

ROBERT BURNS

NUMBER 60292 DOCKET: 25

19TH JUDICIAL DISTRICT COURT

VERSUS

PARISH OF EAST BATON ROUGE

SANDY EDMONDS

STATE OF LOUISIANA

AMENDMENT TO PLEADINGS TO PETITION FOR DAMAGES FOR MALICIOUS PROSECUTION

NOW UNTO COURT comes Plaintiff, Robert Edwin Burns, in proper person, who asserts that he wishes to amend his pleadings by adding the following paragraphs preceding his prayer for relief:

26.

Ms. Edmonds' action of filing her complaint with the East Baton Rouge Parish Sheriff's Office was directly motivated by malice directed toward Petitioner. That malice was accumulated over the course of eighteen (18) months during which Petitioner encountered numerous instances in which he challenged Ms. Edmonds' job performance as well as inexplicable acts in which she engaged regarding her job performance.

27.

Petitioner filed a formal complaint with the LALB dated March 9, 2011 (less than 30 days from Defendant's police report being filed) as a result of Ms. Edmonds having received an attempted-delivery receipt from the United States Post Office for a certified mail letter to Petitioner from the Louisiana State Board of Ethics dated January 31, 2011, yet Ms. Edmonds failed to either accept delivery or notify Petitioner of any certified mail addressed to him by the Louisiana Board of Ethics. Further, the Ethics Board attempted a regular-mail delivery of the same letter with that second attempted delivery dated February 24, 2011 and Ms. Edmonds again failed to notify Petitioner of any such regular-mail letter. The LALB complaint submitted by Petitioner is attached hereto and made a part hereof as Exhibit P-10. When Petitioner attempted to have his complaint against the Board discussed at the March 21, 2011 LALB meeting (18 days prior to Defendant filing the police report), Petitioner was informed by Acting Chairman (now Chairman in the wake of former Chairman Ken Comer resigning from the LALB effective June 17, 2011) Tessa Steinkamp that, since the item was not agreed to be placed

on the agenda, it would not be discussed. Furthermore, the matter has never been addressed in any way whatsoever by the LALB.

28.

On April 7, 2011 (four days prior to Defendant filing the complaint with the EBRP Sheriff's Office) Petitioner provided Defendant with a spreadsheet of past NAA / NALLOA travel together with a sworn affidavit attesting to the fact that, to the absolute best of his knowledge and belief, the spreadsheet was accurate, that the records analysis took two hours and four minutes and that, at the insistence of the LALB, the procedure had been overseen by Attorney General Paralegal Cheryl Harrison. On two occasions prior to Petitioner providing this spreadsheet, Defendant had, in response to a Writ of Mandamus filed by Board Member Freddie Phillips, provided computer printouts of the LALB which did not remotely provide the information requested by Rev. Phillips and appeared to be produced in a matter of seconds. Petitioner provided the information to Ms. Edmonds and LALB attorney Anna Dow as attachments to an email also dated April 7, 2011 in which Petitioner expressed the fact that he was disheartened that the LALB had spent \$2,000+ in a legal battle to fight providing Rev. Phillips with the information, yet the information was able to be generated by Petitioner in even greater detail than Rev. Phillips requested in a matter of two hours (three including converting a manual spreadsheet to a computerized one), which, at Ms. Edmonds compensation rate, would have cost the Board no more than \$100. Copies of the email Petitioner provided to Rev. Phillips and copied to Ms. Edmonds and Ms. Dow, along with the spreadsheet of such travel, along with the sworn affidavit are incorporated herein and attached hereto as Exhibits P-11, P-12, and P-13, respectively.

29.

In a certified letter dated March 28, 2011 (11 days prior to Ms. Edmonds initiating the EBRP Police Report), Petitioner called for a strongly-worded reprimand of Ms. Edmonds for her comments at the March 21, 2011 LALB meeting in which she inquired, as reflected in the audio of that meeting, of Board Member Freddie Phillips: "Why would the Board choose you as a representative given that you're suing the Board?" A copy of that certified letter is attached hereto and made a part hereof as Exhibit P-14

30.

