

ROBERT BURNS

NUMBER 603.248 DOCKET: 24

19TH JUDICIAL DISTRICT COURT

VERSUS

PARISH OF EAST BATON ROUGE

ANNA DOW

STATE OF LOUISIANA

PETITION FOR DAMAGES FOR DEFAMATION OF CHARACTER

NOW UNTO COURT comes Plaintiff, Robert Edwin Burns, in proper person,
who asserts the following:

1.

That he is a person of the full age of majority and resides in the Parish of East
Baton Rouge, State of Louisiana.

2.

Made Defendant in this petition for damages is:

ANNA DOW, a major resident and domiciliary of the Parish of East Baton
Rouge, State of Louisiana.

3.

On July 26, 2010, auctioneer Barbara Bonnette caused a fax letter to be forwarded
to then LALB Chairman James Kenneth Comer, Jr. in care of the La. Auctioneer [sic]
License [sic] Board (hereinafter referred to as the "Letter") whose office is located within
the Parish of East Baton Rouge. That faxed letter, which was unsigned by Ms. Bonnette,
was received by the LALB office on Tuesday, July 27, 2010 at 10:04 p.m. A copy of the
Letter is attached hereto and made a part hereof as Exhibit "P-1."

4.

Ms. Sandy Edmonds, LALB Executive Assistant, relayed at the August 2, 2010
LALB Board Meeting that the fax was observed on the office fax machine on the
morning of Wednesday, July 28, 2010. Ms. Bonnette was then purportedly contacted by
LALB officials and told that the complaint needed to be on her letterhead and signed.
Ms. Bonnette complied with that request and submitted a second fax identical to the first
except for being signed and on her company's letterhead. That fax was sent by Ms.
Bonnette directly to then LALB Chairman James Kenneth Comer on Thursday, July 29,

2010 at 11:56 a.m. A copy of the Letter is attached hereto and made a part hereof as Exhibit "P-2."

5.

On Thursday, July 29, 2010, at 10:44 a.m., Petitioner received an email from Ms. Edmonds relaying, via email attachments, that a certified letter had been dated and mailed to Petitioner the previous day, Wednesday, July 28, 2010 (the day **BEFORE** anyone at the LALB had received a signed complaint) relaying that an item entailing Petitioner's character had been placed on the agenda of the August 2, 2010 LALB Board Meeting and informing Petitioner of a potential request to go into Executive Session and Petitioner's right to insist that the discussion take place in an open forum.

6.

On Thursday, July 29, 2010 at 2:32 p.m., Petitioner requested via email to Ms. Edmonds that he be provided with a copy of any written complaint prior to the scheduled LALB meeting on Monday, August 2, 2010.

7.

On Thursday, July 29, 2010 at 3:38 p.m., then LALB Chairman James Kenneth Comer, Jr., in apparent response to Petitioner's request, faxed a copy of Exhibit P-2 to the LALB office. Ms. Edmonds then submitted via email a copy of the complaint to Petitioner on Thursday, July 29, 2010 at 4:13 p.m.

8.

Petitioner received the actual certified letter itself and accepted same on Friday, July 30, 2010. A copy of the Letter as well as the envelope in which it was mailed is attached hereto and made a part hereof as Exhibit "P-3."

9.

Ms. Edmonds, in her email to Petitioner of Thursday, July 29, 2010 at 4:13 p.m., stated: "If you don't object, I would like to forward it [the complaint] to the entire board prior to the meeting. Please let me know." Petitioner responded, via email sent on Friday, July 30, 2010 at 9:33 a.m.: "It is my preference for the complaint not to be disseminated; however, I am neither the author nor the recipient of the complaint, so those parties will have to make that determination regarding your request."

10.

Defendant Anna Dow, LALB Legal Counsel, stated at the August 2, 2010 LALB meeting that Ms. Bonnette's complaint was against "the Board," notwithstanding the entirety of the complaint referencing purported actions on the part of Petitioner. Ms. Bonnette's complaint clearly failed to fall under the jurisdiction of the LALB and should instead be adjudicated, as the complaint itself referenced, in a civil court of law. Petitioner made this fact abundantly clear in an email sent to then LALB Chairman Comer and Defendant Dow as well as Executive Assistant Edmonds on Sunday, August 1, 2010 at 9:44 a.m. A copy of that email is attached hereto and made a part hereof as Exhibit "P-4."

11.

Petitioner further addressed the points referenced in Ms. Bonnette's letter via response on his letterhead to then LALB Chairman Comer (delivered via fax), and Defendant Dow (delivered via email) as well as to Executive Assistant Edmonds (delivered via email) dated Sunday, August 1, 2010. A copy of that letter is attached hereto and made a part hereof as Exhibit "P-5."

12.

At the August 2, 2010 LALB meeting, the email and letter referenced above in which Petitioner bent over backwards to alert then Chairman Comer and Defendant Dow that the complaint accusations were untrue, baseless, and did not belong under the jurisdiction of the LALB notwithstanding, then Chairman Comer, after first conferring with Defendant Dow regarding handling the matter (and in particular reading the complaint into the record, to which Defendant Dow responded "Um huh"), authorized the dissemination of Ms. Bonnette's Letter to third parties (namely Board Members and certain audience members in attendance at the meeting). That dissemination of the Letter on the part of then Chairman Comer upon the authorization by Defendant Dow to third parties, namely LALB Board Members and certain audience members, constitutes unprivileged publication of the Letter for defamation of character purposes.

13.

On information and belief, Ms. Bonnette is the author of the Letter.

14.

The second version of the Letter is written on the letterhead of Defendant, Bonnette Auction Company, L. L. C. by Ms. Bonnette.

