthouse building, Ms. Dow stated to Rev. Phillips, "Mr. Phillips, don't follow me to my car." Rev. Phillips further relayed that he indicated to Ms. Dow that he had no intention of following Ms. Dow to her car and was in fact intending to walk in the opposite direction to his own vehicle.

Rev. Phillips further relayed that, at a subsequent LALB meeting of September 19, 2011, Ms. Dow further singled Rev. Phillips out in asking four (4) times during that meeting if Rev. Phillips was carrying a weapon and insisting to him that he was subject to search at "anytime" irrespective of whether she or anyone else in the room had probable cause as Rev. Phillips relays he informed Ms. Dow that she would need in order to search him. Rev. Phillips further relayed that, upon him relaying after the fourth time she inquired of him regarding whether he was carrying a weapon or not, that he was not going to answer that question, both Ms. Dow and LALB Chairman Tessa Steinkamp both looked at EBRP Deputy Ronald Landry with an implicit query of whether he would do anything about Rev. Phillips' refusal to answer the question.

Rev. Phillips further relayed that his Writ of Mandamus ultimately became moot when Robert Burns volunteered to go into the LALB office and attempt to assimilate the information which Rev. Phillips requested. Prior to Mr. Burns making the offer, Rev. Phillips relayed to me that he got nothing but “run around” in that two reports prepared by Ms. Edmonds, LALB Executive Assistant, (one on or around September 20, 2010 and the other on or around October 21, 2010) did not remotely conform to his request, appeared to be produced in a matter of seconds as mere computer runs, had names redacted, had amounts redacted, and were essentially useless.

Rev. Phillips further relayed that, after Ms. Edmonds relayed at the August 2, 2010 LALB meeting that, “I want to help you,” she did an about-face at the January 10, 2011 LALB meeting in pushing for a “records destruction policy” and, while directly addressing Rev. Phillips and waiving a pen back and forth in speaking to him, all as captured on videotape of the meeting of that date, said, “I am time and time again having to go through boxes to pull records you’ve requested that this office shouldn’t even have.....They may not all be from you, but you and your **friend in crime back there, Mr. Burns, you two take turns requesting documents.**” Also at that same meeting, Rev. Phillips relayed that he made an inquiry as to whether the Board should look into the fact that LALB attorney Anna Dow had billed for sessions she attended at the NALLOA conference in 2010 without Board approval and whether that action may have constituted misappropriation of funds. Upon him recommending that investigation, Rev. Phillips relayed that Ms. Dow immediately responded that she would sue Rev. Phillips for his inquiry. Rev. Phillips also indicated that then-Chairman Ken Comer also indicated that he too would sue Rev. Phillips for suggesting there may have been any impropriety involving Ms. Dow’s billing for attending sessions at the conference. Rev. Phillips further relayed that Ms. Dow followed up her verbal threats to sue Rev. Phillips by sending him a letter dated January 26, 2011 accusing Rev. Phillips of “slander and invasion of privacy” and relaying that, if he did not retract his statements within 10 days that “Mr. Comer and I reserve the right to file suit against you for slander and invasion of privacy.”

Rev. Phillips further relayed that, at the March 21, 2011 LALB meeting (21 days prior to Ms. Edmonds calling the police regarding Robert Burns) that WAFB reporters Paul Gates and David Spunt attended the meeting with cameras rolling and asked Ms. Dow some heated questions regarding past episodes which Rev. Phillips had endured at the LALB. After the reporters left, Ms. Edmonds later was quoted at that meeting saying, “Why would the Board choose you [referencing Rev. Phillips] as a representative given that you’re suing the Board?”

