

ROBERT BURNS * NUMBER 616,916 SECTION 25
 VERSUS * 19TH JUDICIAL DISTRICT COURT
 LOUISIANA AUCTIONEER'S
 LICENSING BOARD, CHARLES
 "HAL" McMILLIN, JAMES M. SIMS, * PARISH OF EAST BATON ROUGE
 DARLENE JACOBS- LEVY,
 GREGORY L. "GREG" BORDELON, * STATE OF LOUISIANA
 CHARLES "CLAYTON" BRISTER *

ANSWER TO ORIGINAL PETITION AND AMENDMENT TO PLEADING

NOW INTO COURT, through undersigned counsel comes Defendants, Louisiana Auctioneer's Licensing Board, Charles McMillin, James M. Sims, Darlene Jacobs-Levy, Gregory L. Bordelon, and Charles Brister, in response to Plaintiff, Robert Burns', Petition for Damages and Judgment Voiding Action and Amendment to Pleading, respectfully states as follows:

1.

Paragraph 1 Plaintiff's Petition does not require a response from the Louisiana Auctioneer's Licensing Board (hereinafter referred to as "LALB"); however, to the extent a response is required, the allegations of Paragraph 1 are denied for lack of sufficient information to justify a belief in the truth therein.

2.

Allegations in Paragraph 2 are admitted.

3.

Allegations in Paragraph 3 are admitted.

4.

Defendants deny the allegations contained in Paragraph 4 for lack of sufficient knowledge or information to justify belief as to the truth of the allegation in Paragraph 4.

5.

Defendants deny the allegations contained in Paragraph 5 for lack of sufficient knowledge or information as to justify belief as to the truth of the allegations in Paragraph 5.

6.

Allegations in Paragraph 6 are admitted.

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7.

Plaintiff's assertion that the presiding Administrative Law Judge informed members of the Louisiana Auctioneer's Licensing Board that they were entitled to convene their deliberations in a closed Executive Session is admitted. All other allegations contained in Paragraph 7 are denied for lack of sufficient information to justify a belief in the truth therein.

8.

Defendants admit that plaintiff requested that deliberations be held in open session. All other allegations contained in Paragraph 8 are denied for lack of sufficient information to justify a belief in the truth therein.

9.

Defendants admit that LALB sent plaintiff a certified letter informing Burns that LALB intended to discuss the ongoing charges lodged against him as a licensee before the Board. All other allegations contained in Paragraph 9 are denied for lack of sufficient information to justify a belief in the truth therein.

10.

Defendants deny the allegation contained in Paragraph 10 of Plaintiff's Petition for lack of sufficient information to justify a belief in the truth therein.

11.

Defendants deny the allegations of Paragraph 11 for lack of sufficient knowledge or information to justify belief as to the truth of the allegations.

12.

Paragraph 12 of Plaintiff's Petition fails to comply with La. C.C.P. Art. 854. Subject to such objection, Defendants admit that it held a meeting on May 21, 2012 at which plaintiff indicated that he received notice of LALB's desire to discuss plaintiff's violations of the Louisiana Auctioneers laws. Defendant admits that meeting was not held in Executive Session. All other allegations contained in Paragraph 12 of the Petition are denied for lack of sufficient information to justify a belief in the truth therein.

13.

Paragraph 13 of Plaintiff's Petition fails to comply with La. C.C.P. Art. 854. Subject to such objection, Defendants deny the allegation of Paragraph 13 of the Petition.

14.

Defendants deny the allegations contained in Paragraph 14 of the Petition.

15.

Paragraph 15 of Plaintiff's Petition fails to comply with La. C.C.P. Art. 854. Subject to such objection, Defendants deny the allegations contained in Paragraph 15 for lack of sufficient information to justify a belief in the truth therein.

16.

The allegations of Paragraph 16 are denied as written.

17.

Paragraph 17 of Plaintiff's Petition fails to comply with La. C.C.P. Art. 854. Subject to such objection, Defendants admit that LALB rendered a decision to formally reprimand the petitioner. The remainder of Paragraph 17 is denied as written.

