



(225) 326-6300
James D. "Buddy" Caldwell
Attorney General

State of Louisiana

DEPARTMENT OF JUSTICE
P.O. BOX 94005
BATON ROUGE
70804-9005

January 6, 2012

Honorable Wilson Fields, Judge
19th JDC, Section 25
300 North Boulevard, Suite 7101
Post Office Box 1991
Baton Rouge, Louisiana 70821

RE: ***Robert Burns vs. Sandy Edmonds***
Docket #602,922; Section 25
ORM #11G0411BU4699; FARA # 3289178

Dear Judge Fields:

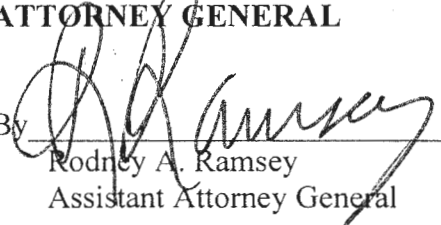
I have enclosed a copy of a Memorandum filed by Sandy Edmonds, defendant, in response to a proposed Judgment filed on December 27, 2011 by plaintiff, Robert Burns, in the above-referenced matter. Mr. Burns is seeking an award of Court costs that were incurred by him in opposing defendant's Exception of No Cause of Action and Special Motion to Strike. The Court granted Ms. Edmonds' Exception of No Cause of Action and awarded her court costs in the amount of \$394.84. I am also enclosing a copy of Burns' proposed Judgment and defendant's Judgment signed by the Court on November 30, 2011.

Please feel free to contact me if you have any questions or need any additional information. Thank you in advance for your attention to this matter.

Sincerely,

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

By


Rodney A. Ramsey
Assistant Attorney General

RAR/jmh
Enclosures

cc: Robert Burns (via certified mail w/enc.) ✓
Susan Clements (via email w/enc.)
Sandy Edmonds (via email w/enc.)

RODNEY A. RAMSEY, ASSISTANT ATTORNEY GENERAL
1885 North 3rd Street, 3rd Floor, Baton Rouge, LA 70802
Phone: (225) 326-6386 Fax: (225) 326-6494
ramseyr@ag.state.la.us



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James D. "Buddy" Caldwell
Attorney General

State of Louisiana

DEPARTMENT OF JUSTICE

P.O. BOX 94005

BATON ROUGE

70804-9005

January 6, 2012

Honorable J. Douglas "Doug" Welborn
Clerk of Court, 19th Judicial District Court
300 North Boulevard (70802)
Post Office Box 1991
Baton Rouge, Louisiana 70821

RE: *Robert Burns vs. Sandy Edmonds*
Docket #602,922; Section 25
ORM #11G0411BU4699
FARA: 3289178

Dear Mr. Welborn:

I have enclosed a Memorandum in Opposition to Judgment Requesting Assessment of Court Costs to Defendant on behalf of Defendant, Sandy Edmonds, which we ask be filed into the record of the above-referenced matter. Also, In addition to filing, please return a file stamped copy to me.

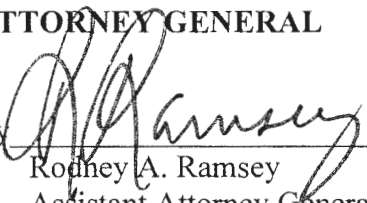
Please note that these pleadings are being filed on behalf of the State of Louisiana; therefore, no court costs are due.

Thank you for your assistance and cooperation in this matter.

Sincerely,

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

By


Rodney A. Ramsey

Assistant Attorney General

RAR/jmh
Enclosure

cc: Robert Burns (w/enc.) ✓
Susan Clements (via email w/enc.)
Sandy Edmonds (via email w/enc.)