Rev. Phillips further relayed that Mr. Burns volunteered to go into the LALB office on April 7, 2011, which Rev. Phillips indicated was four days prior to Ms. Edmonds calling the EBRP Sheriff regarding Mr. Burns, and produce the travel report that Rev. Phillips requested, while being monitored by Attorney General Paralegal Cheryl Harrison at the insistence of the LALB, in two hours and four minutes. Rev. Phillips further indicated that Mr. Burns volunteered to perform that act for him because Mr. Burns relayed that, otherwise, Rev. Phillips was unlikely to ever receive any report remotely resembling

what he'd requested from the LALB given all the court filings Ms. Dow had made attempting to stonewall any such endeavor. Rev. Phillips further relayed that Mr. Burns prepared a sworn affidavit attesting to the fact that he'd produced the report in a little over two hours and expressing displeasure that the LALB had spent over \$2,000 fighting Rev. Phillips about producing the report when it was so easy to produce and would have cost the LALB only about \$100 in secretarial-level time.

Rev. Phillips further indicated that he's been a vocal critic of the work arrangement which the LALB granted to its Executive Assistant, Ms. Sandy Edmonds. Rev. Phillips further relayed that for the first time since Ms. Edmonds was hired on August 10, 2009, he learned that she intended to work no more than 12-15 hours a week sometime a few days before Monday, September 20, 2010 when he expressed interest in coming into the LALB Office to review the license file of Ken Buhler, who was applying for license reinstatement after his license had been revoked due to numerous past disciplinary matters. Rev. Phillips stated that Ms. Edmonds relayed, "This is not what I signed up for. I agreed to work 12-15 hours a week and no more." Rev. Phillips also indicated that he was dismayed and shocked to learn that Ms. Edmonds had no intention whatsoever of ever establishing even minimal office hours at which the LALB would serve the public's needs and that, under those circumstances, he felt her \$20,000 salary was obscenely high. Rev. Phillips further relayed that, after he was denied access to Mr. Buhler's file prior to the meeting, he scheduled a subsequent meeting to review the file after Mr. Buhler's license had been reinstated with Rev. Phillips having voted in opposition. Rev. Phillips further indicated that, upon his review of the file, he uncovered the fact that Mr. Buhler failed to qualify for a residential license in that the voter registration Mr. Buhler supplied was a Texas voter registration. Rev. Phillips also relayed that the results of his findings were well-documented and well-distributed via a certified letter dated October 4, 2010 which he sent to all Board Members as well as numerous other regulatory and law enforcement agencies regarding his findings. He also stated that the letter resulted in a major article in The Advocate written by reporter Ted Griggs and published on October 15, 2010. In the letter, Rev. Phillips referenced the Ken Buhler oversight and another lapse on the part of Ms. Edmonds regarding auctioneer Dan Mahaney. Rev. Phillips indicated that Mr. Mahaney is an auctioneer from Indiana. According to Rev. Phillips, Ms. Edmonds failed to ensure that Mr. Mahaney had the appropriate license he needed for conducting a New Orleans French Quarter real estate auction in July of 2010. Rev. Phillips indicated that Ms. Edmonds' oversight cost Mr. Mahaney approximately \$34,000. Rev. Phillips indicated that, in the October 4, 2010 LALB certified letter, he indicated that Ms. Edmonds may well be in need of "remedial training."

Rev. Phillips further relayed that he has played an active role in an investigation of Ms. Edmonds' work arrangement with the Interior Design Board and the LALB in order to assist the Louisiana Legislative Auditor's Office in an upcoming on-site investigation of same. To that end, Rev. Phillips relayed that, at the January 10, 2011 LALB meeting, in keeping with an admonition from Mr. Calvin Moore of the Louisiana Legislative Auditor's Office, he asked the following question: "So, if Ms. Edmonds is in Miami Florida on vacation and she has her cell phone with her, we consider her on the clock?" Rev. Phillips further relayed that all of the other six Board members stated emphatically

that, indeed, Ms. Edmonds was to be considered “on the clock” under such a circumstance. Rev. Phillips further relayed that audience member Marvin Henderson said that he (Rev. Phillips) just needed to “keep your mouth shut.” Rev. Phillips further relayed that audience member Larry Nobles relayed that “every time you come over here, it’s a show! What’s your problem? I mean, where you going with this?.....Well, you need to just get off this Board!”