At the LALB meeting of January 11, 2011, Defendant initiated an agenda item calling for the destruction of records and, in directly addressing Board Member Freddie Phillips and as reflected on the audio of that meeting, said: "I am time and time again having to go through boxes to find records that this office shouldn't even have." Defendant further stated at that meeting, as reflected on the audio of that meeting, "They [Freedom of Information Act Requests] may not all be from you, but your friend in crime.....your partner back there [referencing Petitioner Robert Edwin Burns], you two take turns requesting documents."

31.

Petitioner filed a formal objection to the minutes of the LALB meeting of August 2, 2010 which was dated October 21, 2010. That objection is attached hereto and made a part hereof as Exhibit P-15. The minutes themselves are attached hereto and made a part hereof as Exhibit P-16. The objection dealt with the fact that, despite a vote of 4-2 defeating a measure to expand the minutes to include specificity with regard to Board discussions at that meeting beyond motions, seconds, and votes (with Petitioner, who made the motion, and Board Member Freddie Phillips, who seconded the motion, being the only affirmative votes), Ms. Edmonds disregarded the vote not to expand the minutes and quoted Board Member Freddie Phillips verbatim regarding Item Five (5) under "New Business," which was entitled, "Complaint Against Board regarding Robert Burns." In doing so, Defendant conveniently ignored commentary made by Rev. Phillips both before and after the verbatim quote which she chose to place in the minutes. Despite Defendant's decision to expand the minutes for Rev. Phillips' quote, Defendant chose to ignore comments of other Board Members, which included:

- Vice Chairman (now Chairman) Tessa Steinkamp demanding that Petitioner resign from the Board,
- Vice-Chairman (now Chairman) Tessa Steinkamp making the following verbatim quote as evidenced by the audio of that meeting: "Freddie, I wouldn't want you representing this Board,"

- Former long-time LALB Chairman Buster Gay relaying, referencing Rev. Phillips, that he wouldn't want to send someone to the convention who may "embarrass" the LALB and relayed that he had voted against sending LALB Member Freddie Phillips to the convention because Mr. Phillips "filed a deal with the Baton Rouge Police Department saying someone hypnotized you and had you withdraw \$7,000 out of your church's account and give it to them."
- Both then-Chairman Ken Comer, who, as previously stated, resigned from the LALB effective June 17, 2011 and former long-time Chairman Buster Gay, who resigned from the LALB in late February or early March of 2011, openly and repeatedly questioning why Board Member Phillips was requesting past LALB travel records with Mr. Gay saying, "Why is all this necessary?" and Ken Comer stating, "That's what I wonder. That's exactly what I wonder," and Ken Comer also stating to Board Member Phillips, "Bring it on....Go get your attorney and bring it on because I'm tired of being accused...I'm tired of being harassed,"

32.

Petitioner will demonstrate during trial that Defendant had numerous other reasons to harbor malice toward Petitioner, including her covert copying of an Inspector General work paper which that office inadvertently left lying on an LALB office table during an investigation in or around late August and early September of 2009. At the request of Inspector General Stephen Street, the subject of Defendant's actions became the subject of an extensive meeting in the Inspector General's Office on Wednesday, June 9, 2010, in which Petitioner was questioned extensively by Mr. Street and members of his staff regarding the circumstances and facts regarding that episode. Petitioner asserts that such accumulated malice directed toward Petitioner played a huge role in the action which she took on April 11, 2011 in filing the police report with the East Baton Rouge Parish Sheriff's Office.

33.

Petitioner also provided the opportunity for those involved in this incident to issue an apology to Petitioner via an email sent to them on Friday, April 15, 2011. That email was also sent to several other interested parties who have followed the tenure of Petitioner with the LALB, the circumstances surrounding his removal from the LALB by

