

ROBERT BURNS

NUMBER C595035 SECTION 23

VERSUS

19TH JUDICIAL DISTRICT COURT

**LOUISIANA AUCTIONEERS
LICENSING BOARD**

**PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA**

ANSWER

The Louisiana Auctioneers Licensing Board, a licensing board and an agency of the State of Louisiana, appearing herein through undersigned counsel, respectfully answers the petition of plaintiff as follows:

1.

The allegations of paragraph one of the petition are admitted, insofar as they reflect the official records of defendant.

2.

Defendant admits the name and domicile of the Defendant.

3.

Defendant admits the allegations of paragraph three of the petition.

4.

Defendant is without knowledge or information sufficient to justify a belief as to the truth of the allegations of fact in paragraph four of the petition.

5.

Defendant denies the allegations of paragraph five of the petition; further answering, at all times herein Plaintiff was in the meeting room, as stated in his petition.

6.

Defendant denies the allegations of paragraph six of the petition.

7.

Defendant is without knowledge or information sufficient to justify a belief as to the truth of the allegations of fact in paragraph seven of the petition.

8.

Defendant denies the allegations of paragraph eight of the petition.

9.

Defendant denies the allegations of paragraph nine of the petition.

10.

Defendant denies the allegations of paragraph ten of the petition.

11.

Defendant denies the allegations of paragraph eleven of the petition.

FURTHER ANSWERING THE PLAINTIFF'S PETITION, Defendant shows:

12.

Plaintiff has failed to state a cause of action in that no damages are due under the statute cited by Plaintiff.

13.

Plaintiff has failed to state a right of action for damages in that the statute cited protects the public, not an individual.

14.

Plaintiff has failed to state a cause of action in that he has failed to state the agenda items about which he attempted to speak.

15.

Defendant further alleges that the September 20, 2010, meeting was the first meeting after Plaintiff was no longer a member of Defendant Board, and for that reason and others which may be shown this proceeding is of a frivolous nature and was brought with no substantial justification, therefore entitling Defendant to payment of reasonable attorney fees by Plaintiff.

WHEREFORE, Defendant prays that the petition of Plaintiff be dismissed at his costs, that Defendant be awarded all remedies available to it, including attorneys fees and costs.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that the above and foregoing pleading has been forwarded this date, by U.S. mail, postage prepaid, or by facsimile, to Plaintiff at the following addresses:

Robert Edwin Burns
4155 Essen Lane
Suite 228
Baton Rouge, Louisiana 70809

Gonzales, Louisiana, this 15th day of October 2010.


ANNA E. DOW