Rev. Phillips further relayed that, rather than having a custom-tailored position to suit Ms. Edmonds that the Board should be focusing on creating a job description and position, that would apply to her and to anyone who would succeed her. Rev. Phillips further indicated that the Board stated emphatically that the unique conditions of Ms. Edmonds’ employment would apply only to her and would not extend to anyone hired after her. Rev. Phillips further relayed that such language was even incorporated into a revised employment agreement executed between the LALB and Ms. Edmonds at that January 10, 2011 LALB meeting.

Rev. Phillips also relayed that he personally is responsible for Robert Edwin Burns remaining on the LALB past January 26, 2009. At that meeting, Rev. Phillips relayed that the LALB went into an executive session and blasted Board Member Burns for seeking an Attorney General’s Opinion regarding whether or not the LALB, on its own, could waive Continuing Education requirements. When the Attorney General Opinion was rendered, the Attorney General indicated that the Board lacked the power to do so and would instead have to have the Continuing Education statute removed from auctioneering statutes. Rev. Phillips relayed that Mr. Burns was extensively vilified during that January 26, 2009 LALB meeting, and that Mr. Burns indicated that he would be resigning later that day relaying that “I don’t need this garbage.” Rev. Phillips further indicated that he appealed for Mr. Burns at that meeting not to resign, a fact which he made known at the August 2, 2010 LALB meeting and to which then-Chairman Comer said, “That’s your right, Freddie.” Rev. Phillips stated that he called Mr. Burns the next day, who indicated he’d already told Mr. James Quinn that he wanted off the LALB immediately; however, he relayed that Mr. Quinn asked him to “take a week to think about it.” Rev. Phillips then indicated that he called Mr. Burns twice more that week asking him to remain on the Board so that Rev. Phillips would at least have one more Board Member closely aligned with his own beliefs that integrity and honesty should be strived for on the Board and within the auction community. Rev. Phillips further relayed that Mr. Burns indicated that he would remain on the Board for as long as Rev. Phillips was on the Board and that Mr. Burns did so until Gov. Bobby Jindal removed Mr. Burns from the LALB on Friday, September 10, 2010.

Rev. Phillips also relayed that he was in attendance at a meeting at the Inspector General’s Office entailing alleged travel voucher fraud on the parts of former long-time LALB Chairman Delmar “Buster” Gay and Consumer Member Ray Camp. Rev. Phillips indicated that discussions took place regarding Ms. Edmonds having covertly copied an Inspector General work paper which was inadvertently left behind by the office. Rev. Phillips further indicated that he personally saw Ms. Edmonds hand Mr. Robert Edwin Burns a copy of the work paper sometime in March of 2010 when the three of them were

in the LALB office to work on reformulating the auction licensing exam. Mr. Burns relayed to Rev. Phillips that Ms. Edmonds had bragged to Mr. Burns of having copied the work paper in stating that it was just left on the table and that she made no special effort to obtain it. Mr. Phillips further relayed that he was not afforded the opportunity to view the work paper nor did he even know what it was because Ms. Edmonds merely said, "Robert. Here's that paper I told you about earlier." Rev. Phillips indicated that, after about 10-15 seconds of Mr. Burns looking at the paper, Ms. Edmonds said, "I need that back." Mr. Burns then handed the work paper back to Ms. Edmonds, who placed it in the center drawer of her desk. Mr. Burns relayed to Mr. Phillips that the work paper had a notation that the LALB's former Executive Director, Ms. Sherrie Wilks, complained that her character was discussed in the January 26, 2009 LALB meeting without her being afforded any 24-hour advanced notice. Rev. Phillips said that Mr. Burns indicated that the work paper could leave no doubt as to the complainant's identity, and that it was Ms. Wilks who had filed the complaint. Rev. Phillips indicated that Inspector Street stated that his office had "dropped the ball" in leaving the work paper behind and that he would be discussing the matter with his staff. Rev. Phillips also indicated that Inspector Street voiced considerable disdain for Ms. Edmonds' act of copying the work paper.