15.

The letter contains scurrilous accusations against Petitioner, Robert Edwin Burns, which are unsupported by fact or law.

16.

Though the content of the Letter speaks for itself, Petitioner is accused of “disrupting legislative sessions, using the boards [sic] name....”

17.

Further, the Letter accuses Petitioner of “...harassing our company....”

18.

The Letter also accuses Petitioner “...of stalking...” Ms. Bonnette.

19.

Additionally, as a further accusation, the Letter states that Petitioner “...gives the whole industry a black eye.”

20.

It is believed that these accusations were authorized for dissemination by Defendant Dow in a bad faith attempt to discredit Petitioner, both personally and professionally, and that the authorization for dissemination given by Defendant Dow was done so with actual malice.

21.

Then Chairman Comer and Defendant Dow readily admitted, on tape, at the LALB meeting of Monday, August 2, 2010 that they had made no effort whatsoever to corroborate Ms. Bonnette’s claims (both stating, “We don’t have any proof.”). In fact, Defendant Dow stated at that meeting, on tape: **“The situation is that I must assume that she [Defendant Bonnette] must have something. Otherwise, she would not be sending this letter.”** Ms. Dow had a duty as the Board’s independent legal counsel to investigate the allegations contained in the letter but instead chose to acquiesce to the item being placed on the LALB agenda (an admission she made during the August 2, 2010 meeting) under, as has been clearly conveyed in the timeline of these pleadings,

emergency-rush conditions. Despite repeated requests on the part of Petitioner for follow-up findings by the LALB and/or Ms. Dow to corroborate Ms. Bonnette's accusations, as of the date of the filing of this petition (nearly one year after the Board Meeting at which all of Ms. Bonnette's scurrilous accusations against Petitioner were publicly aired in detail), no such corroboration has been forthcoming either from the LALB or Defendant Dow. Ms. Dow was well aware that Petitioner's stand on shill bidding, an illegal practice in Louisiana (as in all licensing-law states) was immensely unpopular with numerous auctioneers throughout the state. Upon information and belief, it was these auctioneers' zeal, including that of Chairman Comer who vigorously opposed laws to strengthen shill bidding penalties in Louisiana, which motivated them to discredit Petitioner at that August 2, 2010 meeting. Rather than making any effort whatsoever to perform her duty as an independent legal counsel regarding the matter, Ms. Dow chose instead to essentially team up with these auctioneers and, in fact, criticized Petitioner during the meeting for making his stand on the issue of shill bidding openly known to the public via extensive information regarding it on his website.

22.

Rep. John E. Guinn, R-Jennings, close friends of then Chairman Comer, attended the August 2, 2010 LALB meeting. Rep. Guinn previously confronted petitioner immediately after a meeting of the House Committee on the Administration of Criminal Justice on May 18, 2010. Petitioner had just completed testimony in favor of HB 1439 by Rep. Baldone, D-Houma, which would criminalize the practice of shill bidding at auctions. In the hallway just outside of Committee Room 6, Rep. Guinn, accompanied by approximately 10 like-minded auctioneers, all of whom opposed the bill, became very belligerent with Petitioner, resorting to the use of profanity and uttering phrases regarding defendant's character. As a result, Petitioner filed a police report with Capitol Police on Monday, May 24, 2010. A copy of that police report, which was accepted by Lieutenant Ray Alexander and subsequently delivered by him to House Speaker Jim Tucker, is attached hereto and made a part hereof as Exhibit "P-6."

23.

Twenty-eight (28) days subsequent to the August 2, 2010 LALB meeting which, as previously referenced, Rep. Guinn attended, Rep. Guinn drafted a letter to Governor

Bobby Jindal's Special Assistant, Jonathan Ringo, relaying that numerous auctioneers throughout Louisiana had requested the removal of Petitioner from the LALB. A copy of Rep. Guinn's letter, which was dated August 30, 2010, is attached hereto and made a part hereof as Exhibit "P-7."

As a result of Rep. Guinn's letter dated August 30, 2010, combined with the scurrilous falsehoods conveyed at the August 2, 2010 LALB meeting, Jonathan Ringo telephoned Petitioner on Wednesday, September 8, 2010 requesting his resignation from the LALB. Petitioner declined to provide the requested resignation and instead drafted a letter to Mr. Ringo dated September 8, 2010. A copy of Petitioner's letter to Mr. Ringo is attached hereto and made a part hereof as Exhibit "P-8."

Mr. Ringo provided an email to Petitioner dated Monday, September 13, 2010 relaying that Governor Jindal terminated Petitioner's services on the LALB effective Friday, September 10, 2010. A copy of Mr. Ringo's email to Petitioner is attached hereto and made a part hereof as Exhibit "P-9."

24.

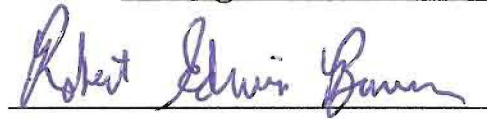
As the said accusations of Ms. Bonnette's letter are untrue, the authorization for dissemination provided by Defendant Dow has caused damage to the personal and professional reputation and character of Petitioner, Robert Edwin Burns. Upon information and belief, it is further believed that the false and malicious accusations, combined with Rep. Guinn's actions of drafting a letter to Governor Jindal's Special Assistant, Jonathan Ringo, believed to be based on those false and scurrilous accusations, are believed to likely have played a significant role in Governor Jindal's decision to remove Petitioner Robert Edwin Burns as a Member of the LALB effective Friday, September 10, 2010. Therefore, Defendant Dow's action of authorizing the placement of the item on the LALB agenda as well as the authorization she provided to then Chairman Comer to disseminate the letter when she had a duty to first point out that the item was inappropriate to be heard by the LALB given that Ms. Bonnette's complaint entailed alleged conduct on the part of Petitioner, not the Board and a second duty to investigate the accusations contained in the letter for truthfulness. Instead, then Chairman Comer, relying upon the guidance of LALB Legal Counsel and Defendant Dow, opted to disseminate the letter. In so doing, Defendant Dow permitted an act

entailing the dissemination of false, scurrilous, and malicious untruths regarding Petitioner which, in turn, resulted in substantial harm to the personal character and reputation of Petitioner.