Governor Jindal, and the period after his removal, particularly his staunch criticism of his then-fellow Board Members, as well as Ms. Edmonds, regarding their collective treatments of Rev. Freddie Phillips, the first and only African American Auctioneer in Louisiana's history. One of those curious individuals is former LSU head basketball Coach Dale Brown. Coach Brown has actively followed all of the episodes at the LALB, including listening to audios and viewing videos regarding Board deliberations regarding Rev. Phillips. Coach Brown responded to Petitioner's email, and he and Petitioner exchanged several mails regarding the episode. A copy of that email exchange is attached hereto and made a part herewith as Exhibit P-17. Among the notable quotes by Coach Brown regarding the incident which is the subject of this petition (see page three of Exhibit P-17): "Sad commentary in our fight against terrorism. Can't wait to talk to you about it." Another commentary by Coach Brown (see the bottom of page one of Exhibit P-17): "Absolutely embarrassing the stupidity & arrogance. I am so proud of you that you stood up for justice." Another commentary by Coach Dale Brown (see top of page one of Exhibit P-17): "Robert, do not compromise. I know that you will not but thought of Ayn Rand when she said, 'When good and evil compromise, evil always wins.'" Coach Brown was even gracious enough to invite Petitioner and Rev. Phillips into his office on Wednesday, April 27, 2011 for an extended visit to discuss the whole situation entailing Rev. Phillips, and he provided numerous examples of fortitude to overcome the types of treatment to which Rev. Phillips has been subjected as an LALB member.

Petitioner will demonstrate even more fully at trial the malice that accumulated with Defendant regarding various LALB episodes and her roles in advancing inexcusable behavior on the part of LALB Members and her own activities in that regard as outlined in these amended pleadings.

Respectfully Submitted,

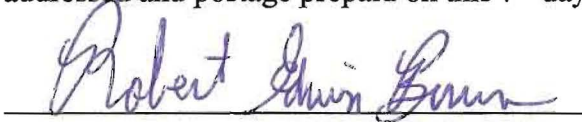
Robert Edwin Burns, in proper person
President, Auction Sells Fast, LLC
4155 Essen Lane, Ste 228
Baton Rouge, LA 70809-2152
(225) 201-0390 (office) (225) 235-4346
E-mail: Robert@AuctionSellsFast.com



Robert Edwin Burns

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 7th day of September, 2011.



Robert Edwin Burns



March 9, 2011

MR JAMES KENNETH COMER, CHAIRMAN
LOUISIANA AUCTIONEERS LICENSING BOARD
5222 SUMMA CT STE 352
BATON ROUGE LA 70809-3727

Re: Complaint Against Louisiana Auctioneer's Licensing Board Regarding
Failing to Extend Common Courtesy Notice to Me of Certified and Subsequent Regular Mail
Delivered Addressed to Me at LALB Office

Dear Mr. Comer:

This letter serves as an official complaint regarding deficiencies of the LALB office of meeting its mission of serving the needs of the public, to wit:

The State Board of Ethics notified me on Monday, March 7, 2011 that it had attempted to deliver a certified letter to me dated January 31, 2011. The letter was addressed to the LALB Office, and they sent a second letter via regular mail dated February 24, 2011 in which they relay the initial certified letter was "refused." In a subsequent certified letter to me dated March 3, 2011, this time delivered to my home address, they relay the initial letter was "unclaimed;" however, they relay that they could now send the certified letter to me "due to receiving notice of your new forwarding address." Please note that the letter's envelope was clearly stamped in red to be confidential.

I want to know why the LALB failed to extend the common courtesy of notifying me of this letter, particularly given that I live only five (5) minutes away and how such conduct by the LALB is consistent with your statement at the January 10, 2011 meeting regarding Ms. Edmonds' lucrative employment conditions, that "the public's needs are being met in every way and we've had no complaints." I also wish to point out that I encountered Ms. Edmonds at the Interior Design Board meeting on Friday, February 25, 2011, and neither Ms. Edmonds nor Ms. Dow mentioned a word about any such certified letter or regular-mail letter. In fact, I received no such phone call, email, or any other form of communication from anyone at the LALB regarding the matter.

I have made the Ethics Board aware of this situation, and I will leave it for them to determine whether the LALB failed to meet that Board's needs as a State Agency; however, I want it known that I am a member of the public and a licensee of the LALB, and I object vehemently to this blatant disregard of common courtesy, and it forms the basis of this formal complaint against the LALB.