Rev. Phillips further relayed that, after he and Mr. Robert Edwin Burns conducted a benefit auction for the Arthritis Association of Louisiana on August 27, 2010, Mr. Burns indicated that, when the two of them went to the office at 5222 Summa Court to review public records of the LALB on September 1, 2010, Mr. Burns stated that he needed to first pay Ms. Karen Kennedy for an item which Mr. Burns had won during the silent auction. Rev. Phillips further relayed that the item was a biography of former Louisiana Governor Edwin Washington Edwards along with eight (8) glasses featuring facial depictions of former Governor Edwards. Rev. Phillips further relayed that, on September 1, 2010 when he and Mr. Burns arrived at the offices on 5222 Summa Court, Mr. Burns rang the buzzer for Ms. Kennedy, Executive Director of the Arthritis Association of Louisiana, in order that she could open the door and have Mr. Burns visit her office to pay for the book and glasses. Rev. Phillips further relayed that, upon the conclusion of Mr. Burns' transaction with Ms. Kennedy, he and Mr. Burns went on to the Boardroom of the LALB to review the records which Ms. Edmonds, Executive Assistant of the LALB, had been preparing. Rev. Phillips further relayed that, after the viewing of the records, Ms. Kennedy simultaneously relayed to both Rev. Phillips and Mr. Burns that Ms. Edmonds had complained bitterly to Ms. Kennedy that she should not have permitted Mr. Burns and Rev. Phillips into the building without first notifying her. Rev. Phillips further relayed that Ms. Kennedy stated that Ms. Edmonds told Ms. Kennedy that the episode had better not repeat itself.

Rev. Phillips concluded by relaying that much of the time he was on the phone with Mr. Burns during the 44-minute conversation they had on April 8, 2011 when Mr. Burns was in the LALB Boardroom attempting to produce a few brief video clips for the Glen Oaks 30-Year Reunion for the Class of 1981 was spent discussing some of the findings of the travel report Mr. Burns had prepared for Rev. Phillips the day before.

THUS DONE AND SIGNED by Freddie L. Phillips, Jr. on the date first written above, in the presence of me, Notary.

Witnesses:

James Gallardo
Printed Name: JAMES GALLARDO

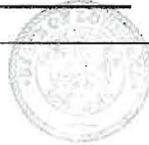
Harold Henderson
Printed Name: Harold Henderson

Freddie L. Phillips Jr.
Freddie L. Phillips, Jr.

Willie P. Prevost
NOTARY PUBLIC

LA Bar Roll #: _____

My commissions expires _____



WILLIE PAUL PREVOST
NOTARY PUBLIC, ID# 87623
PARISH OF EAST BATON ROUGE
MY COMMISSION IS FOR LIFE.
STATE OF LOUISIANA



thing over” and to “get past this” so they could continue to work together. Ms. Wilks further relayed that she contacted Ms. Anna Dow, LALB attorney, and informed Ms. Dow that Mr. Gay would not stop calling, would not leave her alone, and was creating a hostile work environment. Ms. Wilks further relayed to me that the phone calls from Mr. Gay stopped after Ms. Wilks contacted Ms. Dow about Mr. Gay’s harassment. Ms. Wilks indicated to me that, at some point during this ordeal, Ms. Dow had also indicated to her that she (Ms. Dow) had addressed the issue of the travel funds, and that the check would be returned to the office and that “this would be the end of the matter.”

During this same time frame, Ms. Wilks further relayed to me that she conducted further inquiries of then-Investigator Jim Steele as to how often Mr. Gay and Mr. Camp rode together, and that Mr. Steele’s response to her was something along the lines of... “pretty much all the time. Why?”

Ms. Wilks further indicated to me that one of the two travel checks was returned in the mail (both mileage and per diem), that Mr. Camp was absent at the next meeting, and subsequently resigned from the board without any further appearances.