WHEREFORE, petitioner, ROBERT EDWIN BURNS, prays that Defendant, ANNA DOW be duly served with a copy of this petition, and cited to appear and answer same and, after all legal delays and due proceedings had, there be a judgment herein in favor of petitioner, ROBERT EDWIN BURNS, and against defendant ANNA DOW awarding him all damages for the prosecution of this action, including costs associated with the action and for any and all other relief, legal or equitable, which may be available under the premise of this cause.

Respectfully Submitted,

Robert Edwin Burns, in proper person
President, Auction Sells Fast, LLC
4155 Essen Lane, Ste 228
Baton Rouge, LA 70809-2152
(225) 201-0390 (office) (225) 235-4346
E-mail: Robert@AuctionSellsFast.com

A handwritten signature in blue ink, reading "Robert Edwin Burns", is written over a horizontal line.

PLEASE SERVE:

ANNA DOW
Legal Counsel, LALB
1434 N Burnside, Ste 14
Gonzales, LA 70737-2155

7-26-2010

337-824-7354

225-763-5598

To: Ken Comer,
La. Auctioneer Licence Board,

It has come to our attention at Bonnette Auction Co., LLC. that a standing board member of the Louisiana Auctioneer License Board, Mr. Robert Burns, has been on a tangent, disrupting legislative sessions, using the boards name and creating a website on schill bidding, naming an auction our company conducted as an example of schill bidding in November of 2009 in Thibideaux, La.

Our company has an impeccable reputation over the last 23 years and has on no occasion ever allowed schill bidding.

Mr Burns has on numerous occasions showed up at our auctions harrassing our company and seems to be stalking me. There is liable and slander used in Mr Burns recorded tape on his website. We do not believe that this is how Gov. Bobby Jindal or the Louisiana Licence Board needs to be represented. I can assure you, the board, and Gov Bobby Jindal, that the Auctioneers Association will not take this lightly or stand for this treatment.

The La. Auctioneer Licence Board will be hearing from our company attorneys on this unbelievable matter Mr Burns has created.

Our company stands ready, willing and able to defend our good name against this representative of the state licence board and the board itself that he represents.

Sincerely

Barbara Bonnette, AARE, GPPA, CAI



**BONNETTE AUCTION COMPANY L.L.C.**

Barbara Bonnette, Auctioneer
3804 McKeithen Drive
Alexandria, LA 71303

7-26-2010

To: Ken Comer
La Auctioneer Licence Board,

It has come to our attention at Bonnette Auction Co., that a standing board member of the Louisiana Auctioneer Licence Board, Mr. Robert Burns, has been on a tangent, disrupting legislative sessions, using the boards name and creating a website on schill bidding, naming an auction that our company conducted as an example of schill bidding in November of 2009 in Thibodeaux, La.

Our company has an impeccable reputation for over the last 23 years and has on no occasion ever allowed schill bidding.

Mr Burns has on numerous occasions showed up at our auctions harassing our company and seems to be stalking me. There is liable and slander used in Mr Burns recorded tape on his website. We do not believe that this is how Gov Bobby Jindal or the Louisiana Licence Board needs to be represented. I can assure you, Gov. bobby Jindal and the National Auctioneers Assocoation will not take this lightly or stand for this treatment.

The La. Auctioneer Licence Board will be hearing from our company attorneys on this unbelievable matter Mr. Burns has created. He, Mr Burns, gives the whole industry a black eye.

Our company stands ready, willing and able to defend our good name against this representative of the state licence board and the board itself that he represents.

Sincerely

Barbara Bonnette, AARE, GPPA, CAI

Connecting Buyers and Sellers

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www.bonnetteauctions.com

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STATE OF LOUISIANA
Office of the Governor
AUCTIONEERS LICENSING BOARD
5222 SUMMA CT., SUITE 352
BATON ROUGE, LOUISIANA 70809

VERIFIED MAIL™



7007 2560 0001 1547 7653



Robert Burns
4155 Essen Lane, #228
Baton Rouge, LA 70809

70809-2152





Louisiana

Office of the Governor
Auctioneers Licensing Board

Bobby Jindal
Governor

July 28, 2010

Robert Burns
4155 Essen Lane #228
Baton Rouge, LA 70809

5222 Summa Court
Suite 352
Baton Rouge, LA 70809

Telephone: 225.763.5568
Fax: 225.763.5598

Email: admin@LALB.org
Web Address: www.LALB.org

Re: LSA-R.S. 42:6.1

Dear Mr. Burns:


This letter is to notify you that an agenda item has been added for the August 2, 2010, meeting of the Louisiana Auctioneers Licensing Board which may result in a request for an executive session. This notice is required pursuant to LSA-R.S. 42:6.1, which states that:

A. A public body may hold an executive session pursuant to R.S. 42:6 for one or more of the following reasons:

(1) Discussion of the character, professional competence, or physical or mental health of a person, provided that such person is notified in writing at least twenty-four hours before the meeting and that such person may require that such discussion be held at an open meeting, and provided that nothing in this Subsection shall permit an executive session for discussion of the appointment of a person to a public body. In cases of extraordinary emergency, written notice to such person shall not be required; however, the public body shall give such notice as it deems appropriate and circumstances permit.