Also I want to know what the ultimate disposition of the letter sent via regular mail on February 24, 2011 was. Specifically, did the LALB retain this letter, or did it return the letter to the Ethics Board unopened. Finally, is anyone who may have been involved in the receipt of either of the two letters willing to sign a sworn affidavit

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that the letter, which again was clearly marked **confidential**, was not opened by anyone associated with the LALB?

I appreciate your attention to this matter, and I trust the issues I have raised will be addressed by the LALB in short order.

CC: Freddie Phillips, LALB Member

Sincerely,


Robert Burns

Robert Burns

From: Robert Burns <Robert@AuctionSellsFast.com>
Sent: Thursday, April 07, 2011 4:23 PM
To: Freddie Phillips (freddiephillips@bellsouth.net)
Cc: Sandy Edmonds (admin@lalb.org); Anna Dow (annadow@bellsouth.net); Anna Dow (anna.dow@gmail.com)
Subject: Spreadsheet of LALB-Reimbursed NAA / NALLOA Travel from 2000 - 2010
Attachments: Affidavit of Robert Edwin Burns 04.07.11.pdf; Shreadsheet of NALLOA Travel 04.07.11.pdf

Freddie:

At your request, I have this date examined the LALB records and now provide you with the attached spreadsheet regarding past LALB-reimbursed NAA / NALLOA travel. I also have executed a sworn affidavit this same date attesting to the fact that, to my absolute best knowledge and belief and, based upon the records with which I was provided, it is accurate. I believe I have provided a report which corresponds literally exactly to the specifications you outlined in your letter of May 28, 2010 (which seemed awfully clear and unambiguous to me). Since this is material which pertains to an outstanding lawsuit which you have the against the LALB, in the interest of fairness, I am copying Ms. Sandy Edmonds, Executive Assistant, and Ms. Anna Dow, Legal Counsel, with this email.

The documents are self-explanatory; however, I'll make a few points:

- It took two hours and four minutes (2:04) to examine the documents and prepare a manual spreadsheet. It took less than an hour to then formalize the manual spreadsheet into an Excel spreadsheet, so all told this took just over three (3) hours.
- As a licensee of this State and as a member of the public, I am deeply offended that our licensee resources have been, at least in my firm opinion, wasted on thousands of dollars in legal expenses and countless hours of quibbling about what all is entailed to produce the attached report. At most (including pulling the relevant records), it should have taken four (4) hours of time. At \$27.50/hour, which I understand Ms. Edmonds' current rate of pay to be, I am appalled and take offense to the fact that this report could have been provided to you at an approximate cost of around \$100, yet the LALB has now spent over \$2,000 in defending a suit brought about entailing the mere production of this spreadsheet. In short, it took more time to draft the 13 interrogatories and 10 requests for admissions of fact which the LALB, through legal counsel Anna Dow, presented to you than would have been required to produce the report you requested. This is to say nothing of all the billed charges for computer research pertaining to your case.
- As a result of this, I want this matter placed on the May 16, 2011 LALB agenda and some explanation provided as to why the LALB has chosen to waste not only my license fees, but that of many other auctioneers, when it was so simple to fulfill your request. I ask that you formally make request to the Board to place that item on the agenda for discussion.
- I want to draw your attention to the year 2002 on the attached spreadsheet. The footnotes at the bottom are quite revealing pertaining to that year. I copied the actual minutes for that year (along with 2000 and 2001) due to the incredible detail which Ms. Wilks provided and the fact that the detail she provided with regard to what the Legislative Auditor's Office had advised was apparently blatantly either ignored or forgotten by the two veteran Board Members who served during that timeframe and remained on the Board in 2005 (Chairman Gay and Vice Chairman Steinkamp). I find it particularly galling that Ms. Steinkamp's memory apparently faded her given how emphatic she was at the August 2, 2010 LALB meeting that, "I do recall this VERY CLEARLY, and I think you two are quite confused." Here's the link for that quote: [Steinkamp: "Freddie, I wouldn't want you to represent this Board!"](#) (the quote I reference is at the **1:18 mark**).