Ms. Wilks indicated to me that, at some point, while filing papers in the auctioneer files, she became aware that both Mr. Gay and Mr. Camp had at different times had an address change and that both men were now listing physical addresses on the same street. Ms. Wilks then relayed to me that this prompted Ms. Wilks to piece together a time line of when the men became neighbors. Using this information, Ms. Wilks relayed that she then created a spreadsheet of all meeting dates and mileage paid to Mr. Gay and Mr. Camp (i.e. the potential theft amount from falsified mileage) from the time they became neighbors until she actually witnessed them getting into the same car. Ms. Wilks relayed to me that the total amount of that potentially falsified mileage totaled almost \$5,000.

Ms. Wilks also reported that during this time, after several conversations with the Governor’s office regarding the travel incident, Mr. Gay was removed as the Chairman but left on the board, and several new members were also appointed. Ms. Wilks further relayed that, when she expressed concern over Mr. Gay still being on the board, she was told by the Governor’s office that perhaps it wouldn’t be too bad since he was no longer Chairman. Ms. Wilks relayed to me that the situation proved to be quite the opposite, and Mr. Gay then began a crusade to make her life “a living hell” for the next 18 months that she remained at the LALB.

Ms. Wilks stated that after Mr. Gay’s removal as Chairman, he resorted to tactics that she believes were designed to discredit her to the board, the licensees and get her fired or, if he could not get her fired, to make her so miserable that she would resign.

Specifically, Ms. Wilks relayed that Mr. Gay did things such as objecting vehemently and creating controversy when, months later, Ms. Wilks requested a routine annual merit increase despite the fact that all of her previous evaluations (all done by Mr. Gay) were in the Superior rating. Ms. Wilks further relayed that Mr. Gay also used his position as the President of the Louisiana Auctioneers Association to print his slanted version of the

LALB Office in the Louisiana Auctioneer Association's newsletter as part of his "President's Report".

Ms. Wilks further relayed that Mr. Gay created controversy when Ms. Wilks sent a routine advertising violation letter to an auctioneer (something that had been done routinely, and with Mr. Gay's full knowledge and approval for the previous eight and a half years). Ms. Wilks stated that it is her belief that Mr. Gay encouraged the licensee to fight the violation, and gave untruthful and slanted information about how this had been handled in the past to the current board, in order to paint Ms. Wilks in an unfavorable way.

Ms. Wilks further stated to me that at some point she contacted the Ethics Commission for Whistle Blower protection from what was happening to her but was told that the Board would have to actually fire her or take some definitive punitive action against her before they could assist her.

Ms. Wilks stated that she learned from another auctioneer that Mr. Gay was distributing a petition among auctioneers throughout North Louisiana in late 2008 and early 2009 seeking to have Ms. Wilks terminated from her position. Ms. Wilks also stated that then-Board Member Robert Burns was told about the Petition at an auction in early November of 2008 by auctioneer Barbara Bonnette. Ms. Wilks further relayed that Board Member Burns shared that information with Ms. Wilks upon having heard it from Ms. Bonnette. Ms. Wilks stated that after Mr. Burns' attendance at the June, 2009 Louisiana Auctioneer's Convention, he relayed to Ms. Wilks that Mr. Gay openly appealed to all auctioneers present to stop by the table at the rear of the room on their way out and sign a petition regarding Ms. Wilks that Larry Nobles had at the table. Ms. Wilks further stated that Mr. Burns indicated to her that Mr. Gay had spent upwards of 15-20 minutes during the "business" segment of the Louisiana Auctioneer's Association meeting bashing Ms. Wilks, that one auctioneer was even given a microphone to make her own derogatory statements, and that many in the audience, after hearing what was said jumped on the bandwagon in agreement that Ms. Wilks had to go.