I would ask that you notify the Board prior to 9 a.m. on Monday, August 2, 2010, whether you wish the discussion of the agenda item to be held in the open meeting.

Sincerely,


J. Kenneth Comer
Chairman

SENT BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED
AND BY ELECTRONIC MAIL

Robert Burns

From: Robert Burns <Robert@AuctionSellsFast.com>
Sent: Sunday, August 01, 2010 9:44 AM
To: 'Sandy@lalb.org'
Cc: Anna Dow (annadow@bellsouth.net); Anna Dow (anna.dow@gmail.com); john@certaintitle.com
Subject: RE: Board meeting
Attachments: NAA_Shilling_Article_SP.pdf

Sandy:

I'm assuming that, at some point between now and noon tomorrow, I will be informed what specific licensing law violation I have committed for which Monday's discussion of me is transpiring. Otherwise, the proper venue for adjudication of libel/slander allegations is, as Ms. Bonnette asserts, via civil action in court. Further, since all of Ms. Bonnette's allegations are stated as objections to acts I have performed as a private citizen and, in not one instance does she indicate I am acting in any capacity as a Board Member, I am at a loss as to how Ms. Dow and Mr. James Kenneth Comer Jr. have categorized tomorrow's agenda item as a "complaint against the Board regarding Robert Burns." In reading her "complaint," I do not see one instance in which she references the LALB as having committed any act whatsoever for which a "complaint against the Board" can be explicitly or implicitly derived.

Since the certified letter I received appears to have been coordinated by an attorney (presumably our Legal Counsel, Anna Dow) as it references specific open meetings executive session requirements (a welcome departure from January 26, 2009 when no such formality was exercised by our legal counsel in a similar instance involving character assassinations against me), I would assume she thoroughly reviewed Ms. Bonnette's complaint and gave a "green light" for the certified letter's composition and advised Mr. Comer to sign it and you to send it on out in the mail. She can correct that assumption should it be incorrect at tomorrow's meeting.

Again, I assume both Ms. Dow and Mr. James Kenneth Comer, Jr. have thoroughly reviewed, contemplated, analyzed, investigated, and viewed this "complaint against the Board" in order to justify placing it on Monday's agenda, so I will expect significant corroborating evidence to be in the possession of these two individuals. I feel certain that Ms. Dow and Mr. James Kenneth Comer, Jr. felt **VERY** strongly that these allegations had significant merit, thus justifying them taking the authoritative step they did in placing the item on the agenda, particularly under such "emergency rush" conditions to which I have alluded in previous emails.

I am abundantly certain that Ms. Anna Dow and/or Mr. James Kenneth Comer, Jr. possess far more documentation than that which I have been supplied, and I look forward to us all having the opportunity to review that extensive documentation tomorrow. Such documentation would include, but certainly not be limited to, the following:

- Dates of Bonnette auctions at which I attended,
- Specific auction personnel having executed sworn affidavits stating exactly how, and through what means, they were "harassed,"
- The specific words I uttered at any Bonnette auctions fortifying any allegations of "harassment,"
- Actual audio recording of my words from an ASF audio file to fortify Ms. Bonnette's assertion that such recording contain "libel and slander" (Aside: perhaps Ms. Dow and/or Mr. James Kenneth Comer, Jr. may wish to educate Ms. Bonnette that only one, slander, can be proven via an audio recording since the other, libel, should be in written form).
- Written evidence from Governor Jindal's staff, or the Governor himself, expressing displeasure with my job performance as an LALB member,
- Written statements from the NAA evidencing them viewing me with disdain and a "black eye" to the industry,
- Any further written evidence of how I have given the "entire industry a black eye,"

- Evidence to suggest that the NAA has experienced a "change of heart" in backing off the article they published in the June, 2010 issue of Auctioneer magazine, in which J. P. King's legal counsel, Mr. Steve Proffitt, blasted shill bidding in words making my characterizations of the practice seem tame by comparison (article attached for reference – written permission for duplication expressly granted by Mr. Proffitt). Otherwise, may I assume Ms. Bonnette also asserts that Mr. Proffitt, a well-respected attorney who commands VERY, VERY, VERY high speaking fees for continuing education seminars due to his unparalleled expertise in the auction business, is also giving the auction industry a "black eye"?
- Specific printed pages from any Auction Sells Fast webpages which name Ms. Bonnette BY NAME or that assert there is anything more than an allegation on the part of Representative Baldone that he believes shill bidding was deployed at a Thibodaux auction (you can inform Ms. Bonnette that Thibodaux has no "e" in it among the many other grammatical errors, capitalization errors, etc. that exist in her clearly well-thought-out and well-composed "complaint against the Board" letter). The fact Rep. Baldone did so is obviously a matter of clear public record, and I invite all parties involved in this complaint soap opera episode to review the testimony of both the April 19, 2010 Commerce Committee LA House videos or May 18, 2010 Criminal Justice videos (at which Ms. Bonnette HERSELF takes credit for the Thibodaux auction).
- Any evidence from either the Louisiana House or Senate leadership evidencing me having "disrupted legislative sessions." If memory recalls me correctly, and I know full well it does, I don't recall Chairman Wooten ever interrupting me and saying any of my testimony was "not relevant," but I certainly recall such a statement being made on his part regarding the complainant, Ms. Bonnette.