RODNEY A. RAMSEY, ASSISTANT ATTORNEY GENERAL
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ROBERT BURNS

VERSUS

SANDY EDMONDS

NUMBER 602,922 SECTION 25

19TH JUDICIAL DISTRICT COURT

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

**MEMORANDUM IN OPPOSITION TO PROPOSED JUDGMENT REQUESTING
ASSESSMENT OF COURT COSTS TO DEFENDANT AND
ORDER DENYING DEFENDANT'S MOTION TO STRIKE**

MAY IT PLEASE THE COURT:

Defendant, Sandy Edmonds, through undersigned counsel, submits the following Memorandum in Opposition to a Judgment filed by plaintiff, Robert Burns, on December 27, 2011, for the following reasons:

Plaintiff, Robert Burns, has filed a Judgment with this Court seeking an order denying defendant's Special Motion to Strike and requesting assessment of Court costs in the amount of \$402 that plaintiff incurred in filing a Memorandum in Opposition to Ms. Edmond's Exception of No Cause of Action and Special Motion to Strike. This matter last came for hearing on November 14, 2011, in order for the Court to hear oral arguments and accept evidence in regard to defendant's Exception of No Cause of Action and Special Motion to Strike. After hearing oral arguments and receiving defendant's exhibits into evidence, the Court granted Ms. Edmonds' Exception of No Cause of Action, at plaintiff's costs. The Court did not issue an order in regard to Ms. Edmonds' Special Motion to Strike, as this Motion became moot in light of the Court granting Ms. Edmonds' Exception of No Cause of Action. Pursuant to the Court's findings, a Judgment was submitted for the Court's signature. The Judgment was signed by this Court on November 30, 2011. Attached and identified as "Exhibit A" is a copy of the Judgment signed by the Court.

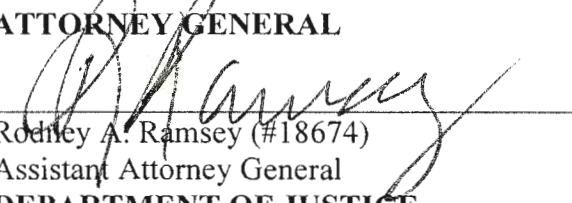
Following the filing of the Court's Judgment into the suit record, plaintiff filed an Amended Petition on December 9, 2011. Ms. Edmonds has re-urged her previous Exception of No Cause of Action and, also, excepts to the Amended Petition on the grounds it has not been properly served on Ms. Edmonds, as required by the Louisiana Code of Civil Procedure. Plaintiff argues in his Memorandum, filed with the proposed Judgment, that he is entitled to an

award of "Reasonable attorney's fees and costs". Plaintiff failed to cite any legal basis for an award against Ms. Edmonds for Court costs he incurred in opposing defendant's Exception of No Cause of Action, particularly given the Court's judgment specifically awarded costs to defendant. Ms. Edmonds has not re-urged her Special Motion to Strike in light of Mr. Burns' failure to allege any cause of action in his Amended Petition. Plaintiff's proposed Judgment should be denied, and his Amended Petition dismissed, as Mr. Burns does not allege any new material and relevant facts to support any cause of action against Ms. Edmonds.

Respectfully submitted:

**JAMES B. "BUDDY" CALDWELL
ATTORNEY GENERAL**

BY:


Rodney A. Ramsey (#18674)
Assistant Attorney General
**DEPARTMENT OF JUSTICE
LITIGATION DIVISION**
1885 North 3rd Street (70802)
Post Office Box 94005
Baton Rouge, Louisiana 70804-9005
Telephone: (225) 326-6386
Facsimile: (225) 326-6494

CERTIFICATE OF SERVICE

I certify that a copy of the above and foregoing document has been served upon all counsel of record by depositing same in the United States Mail, properly addressed and postage prepaid to:

Robert Edwin Burns, In Proper Person
President, Auction Sells Fast, LLC
4155 Essen Lane, Suite 228
Baton Rouge, Louisiana 70809-2152

this 6th day of January, 2012.