➤ Freddie, I know you requested that I get an audio duplication of the August 17, 2009 LALB meeting entailing Sandy's employment arrangement. Here are the facts pertaining to that situation:

1. It was initially said around March 30, 2010 that the tape could not be located.
2. It was revealed yesterday that the tape had been located.
3. I advanced the tape to the end (and then flipped it to the other side). I then advanced it again to right near the end, and the tape ends with a discussion of Out-of-State Co-op agreements (an item I requested to be placed on the agenda). Items on the agenda that would have been discussed past that point include the LAA Convention Report by Nell Stuard and Sandy's employment agreement.
4. I asked Sandy if there was another tape of that meeting (most meetings have multiple tapes).
5. Sandy indicated, "No, it was a short meeting."
6. I relayed the material for which I sought was not on the tape.
7. Sandy indicated she never recalled placing a 2nd tape into the recorder.
8. I merely relayed that the one tape we have concludes where I referenced it did in # 3 above.
9. Sandy got quite emotional and relayed she knew she would be blamed.
10. I merely relayed that my concern is merely does a tape exist with that material on it or does it not. It appears that it does not; however, I will defer to the LALB to update you regarding any subsequent discovery of that tape's whereabouts if it ever existed in the first place (it's always possible the tape did just end without Ms. Edmonds realizing it and she therefore didn't place a 2nd tape in to continue the recording). I'm just relaying the facts as I have observed them.

I will provide you with the originals of these documents, and I hope what I have provided is substantially in conformity with your original request.

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

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LA Lic. #: 1536

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Board Member and Title	LA Auctioneer's Licensing Board												\$\$\$ Reimbursed By Board Member	
	By Year of NAA/NALLOA Travel													
	Norfolk	Boise	Orlando	San Antonio	Madison	Pittsburg	Orlando	San Diego	Nashville	Overland Park	Greensboro	Orlando		
	VA	ID	FL	TX	WI	PA	FL	CA	TN	KS	NC	FL		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)				
2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011			
Barbara Bonnette (Sec. Treas.)		1,368		1,507										
Kenny Chatman						889								
Brian Fourroux								1,582						
Delmar "Buster" Gay (Chairman)	2,280	1,583		1,447		1,473		1,299						
Allen Persick (Sec. Treasurer)						1,086	2,119	1,298						
Tessa Steinkamp (Vice Chairman)						841								
Fred Walker	1,910	1,863												
	4,190	4,814	0	2,954	0	4,289	2,119	4,179	0	0	0	0	0	

(1) Minutes of 5/23/00 reflect Fred Walker, being approved to attend. Chairman Buster Gay also wanted surplus funds to be used to send other Board Members to attend. However, nothing indicates that suggestion went anywhere; furthermore, the minutes do not reflect formal Board approval for Chairman Gay to attend. Note: \$250 on Buster Gay's voucher indicated to cover Fred's registration fee, so that \$250 was subtracted from his voucher and added to Fred Walker's voucher.

(2) Minutes of 5/15/01 indicate Mr. Bobby Green, former auctioneer whose license lapsed and who nevertheless remained on the occupying an auctioneer position, motioned that parameters be implemented to enable any Board Member who wanted to attend be permitted to do so. The motion died for lack of a second. Thereafter, the following LALB affiliated were approved to attend the convention: Delmar "Buster" Gay (Chairman); Fred Walker; Barbara Bonnette (Secretary Treasurer), and Sherrie Wilks (Executive Director).

(3) Minutes of 3/26/02 indicate Mr. Green (see above) motioned that anyone wishing to attend be permitted to do so. Executive Director Wilks then relayed that she had, at the request of a Board Member, contacted the Legislative Auditor's Office and that Legislative Auditor informed her that sending just anyone to the convention would unequivocally be a misuse of funds. She indicated they also relayed that ONLY OFFICERS of the Board could be permitted to attend and that they MUST be acting in their capacity as officers to be reimbursed. Ms. Wilks also inquired that, if CE were offered at the convention, could that be used to justify a non-officer attending. She indicated the response was that any CE obtained should be considered "lagnaippe." Ms. Steinkamp inquired who wanted to attend, to which Executive Director Wilks, Chairman Gay, and Secretary-Treasurer Bonnette all answered affirmatively. Mr. Walker motioned the Board into Executive Session and, upon re-emerging from ES it was apparently decided nobody would go and the whole subject would be revisited at a later date.