So, in summation, I am certain these two individuals have supplied you with (or certainly will supply us all with) documentation which justifies their actions in such a fashion that constitutes clear-cut, unequivocal, evidence demonstrating a basis for a justifiable belief that Ms. Bonnette's allegations are true. Otherwise, I feel certain that these two individuals would possess sufficient common sense that would have dictated postponement of that agenda item until the September meeting at a time when they would be in possession of more corroborating evidence such as that referenced above.

I anxiously await feedback from either of these two individuals (or from you on their behalf since I know Chairman Comer lacks email capability) regarding the foregoing.

On another point, I do want to state that, as with any American, I have the same First Amendment right to free speech, http://en.wikipedia.org/wiki/Freedom_of_speech_in_the_United_States. I realize Chairman James Kenneth Comer, Jr. differs from me philosophically on many issues regarding the auction industry, which is his right and what makes our country uniquely great. While I don't agree with many of his positions, I fully respect his right to hold those beliefs and have never infringed on Chairman James Kenneth Comer, Jr.'s right to hold and express his beliefs regarding the auction industry. Within that constitution right, I am free to express my sentiments regarding the practice of shill bidding (an illegal act in the state of Louisiana) in as forceful of manner as I so choose provided I do not defame anyone's character. Since Ms. Bonnette alleges that I have in fact defamed her character, I'm sure she has provided evidence such as I reference above and that Ms. Dow and Mr. James Kenneth Comer Jr. have thoroughly reviewed, analyzed, and investigated her corroborating evidence. I certainly hope that Chairman James Kenneth Comer Jr. is not under any misguided belief that he, or any other auctioneer, is on a misguided mission to attempt to stifle my First Amendment Right. Since Ms. Dow is an attorney, I feel certain she would not acquiesce to such an attempt to stifle that right, particularly given the capacity she holds on the Board, which is to uphold the legality of auctions vs. stifling any auctioneer's First Amendment Right to, as Mr. Proffitt has encouraged ALL auctioneers to do (see attached article), "strongly denounce them" (referencing shill bidding practices by auctioneers).

Lastly, just for the record, any discussion of my character at Monday's LALB meeting shall take place in an open forum.

I certainly hope you and the two individuals referenced above are enjoying a wonderful weekend.

Sincerely,



Robert Edwin Burns

Real Estate Broker / Certified Real Estate Auctioneer

Auction Sells Fast / BWW Realty

4155 Essen Lane, Ste 228

Baton Rouge, LA 70809-2152

(225) 201-0390 (225) 235-4346

LA Lic. #: 1536

www.AuctionSellsFast.com

From: Sandy Edmonds [mailto:admin@lalb.org]

Sent: Thursday, July 29, 2010 4:13 PM

To: 'Robert Burns'

Subject: RE: Board meeting

Robert,
Please find attached a copy of the complaint. If you don't object, I would like to forward it to the entire board prior to the meeting.

Please let me know.

Thanks,

Sandy Edmonds



Louisiana Auctioneers Licensing Board

5222 Summa Court, Suite 352, Baton Rouge, LA 70809

Phone 225-763-5568 | Fax 225-763-5598

Sandy@lalb.org

www.lalb.org

From: Robert Burns [mailto:Robert@AuctionSellsFast.com]

Sent: Thursday, July 29, 2010 2:32 PM

To: Sandy@lalb.org

Cc: john@certaintitle.com

Subject: RE: Board meeting

Sandy:

I respectfully request that a copy of any written complaint the LALB has received entailing my name be supplied to me prior to the meeting.

Thanks,



August 1, 2010

MS SANDY EDMONDS, EXECUTIVE DIRECTOR
LA AUCTIONEER'S LICENSING BOARD
522 SUMMA COURT STE 352
BATON ROUGE LA 70809-3727

Dear Ms. Edmonds:

Regarding the complaint filed "against the Board regarding Robert Burns" as categorized in the August 2, 2010 agenda, with said agenda having now been disseminated out to all Board members and prominently posted for the world to see on the central Louisiana.gov depository, let me state a few quick facts formally for the record:

1. The last Bonnette auction I attended was 282 days ago.
2. Since I obtained my auctioneer's license, I itemize an approximate recap of local area real estate auctions I've attended by auctioneer since that time:

Keith Babb	4	
Barbara Bonnette	5	My point in this itemization is that I am a real estate auction
Ken Buhler	3	"junkie." None of these other auctioneers have made any
Dave Gilmore	11	allegation of being "stalked."
J. P. King	3	
Terry Shirley	4	
Tommy Williams	6	

3. I first met Ms. Bonnette in late 2003 after she attempted two unsuccessful auctions of a Briarwood Estates home here in Baton Rouge (no bidders attended either of her two auctions). She said she was willing to "let you have it," (meaning me take over the listing), so I executed a co-op listing with Ms. Bonnette, got the property sold at \$205,000 for our mutual client, Martin Schott (Bankruptcy Trustee of the Middle District of LA), and Ms. Bonnette, through her broker, received a \$4,100 commission on the transaction (I provide a copy of the HUD-1 settlement statement and my fax to her alerting her to expect same dated 2/27/04).
4. The property referenced above subsequently became the subject of a lawsuit filed in Rehibition in mid-2006. Though neither Ms. Bonnette nor I were name in the suit, we both received subpoenas for documents from plaintiff attorney Coley West in January of 2007. I include a copy of that subpoena.
5. Ms. Bonnette called me and relayed she "had no records." I informed her I had plenty of records and would supply them to Mr. West, for which she expressed extreme thanks. Mr. West expressed frustration that Ms. Bonnette had no records, but I personally appealed to him not to file a complaint with the Louisiana Real Estate Commission. Had Mr. West done so, she could have been fined

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Phone: 225-201-0390 | Cell: 225-235-4346 | www.AuctionSellsFast.com | Robert@AuctionSellsFast.com

P5



substantially since real estate agents and brokers are required to maintain records for five years.