18.

Defendants deny the allegations of Paragraph 18.

19.

Defendants deny the allegations contained in Paragraph 19 for lack of sufficient information to justify a belief in the truth therein.

20.

Defendants admit that a letter dated December 26, 2012 was sent to Plaintiff. Such letter is in writing and is the best evidence of its contents.

21.

Defendants admit that Plaintiff attended the January 8, 2013 meeting.

22.

Defendants deny the allegations contained in Paragraph 22 of Plaintiff's Amendment to Pleading for lack of sufficient knowledge or information to justify belief as to the truth of the allegations in Paragraph 22.

23.

Paragraph 23 of Plaintiff's Amendment to Pleading fails to comply with La. C.C.P. Art. 854. Subject to such objection, Defendants admit that plaintiff attended the meeting held on January 8, 2013 and that he made an opening statement at the proceeding. All other allegations

contained in Paragraph 23 of Plaintiff's Amendment to Pleading are denied for lack of sufficient information to justify a belief in the truth therein.

24.

Paragraph 24 of Plaintiff's Amendment to Pleading fails to comply with La. C.C.P. Art. 854. Subject to such objection, the allegations contained in Paragraph 24 are denied.

25.

Paragraph 25 of Plaintiff's Amendment to Pleading fails to comply with La. C.C.P. Art. 854. Subject to such objection, the allegations contained in Paragraph 25 are denied.

26.

Defendants deny the allegations contained in Paragraph 26 for lack of sufficient information to justify a belief in the truth therein.

27.

Paragraph 27 of Plaintiff's Amendment to Pleading fails to comply with La. C.C.P. Art. 854. Subject to such objection, Defendants admit that its counsel made a statement at the meeting held on January 8, 2013. All other allegations contained in Paragraph 27 are denied.

28.

Paragraph 28 of Plaintiff's Amendment to Pleading fails to comply with La. C.C.P. Art. 854. Subject to such objection, Defendants deny the allegations contained in Paragraph 28 of Plaintiff's Amendment to Pleading for lack of sufficient information to justify a belief in the truth therein.

WHEREFORE, Defendants, Louisiana Auctioneer's Licensing Board, Charles McMillin, James M. Sims, Darlene Jacobs-Levy, Gregory L. Bordelon, and Charles Brister, pray that their answer be deemed good and sufficient, and after all legal delays and proceedings had, that there be judgment in favor of the Defendants and against Plaintiff, dismissing Plaintiff's suit and rejecting demands of the Plaintiff at his cost.

Respectfully submitted:

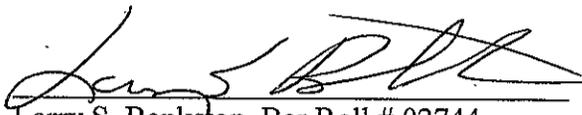
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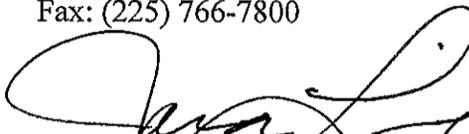
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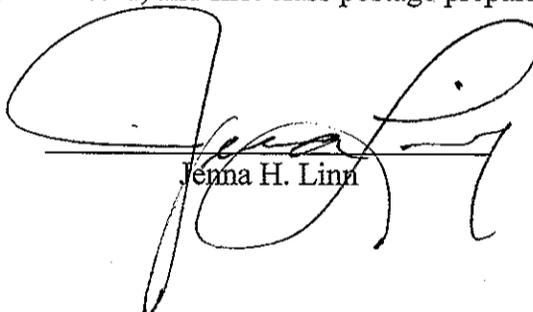


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CERTIFICATE

I hereby certify on this 21st day of January, 2013, a copy of the foregoing pleading was served on Robert Burns, by transmitting a copy of same via electronic mail, facsimile or regular United States mail, properly addressed, and first class postage prepaid.



Jenna H. Linn