Rodney A. Ramsey

POSTED

NOV 23 2011



ROBERT BURNS

NUMBER 602,922 SECTION 25

VERSUS

19TH JUDICIAL DISTRICT COURT

PARISH OF EAST BATON ROUGE

SANDY EDMONDS

STATE OF LOUISIANA

STATE

NOV 21 2011

BY _____
DEPUTY CLERK OF COURT

JUDGMENT

This matter came for hearing on November 14, 2011, pursuant to a scheduled hearing on an Exception of No Cause or Right of Action, Special Motion to Strike and Motion to Stay Discovery Filed on Behalf of Defendant, Sandy Edmonds.

Present in Court were: Rodney A. Ramsey and Valencia J. Vessel for defendant, Sandy Edmonds, and plaintiff, Robert Burns, in proper person.

After hearing oral arguments, examining all pleadings, exhibits offered into evidence and memoranda on file, the Court ordered as follows:

IT IS ORDERED, ADJUDGED, AND DECREED that defendant's Exception of No Cause of Action is **GRANTED**, at plaintiff's costs;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff is granted 30 days from the hearing date of this matter to file an Amended Petition for Damages.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Motion to Stay Discovery is denied and that defendant's Special Motion to Strike is pretermitted, as the Court considers this particular motion moot in light of its Judgment. Defendant may re-urge her Special Motion to Strike, should plaintiff timely file an Amended Petition.

RECEIVED

NOV 28 2011

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DIVISION O
JUDGE FIELDS



Judgment rendered in Open Court on November 14, 2011, in Baton Rouge, Louisiana.

Judgment read and signed on the 30 day of November, 2011, in Baton Rouge, Louisiana.

I hereby certify that on this day a notice of the above judgement was mailed by me, with sufficient postage affixed, to: R. Ramsey, V. Vessel, R. Burr done and signed on 08 December 2011

HONORABLE WILSON FIELDS
JUDGE, 19th JUDICIAL DISTRICT COURT

COSTS DUE: \$ 394.84
PARTY: Sandy Edmonds AMOUNT: \$ 394.84

Are hereby assessed to II in the amount of \$ 394.84
 Are hereby assessed to the party who incurred the costs.

[Signature] Date: 30/11/11 BY: [Signature]
[Signature] JUDGE

Respectfully submitted,
JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

[Signature]
Rodney A. Ramsey (#18674)
Valencia J. Vessel (#32261)
Assistant Attorney General
DEPARTMENT OF JUSTICE
LITIGATION DIVISION
1885 North 3rd Street (70802)
Post Office Box 94005
Baton Rouge, Louisiana 70804
Telephone (225) 326-6386
Facsimile (225) 326-6494

19th JUDICIAL DISTRICT
CLERK OF COURT E. & R. PARIS
2011 NOV 28 12:58
BY: [Signature]
DOUG WELBORN
CLERK OF COURT E. & R. PARIS

RECEIVED
NOV 28 2011
DIVISION O
JUDGE FIELDS

ROBERT BURNS

NUMBER 602.922 DOCKET: 24

19TH JUDICIAL DISTRICT COURT

VERSUS

PARISH OF EAST BATON ROUGE

SANDY EDMONDS

STATE OF LOUISIANA

JUDGMENT

Considering the Memorandum submitted by Plaintiff in Support of Denying Defendant's Special to Strike for which oral arguments were held on November 14, 2011, and on motion of Plaintiff, Robert Burns, in proper person, it is ordered by this Honorable Court that Defendant's Special Motion to Strike is **DENIED**, and Defendant is assessed the \$402 of court costs Plaintiff incurred to defeat Defendant's Special Motion to Strike.

Baton Rouge, Louisiana.

Granted and signed this _____ day of _____, 201__.

CERTIFIED TRUE COPY
605149
DEPUTY CLERK OF COURT

JUDGE, 19th JUDICIAL DISTRICT COURT

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



Certificate of Service:

I certify that a copy of the foregoing has been served upon counsel for all parties to this proceeding by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 27th day of December 2011.



FILED
2011 DEC 27 AM 10:22
BY DEPUTY CLERK & RECORDER FOR
DOUG WELBORN
CLERK OF COURT 9 R PARISH