6. I would submit that if I were adversarial to Ms. Bonnette as she describes in her complaint, I would have not appealed on her behalf for no complaint to be filed with the LREC.
7. Also pertaining to the auction referenced above, I had to provide a 3 ½ hour deposition in Mr. West's office with four attorneys grueling over details about inspection dates, termite tunnels, etc. Ms. Bonnette was spared that ordeal and expressed appreciation for the fact she didn't have to drive to Baton Rouge and endure it. I can provide a copy of the deposition if the LALB office desires it. I also point out that the litigation remains unresolved to this day.
8. At one of the approximate five (5) auctions I attended of Ms. Bonnette in late October of 2007, Ms. Bonnette publicly acknowledged my presence and even gave me a free plug for a property I was auctioning the next week off Bluebonnet Boulevard, which I subsequently got sold for \$390,000. I expressed sincere appreciation for her generous gesture which, in hindsight, seems bizarre if I was "stalking" and "harassing" any of her staff. I wish to also add that, at another of Ms. Bonnette's auctions I attended, Mr. Steele, our former investigator, was there the entire time, so I assume Mr. Steele has executed a sworn affidavit attesting to the fact I harassed Ms. Bonnette's staff and appeared to be "stalking" her.
9. At one of the other Bonnette auctions I attended approximately 14 months ago, I openly complimented Ms. Bonnette at the January, 2010 LALB meeting in expressing my opposition to her co-listing partner, Mr. Troy Leppard, receiving a refund of his licensing fee. I stated Ms. Bonnette and Mr. Leppard hit a "home run" and made a "fortune" at that auction, so I was disheartened that we were refunding Mr. Leppard's licensing fee. Nevertheless, the motion passed 3-2 with me and Mr. Phillips in opposition and Ms. Steinkamp casting the deciding vote to refund the licensing fee.
10. Regarding the above auction, Dave Gilmore had asked me to attend and just give a general report (a favor he often does for me for New Orleans auctions and I have even attended a J. P. King and Williams and Williams auction in New Orleans when he was out of town so he could know how they turned out). I called him within minutes of the conclusion of that auction, which my cell phone records will corroborate, and relayed that Ms. Bonnette had "hit a home run." Dave stated to me that he was glad for her and wished he'd pursued that auction more aggressively as he had previously spoken with the seller, David Gaines, regarding auctioning the property a few years prior to her auction. I have no doubt whatsoever that Mr. Gilmore will attest to that in writing.
11. I pose one question which I want answered by Ms. Bonnette and I'm sure our legal counsel and Mr. Comer are bound to have posed of her by now. If the last auction I attended that she conducted was 282 days ago, why are we only now hearing of all these problems I have been purporting to cause?



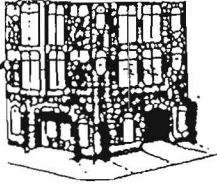
12. I make the observation that Ms. Bonnette's complaint letter is dated July 26, 2010, a mere seven days after Auction Sells Fast launched its "No Shill Guarantee" program. Coincidence?

These are all just facts I find to be relevant to tomorrow's proceeding.

Cc: Anna Dow, John Hopewell, Ken Comer (via fax)

Sincerely,

Robert Edwin Burns



SANTANGELO ENTERPRISES

11838 S. Harrells Ferry Road, Suite #4
Baton Rouge, LA 70816
Office (225)291-9999
Fax (225)291-9997



TO: *Barbara Bonnette* FROM: *Robert & Burns*

COMPANY: *Bonnette Auction* DATE: *2/27/04*

FAX NUMBER: *318-473-0391* TOTAL NUMBER OF PAGES: *3*

PHONE NUMBER: RE: *Settlement - Perrone*

*This is a copy of the final
HUD-1. You should have your
check by Wednesday 3/3 or
Thursday 3/4.*

Thanks

*Robert &
Nat*

Settlement Charges

2/27/04 1:51 PM

File Number: 14292

Total sales/broker commission based on : \$205,000.00 @ 4.0000% = \$8,200.00		Paid From	Paid From
Division of commission (line 700) as follows:		Borrower's	Seller's
\$4,100.00 to Nat Santangelo		Funds at	Funds at
702. \$4,100.00 to Cedar Realty		Settlement	Settlement
703. Commission paid at settlement \$8,200.00			8,200.00
704.			
800. Items payable in connection with loan			
801. Loan origination fee			
802. Loan discount			
803. Appraisal fee to Susan A. McKey		POCB 275.00	
804. Credit report to CBMS-Equifax		POCB 15.00	
805. Lender's inspection fee			
806. Mortgage insurance application fee			
807. Assumption fee			
808. Underwriting Fee			
809. Flood Certification to Flood Data Services, Inc.		14.00	
810. Administration Fee			
811. Processing Fee			
812. Tax Service Fee to Trets		59.00	
813. Express Fee to AmSouth Bank		20.00	
814. Document Prep. Fee to AmSouth Bank		100.00	
815. Yield Spread Premium			
816. MERS Registration Fee			
900. Items required by lender to be paid in advance			
901. Interest from 2/27/2004 to 3/1/2004 at \$20.6800/day for 3 days.		62.04	
902. Mortgage insurance premium for			
903. Hazard insurance premium for 1 yrs. to State Farm		1,478.00	
904. Flood Insurance 1 yrs. to State Farm Flood		262.00	
905. 2003 Property Taxes to EBR Parish Sheriff			797.23
1000. Reserves deposited with lender			
1001. Hazard insurance 3 mo. @ \$123.1700 per mo.		369.51	
1002. Mortgage insurance \$156.59 mth			
1003. City property taxes			
1004. County property taxes 5 mo. @ \$65.1300 per mo.		325.65	
1005. Annual assessments (maint.)			
1006. Flood Insurance Escrow 3 mo. @ \$21.8300 per mo.		65.49	
1007.			
1008. Aggregate Adjustment		(130.24)	
1009.			
1100. Title charges			
1101. Settlement or closing fee to Commerce Title		325.00	
1102. Abstract or title search to Commerce Title		110.00	
1103. Title examination			
1104. Title insurance binder			
1105. Document preparation			
1106. Notary fees			
1107. Attorney's fees to			
includes above items no.:			
1108. Title insurance to STEWART TITLE GUARANTY COMPANY		593.25	
includes above items no.:			
1109. Lender's coverage \$194,750.00 \$593.25			
1110. Owner's coverage			
1111. Tax Research Fee			
1112. Prep & Record Cancellation to Commerce Title			95.00
1113. Recording to Commerce Title		310.00	
1114. Prep & Record Power of Atty			
1115. Record Assignment			
1200. Government recording and transfer charges			
1201. Recording fees:			
1202. City/county tax/stamps:			
1203. State tax/stamps:			
1204.			
1205.			
1206.			