Ms. Wilks then relayed that she called another auctioneer she knew and trusted who had attended this convention and relayed the gist of what she had been told about the convention, asking this licensee if this was an accurate account of what had happened. Ms. Wilks further relayed that, with reluctance, and only after Ms. Wilks promised he would not be named, he relayed that it was fairly accurate and that it was very shocking to him to witness such behavior. Ms. Wilks further relayed that she also had occasion to speak with yet another auctioneer who also verified that this had taken place and that it was appalling to witness.

Ms. Wilks further relayed that the new board seemed to buy into whatever Mr. Gay was selling with respect to her, and that she began to be fearful for her job. She relayed that a previously good relationship with the then-current Chairman began to deteriorate, and the Chairman turned a blind eye to what Mr. Gay was saying about Ms. Wilks to the licensee base. Ms. Wilks stated to me her belief that this was partly due to Mr. Gay's vilification

of her, and partly due to her attempts to document issues taking place that she was fearful she might later be wrongly blamed for or that she believed to be either violations of policy and procedure or violations of law. Ms. Wilks relayed that the situation got so bad that she was no longer able to do her job without fear that she would be accused of doing something she shouldn't have done and it would be only her word against the entire board. She further relayed to me that she was no longer sleeping well at night, her health was suffering badly from all of the stress, and there came a time when she simply could no longer endure the agony of being unjustly vilified to the board and among the Louisiana auctioneer community. She further relayed that she made a decision that "no job is worth this" and resigned her position effective August 7, 2009.

Ms. Wilks relayed that during her employment with the LALB, she had worked closely with Ms. Sandy Edmonds, the Executive Director of the Interior Design Board. Ms. Wilks further relayed that she trained Ms. Edmonds on many functions of working for a state agency. Ms. Wilks relayed that she taught Ms. Edmonds how to use Access for the database, and Publisher software to produce the licensee I.D. cards as well as giving Ms. Edmonds a list of what job functions needed to be done at what times of the month or year, as well as giving her a copy of her own job description. Ms. Wilks further relayed that she considered Ms. Edmonds a friend, and that she confided in Ms. Edmonds totally regarding all of the ordeals she was enduring at the LALB. Ms. Wilks further indicated that Ms. Edmonds repeatedly made statements to Ms. Wilks indicating that she would not want her job and Ms. Edmonds' board (the IDB) was so easy to work for and that the LALB "sounded like a bunch of crazy people." Despite Ms. Edmonds' statements regarding the LALB, Ms. Wilks relayed that a day or so before her resignation was to take effect, (August 8, 2009), Ms. Wilks learned that Ms. Edmonds was to be her replacement. When Ms. Wilks confronted Ms. Edmonds, Ms. Edmonds informed her that the LALB made the offer so good there was no way she could turn it down.

Ms. Wilks further stated that then-Board member Robert Burns told her several months later that Ms. Edmonds had confided in him that she had gone to Anna Dow (attorney for both boards) as soon as she learned Ms. Wilks had resigned with her list of conditions under which she would take the job Ms. Wilks was vacating.

Ms. Wilks further stated that the list of "conditions" appeared to include working from her home as well as the office, which the IDB allowed Ms. Edmonds to do and which Ms. Wilks would never have been allowed to do, as she was made to punch a time clock, rarely took time off, and on those occasions that she was out of the office, had to hire temps to sit in the office and answer the phone in her absence.

Ms. Wilks further relayed that, as time passed, she learned more and more about Ms. Edmonds' unique and tailor-made working arrangements, which included her seeming unwillingness to publish or adhere to any "office hours" or spend any time to speak of actually in the office. Ms. Wilks further relayed that she learned that Ms. Edmonds would not come into the office for routine public records requests or would arrive, leave the records for others to oversee, and then would leave. Ms. Wilks relayed that she wondered whether Ms. Ms. Edmonds was taking any annual leave for all her absences

from the office, and recalled an incident prior to her resignation when Ms. Edmonds entered the LALB office while Ms. Wilks was completing a leave slip for time off. Ms. Wilks relayed that Ms. Edmonds inquired about it and Ms. Wilks explained the process of applying for leave and filling out leave slips when taking leave and offered to give some leave slips to Ms. Edmonds for her future use. Ms. Wilks relayed that Ms. Edmonds replied by saying "no thanks" and said that, if she was ever asked, she would just say she didn't know anything about them.