(4) Minutes of 5/20/03 indicate two (2) unspecified Board Members are authorized to attend the convention.

(5) Minutes of 5/19/04 indicate Chairman Gay and Executive Director Wilks are authorized to attend; however, there is no evidence that either did so, and Ms. Wilks states that she did NOT attend.

(6) Minutes of 5/25/05 authorize ENTIRE BOARD to attend. Travel vouchers indicate, however, that only four (4) of the seven (7) members did so.

Note: Lodging, in the amount of \$461.70, was included in Buster Gay's voucher as being applicable for Kenny Chatman. Therefore, that \$461.70 was subtracted from Mr. Gay's voucher and added to Mr. Chatman's voucher.

(7) No indication in January, March, or May minutes of 2006 to indicate any Board Member was formally approved to attend the conference.

(8) Minutes indicate only three (3) member can attend. They make no mention of which three are permitted to attend.

(9) No indication of any discussion of NAA / NALLOA convention in 2008.

(10) No indication of any discussion of NAA / NALLOA convention in 2009.

(11) May 17, 2010 minutes indicate motion made by Buster Gay to send Executive Assistant and EITHER Chairman or Vice Chairman. A substitute motion was introduced by Board Member Robert Burns that, if neither the Chairman nor the Vice Chairman could attend, a replacement could be sent. Only Board Member Freddie Phillips (Secretary Treasurer) expressed any desire whatsoever to attend. Chairman Comer relayed Sandy, Executive Assistant, being approved since she's "new" to the industry. Board Member Gay states historically ONLY Chairman and Vice Chairman have been approved to attend. Substitute motion fails by a vote of 5-2. Main motion to send Ms. Edmonds and EITHER the Chair or Vice Chair passes unanimously; however, neither Chairman Comer nor Vice Chairman Steinkamp opted to attend.

IN MY EXAMINATION OF THE MINUTES FOR THE LAST 10 YEARS OF THE LALB, I FOUND NO INSTANCE OF ANY BOARD MEMBER EVER BEING DENIED ATTENDANCE AT A CONVENTION BY WAY OF A FORMAL VOTE.

Robert J. Burns

4/27/11

1:13 p.m.

AFFIDAVIT OF ROBERT EDIWN BURNS
APRIL 7, 2011

STATE OF LOUISIANA

PARISH OF East Baton Rouge

On this 7th day of April, 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:


Robert Edwin Burns, whose official business street address is declared to be 4155 Essen Lane, Apt. 228, which is located in the city or town of Baton Rouge in the State of Louisiana, and for which the zip code is 70809-2152.


Who did state before me that he examined the records of the Louisiana Auctioneer's Licensing Board (LALB) on this date and that such examination was comprised of travel vouchers and Board minutes covering the period January 1, 2000 through the current date. He further stated that his intended purpose was to generate a spreadsheet outlining which past LALB members had been reimbursed for travel to the National Auctioneer's Association Convention and/or the National Auctioneer's Licensing Law Officials Agency (NAA & NALLOA) during that time frame. By executing this document, he attests that, to the **absolute** best of his knowledge and belief and upon his inspection of the aforementioned LALB records, the spreadsheet he has generated is accurate. He further states that this examination of LALB records required approximately two (2) hours and four (4) minutes (beginning at 10:10 a.m. and concluding at 12:14 p.m.) of his time and that he was accompanied by Ms. Cheryl Harrison, a paralegal employed by the Louisiana Attorney General's Office during the entire time of his records examination. He further relayed that he completed the aforementioned spreadsheet in less than an hour, making his total time required for the project approximately three (3) hours.

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

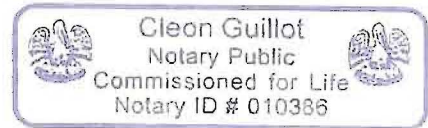
Witnesses:


Printed Name: James D. Crump, Jr.