19TH JUDICIAL DISTRICT COURT PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

DOCKET NO.: 544761

SEC. "8"

GAYLE LANE SINGLETARY MCGEE

VS.

GLENN E. CHRISTY, DENICE R. CHRISTY, C. J. BROWN, L.L.C.,
LOUISIANA PEST CONTROL SERVICES, INC. and
LOUISIANA PEST CONTROL INSURANCE COMPANY

EXHIBIT "A"

TO SUBPEONA ISSUED TO ROBERT BURNS

The following documents and things must be produced on or before January 19, 2007 pursuant to the subpoena deuces tecum issued to Robert Burns:

1. Any and all documents or things¹ related in any way to the house located at 13522 Betti Helen Place, Baton Rouge, La (the "Residence"), which was part of the estate in the bankruptcy proceeding entitled *In re: Perrone, Bernard & Julie*, Case No. 02-1234 on the docket of the United States Bankruptcy court for the Middle District of Louisiana.
2. Any and all documents or things related in any way to the sale or proposed sale of the Residence through public auction, private sale or otherwise by Barbara Bonnette, Bonnette Auction Company, Robert Burns or Santangelo Enterprises and the inspection, appraisal or condition of the Residence or photographs thereof.
3. To the extent not already covered, any and all documents or things related in any way to Glenn Christy or Denice Christy.



May 24, 2010:

On Tuesday, May 18, 2010, I testified before the House Committee on the Administration of Criminal Justice in favor of HB 1439 by Rep. Baldone which would criminalize the practice of utilizing skills, cappers, etc., to artificially inflate an auction bid (the practice is presently illegal but is deemed only a misdemeanor with a capped fine of \$500).

Upon my exit from Committee Room 6 at approximately 11:00 a.m., I was confronted by approximately 10 auctioneers, two of whom chose to be quite vocal with me regarding my testimony (those confronting me were in opposition to the bill). By far the most aggressive of those auctioneers in terms of confrontation was Rep. John E. Guinn.

Upon confronting me, Rep. Guinn stated, "You're nothing but a sack of shit and you can go straight to hell." I responded to Rep. Guinn that he was conducting himself in a most unprofessional manner. He then got within an inch of my face and inquired "How so?" I responded that he'd just referred to me as a "sack of s-h-i-t [spelled out]," to which he began waiving his hands in the air and openly saying, "Ohhhhhh. I used the word 'shit.' I used the word 'shit.'"

Rep. Guinn then relayed to me I had no idea what it was like to have walked in "his shoes." He then relayed, in a most angry tone, "Let me tell you something. You're all up here Mr. high and mighty with your FBI investigations. You've never had to walk in my shoes. You've never had to go into an auction and know you HAD to get the bid up to put clothes on your kids' backs. Well, I HAVE, and hell yes, I've run up the bid! But I know YOU'VE never been there. You've never walked in my shoes, but I can tell you one thing, your day is coming!"

During Rep. Guinn's tirade, he at one point put his right index finger on my left shoulder in making his point that I had never walked in "his shoes." When combined with the fact he had approximately 10 like-minded auctioneers surrounding him, the environment was one of EXTREME hostility. I told Rep. Guinn that I bid him a good day and proceeded on past the gathering of auctioneers staring at me and exited the building and made my way to my vehicle for my return trip home.

As a result of the above incident, I wish to file formal assault and battery charges against Rep. John E. Guinn.

Robert Edwin Berns

Robert Edwin Berns

P6

4155 Essen Ln., Suite 228, Baton Rouge, LA 70809-2152

Phone: 225-201-0390 | Cell: 225-235-4346 | www.AuctionSellsFast.com | Robert@AuctionSellsFast.com

LOUISIANA HOUSE OF REPRESENTATIVES



P. O. Box 287
Jennings, LA 70546
Email: guinnj@legis.state.la.us
Phone: 337.824.0376
Toll Free: 800.259.0376
Fax: 337.824.4780

Agriculture, Forestry, Aquaculture,
and Rural Development
Natural Resources and Environment
Transportation, Highways and
Public Works

JOHN E. "JOHNNY" GUINN
State Representative ~ District 37

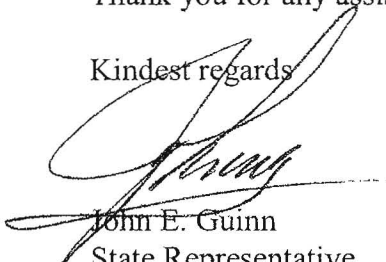
August 30, 2010

Jonathan Ringo
Special Assistant to the Governor
Office of the Governor
PO Box 94004
Baton Rouge, LA 70804-9004

Please be advised by this letter that numerous auctioneers throughout Louisiana have contacted me to request that the Governor replace Edwin Robert Burn as Board Member of the Louisiana Auctioneers Licensing Board.