Ms. Wilks relayed that she suggested that former Board Member Robert Burns and current LALB member Rev. Freddie Phillips obtain payroll information on Ms. Edmonds to ascertain if the whole setup was acceptable or even legal. Ms. Wilks relayed that a review of the requested documents showed that Ms. Edmonds was not taking leave for either agency despite the fact that she routinely takes family vacations to Disneyworld, has gone out of town on board business for both boards and has had a death in her family since she started working for the LALB. Ms. Wilks relayed that it appeared to her that Ms. Edmonds was of the opinion that if she had her cell phone with her no matter where she was or what she was doing that she could be considered "on the clock" and therefore did not have to take any leave.

Ms. Wilks further stated that, after numerous calls to Louisiana State Civil Service personnel on her part and the part of Mr. Burns, she and Ms. Burns requested a meeting with Civil Service's Chief of Accountability, Mr. Patrick Lowery, on or about November 20, 2010. Ms. Wilks further stated that Mr. Lowery was gracious in extending about 45 minutes to an hour of his time to review all of the payroll information and Ms. Wilks' elaboration regarding Ms. Edmonds' work arrangement. Ms. Wilks stated that Mr. Lowery told her and Mr. Burns that what Ms. Edmonds was doing constituted "blatant payroll fraud" but that his "hands were tied" to pursue the matter because Louisiana Civil Service has enforcement powers only over classified employees, and Ms. Edmonds is an unclassified employee. Ms. Wilks stated that Mr. Lowery advised that she and Mr. Burns visit the Louisiana Legislative Auditor's Office and supply all of the information to them. Ms. Wilks stated that she and Mr. Burns went directly to the Legislative Auditor's Office that very same day, and met with Mr. Calvin Moore, Senior Auditor of the Compliance Audit Division of the Louisiana Legislative Auditor's Office.

Ms. Wilks relayed that Mr. Moore concurred that it was not appropriate to deem oneself to be "on the clock" merely by the fact that a person has a cell phone on his or her person. Ms. Wilks further stated that Mr. Moore indicated that the Louisiana Legislative Auditor's Office was opening an investigation file; however, Mr. Moore indicated that the investigation may take as long as two years to be resolved due to manpower issues. In the meantime, Ms. Wilks relayed that Mr. Moore encouraged both she, Mr. Burns, and anyone else to assist in providing his office with more payroll information and corroboration that the LALB and Interior Design Board was fully aware of Ms. Edmonds' work situation. To that end, Ms. Wilks relayed that Rev. Phillips and Mr. Burns periodically requested additional payroll information, and all three parties (Mr. Burns, Ms. Wilks, and Rev. Phillips) met with Mr. Moore, with the most recent meeting being on or around July 26, 2011.

Additionally, Ms. Wilks relayed that she attended the January 10, 2011 LALB meeting knowing that an "employment agreement" was being discussed regarding Ms. Edmonds. At that meeting, Ms. Wilks relayed that she contrasted her working conditions with that of Ms. Edmonds. Ms. Wilks further relayed that her contrasting included the fact that Ms. Wilks was required to punch a timecard to document the number of hours she worked and that the time clock was located in the LALB office, which is where Ms. Wilks was expected to perform her duties. Ms. Wilks also indicated that she relayed that, if she were ever not physically in the office, she was required to submit a leave card and take either annual or sick leave (whichever was applicable). Ms. Wilks also relayed that the LALB viewed having a live person in the office to be of such paramount importance under her tenure that she was informed that, if she did need to be out of the office for any length of time, she was frequently required to contract with the approved temp agency, Westaff, during the time she was off. Ms. Wilks further relayed that, as part of the fact gathering for Mr. Moore, Ms. Wilks also stated that at this meeting that Rev. Phillips asked the other board members a hypothetical scenario that, "If Ms. Edmonds is vacationing in Miami, Florida, and she has her cell phone, we consider her on the clock?" Ms. Wilks indicated that the entire LALB membership nodded and voiced their agreement with Mr. Phillips' question, and that they indeed did consider her to be "on the clock" in such situations..