Thank you for any assistance you can give concerning this matter

Kindest regards


John E. Guinn
State Representative
District 37





September 8, 2010

MR JONATHAN RINGO
SPECIAL ASSISTANT TO THE GOVERNOR
ON INTERNAL AFFAIRS
P O BOX 94004
BATON ROUGE LA 70804-9004

Dear Mr. Ringo:

This letter will document your two phone calls to me today (both showing up as "blocked" phone numbers on my caller ID) in which, on your second phone call, you left a voice message asking me to call you. When I did so, you stated that, "We have problems on the Auctioneer's Licensing Board. I'm sure you're well aware of them, and it would be appropriate for you to submit your resignation at this time." You further indicated that, "We have conferred extensively with the Inspector General's Office and they concur with seeking your immediate resignation." You also relayed, "Things just aren't working out."

As I ponder how to handle your request, I respectfully ask that you provide a rationale for why my resignation is being sought (beyond a "things just aren't working out"). Upon being provided with more details on the rationale behind your request, I will ponder how I wish to handle the situation.

As you know, all LALB appointees serve at the pleasure of the Governor. Governor Jindal therefore does not need my resignation to remove me from the Board. I am going to use the words of my colleague and good friend, Freddie Phillips, in summing up my sentiments at present on your request: "I would rather the dog die on the trail than die in the pin." Mr. Ringo, this dog remains on the trail. If you wish to shoot this dog, the Governor has the rifle. I am not inclined to go back into the pen and be self-euthanized, particularly in light of the vagueness of the rationale for your request and the fact you lacked the decency to call me from an unblocked phone number, which itself is an act I question on the part of any member of Governor Jindal's staff.

Sincerely,


Robert Edwin Burns



Robert Burns

From: Robert Burns <Robert@AuctionSellsFast.com>
Sent: Monday, September 13, 2010 10:51 AM
To: 'Jonathan Ringo'
Subject: RE: Voice Message Earlier Today

Mr. Ringo:

While I stand behind my quotation I made in the letter, I certainly appreciate the opportunity to have served on the LALB and the confidence Gov. Jindal displayed in appointing me.

You have an enjoyable week, and thank you for having notified me in wiring of the Governor's decision.



Robert Edwin Burns

Real Estate Broker / Certified Real Estate Auctioneer
Auction Sells Fast / BWB Realty
4155 Essen Lane, Ste 228
Baton Rouge, LA 70809-2152
(225) 201-0390 (225) 235-4346
LA Lic. #: 1536
www.AuctionSellsFast.com

From: Jonathan Ringo [mailto:ringo@GOV.STATE.LA.US]
Sent: Monday, September 13, 2010 10:32 AM
To: 'Robert Burns'
Subject: RE: Voice Message Earlier Today

Mr. Burns,

I received your letter dated September 8 and I must begin by correcting a quotation you attributed to me. In your letter, you quoted me as saying "we have conferred extensively with the Inspector General's Office and they concur with seeking your immediate resignation." That is not correct and I did not say that. I simply said that we received a letter from the inspector general indicating that there would be no further investigation into your complaint against the board.

The authority to appoint members to the Auctioneers Licensing Board lies solely with the Governor under La R.S. 37:3111. Members of the board serve "at the pleasure of the governor" and thus may be replaced at any time. This email is to inform you that the governor has appointed another person to serve in your place effective Friday, September 10 and your service as a board member is hereby terminated.

This decision has come after receiving requests that a replacement be named from various sources including the Louisiana Auctioneers Association, a sitting state representative, current board staff, other sitting board members and

other interested parties. We thank you for your service, but we are confident that this decision is in the best interest of the Auctioneers Board and the state as a whole.

Jonathan Ringo
Special Assistant to Governor Bobby Jindal and
Director of Intergovernmental Affairs
Phone: 225-342-0919
Fax: 225-376-4909

This communication may be protected by the attorney/client and/or other privileges and may contain confidential information intended only for the person to whom it is addressed. Any views or opinions expressed are solely those of the author and do not necessarily represent those of the Office of the Governor. Any improper use, dissemination, forwarding, printing, or copying of this e-mail without consent of the originator is strictly prohibited. If you have received this e-mail in error, please immediately notify the sender by telephone or email.

From: Robert Burns [mailto:Robert@AuctionSellsFast.com]
Sent: Friday, September 10, 2010 4:37 PM
To: Jonathan Ringo
Subject: Voice Message Earlier Today

Jonathan:

Just listened to your voice messages of earlier today. I'm often out of pocket, particular on Fridays (and **MOST ESPECIALLY** on the 3rd Friday of each month).

Also, today's my birthday (yep, hit the bit 4----7 today – think I've got about 17 or so years on you <smile>!!) so have been celebrating with friends most of the day.

I think email correspondence between us would work much better than phone calls. That way , you get my correspondence and can process it at your convenience, and I get your correspondence and can process it at my convenience.

So, feel free to email me anytime you'd like with anything you'd like to relay.

BTW, any chance at all that you're related to Robert Ringo from Livingston Parish?

Have an enjoyable weekend, Jonathan.



Robert Edwin Burns
Real Estate Broker / Certified Real Estate Auctioneer
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