During the latter part of Ms. Wilks' tenure at the LALB, she relayed that she frequently interacted with Arthritis Association of Louisiana employees Karen Kennedy and Caroline Messenger. She further stated that, on or about Monday, April 11, 2011, Mr. Robert Edwin Burns alerted her to the fact that the East Baton Rouge Parish Sheriff's Office had briefly visited his home regarding recent office visits to the conference room located at 5222 Summa Court, to which tenants of that building had access to and usage privileges. Ms. Wilks further stated that she was further informed by Mr. Burns that, on or about Tuesday, April 12, 2011, Louisiana State Police Investigative Support Services' Division also visited Mr. Burns' home to discuss the office visits. Ms. Wilks further stated that Mr. Burns relayed to her that Ms. Karen Kennedy, President and CEO of the Arthritis Association of Louisiana, had granted Mr. Burns permission to utilize the conference room and that Ms. Kennedy is the individual who unlocked the door to permit Mr. Burns to access the building and film short video clips in the Boardroom.

Ms. Wilks further relayed that after learning of the police visit to Mr. Burns that she had advised Mr. Burns that he may wish to call Ms. Kennedy and provide a "heads up" to the fact that Ms. Edmonds had called police. Ms. Wilks further indicated that Mr. Burns relayed to her that he had tried to comply with providing Ms. Kennedy with such a "heads up" phone call but that he indicated that Ms. Kennedy kept being unavailable. Ms. Wilks then relayed that Mr. Burns told her that he left her a message and invited Ms. Kennedy to call him, which Ms. Wilks relayed that Mr. Burns indicated Ms. Kennedy never returned his call.

Sometime in the next few days and weeks after the police incidents, Ms. Wilks stated that she spoke with Ms. Kennedy regarding the office visits and the ensuing police visits to

Mr. Burns' residence. Ms. Wilks' understanding of the situation was that Ms. Kennedy had been advised that Mr. Burns' presence in the building without direct supervision by an occupied tenant posed a potential security problem. Ms. Wilks further relayed that she ended the conversations under the impression that Ms. Kennedy had been reprimanded and/or chastised by individual(s), the identity or identities of whom were and are not known to Ms. Wilks.

Ms. Wilks further relayed that Mr. Burns called her on or about April 19, 2011 relaying that he'd obtained a copy of the EBRP Sheriff's Police report and was stunned to see Ms. Kennedy and Ms. Messenger listed as victims. Ms. Wilks indicated that she was dumbfounded to learn that fact but even more dumbfounded when Mr. Burns provided her with a direct link to Ms. Kennedy's affidavit. Ms. Wilks indicated that she could hardly believe what she was reading and that under no circumstances would she have believed the content of the affidavit except for the fact she read it and saw Ms. Kennedy's signature on it.

Ms. Wilks further stated that she has personally known Mr. Burns since the time of him receiving his auctioneer's license in September of 2003; furthermore, Ms. Wilks served as Executive Director of the LALB from the time period of September 2008 through August of 2009 during which Mr. Burns was a member of the LALB.

THUS DONE AND SIGNED by the parties on the date first written above, in the presence of me, Notary.

Witnesses:

Barbara G. Gudan

Printed Name: BARBARA G GUDAN

Suzanne Duchamp

Printed Name: SUZANNE DUCHAMP

Sherrie M. Wilks
Sherrie M. Wilks 9818

Cleon Guillot
NOTARY PUBLIC
LA Bar Roll #: 010386
My commissions expires AT DEATH