Printed Name: Dale G. Talbot


Robert Edwin Burns


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





March 28, 2011

MR JAMES KENNETH COMER, CHAIRMAN
LOUISIANA AUCTIONEERS LICENSING BOARD
5222 SUMMA CT STE 352
BATON ROUGE LA 70809-3727

DELIVERED VIA CERTIFIED MAIL ARTICLE #: 7010 0780 0001 1264 8058
DUPLICATE SENT VIA REGULAR MAIL

Dear Mr. Comer:

As you are aware, I filed a formal complaint on ASF letterhead dated March 9, 2011 against the LALB regarding its methods of operations in failing to meet its obligations to the public. That complaint entailed the office having failed to notify me of a certified letter from the Louisiana Board of Ethics dated January 31, 2011 and subsequent standard letter dated February 24, 2011. The LALB's Executive Assistant, Ms. Sandy Edmonds, provided a response dated the same day, March 9, 2011 stating, "I believe you can see that any further follow up is unnecessary as I did just what the Ethics Commission advised." What Ms. Edmonds fails to state is that she didn't even bother contacting the Ethics Board (it's not a Commission as Ms. Edmonds relays in her letter) until the February 24, 2011 letter arrived. Meanwhile, the letters express frustration directed at the recipient, me, for having "refused" the letter. I brought this matter up at the LALB meeting of March 21, 2011, and I was informed it would not be discussed because it was not on the agenda (notwithstanding LALB Attorney Anna Dow readily discussing at the conclusion of the meeting an item which she readily admitted was not on the agenda). This letter will document the fact I've received absolutely nothing in the way of a response from the LALB aside from Ms. Edmonds' letter, notwithstanding the fact I have relayed her assessment of the situation is unacceptable to me and that my complaint remains in place.

Please be advised that if I have not heard further from anyone in official capacity from the LALB by **Tuesday, April 12, 2011**, I will proceed forward with the appropriate Louisiana Governmental Agency as I was instructed to do regarding the matter and include any and all correspondence from me to the LALB and the LALB to me regarding the matter.

Also, it has now been two-hundred thirty-eight (238) days since the LALB meeting of August 2, 2010 in which you relayed that you made the decision to include a complaint "against the Board" entailing conduct on my part by auctioneer Barbara Bonnette. As you will recall, I provided you with both an email and letter (both faxed to you with you readily admitting you received same during that August 2, 2010 LALB meeting) refuting the allegations. Nevertheless, you made the decision, in consultation with LALB General Counsel Anna Dow, to proceed with the agenda item, with both of you having stated on tape that "we don't have any proof." Given that 238 days have passed, LALB officials have been provided with ample opportunity to obtain corroborating evidence of Ms. Bonnette's accusations as I outlined in my letter to you (sworn affidavits, provision of dates, etc.). Accordingly, I expect to receive evidence you have obtained regarding same by that same above stated deadline: **Tuesday, April 12, 2011**. If I do not have that evidence by that date, I will proceed on the assumption that no such corroborating

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evidence exists despite the passage of 238 days in which you've had the opportunity to obtain it. I will remind you that the material contained on Ms. Bonnette's letter is on-its-face defamatory if untrue (and Ms. Dow, as an attorney, would surely recognize as much), so I expect to receive the corroborating evidence you have obtained that justified the head-strong approach of the LALB going forward with its contents (with Ms. Dow acquiescing to your request to have it read into the record) at the August 2, 2010 LALB meeting.

Lastly, I believe you may be aware that Ms. Edmonds chose to provide some verbal commentary regarding the appropriateness of Board Member Freddie Phillips being paid \$97 per-diem for his attendance, upon invitation by State Rep. Regina Barrow (she requested that I attend as well and I was present), at a Meeting of the Joint Committee of Governmental Affairs which transpired on November 17, 2010. From a FIA request on my part, it certainly appears Ms. Steinkamp was paid mileage and per-diem (both of which she is fully entitled) for her attendance by way of Ms. Edmonds completing one of Ms. Steinkamp's pre-signed blank travel vouchers. Ms. Edmonds also has an inventory of pre-signed vouchers for Mr. Phillips (as she does from every LALB member despite this being a deplorable practice in terms of upholding the LALB's system of internal routines and controls), yet she chose not to complete one for Mr. Phillips and send his \$97 check on to him. Ms. Edmonds provided the rationale for her inaction at the March 21, 2011 meeting stating that, since Mr. Phillips is suing the LALB, it would not be appropriate for him to be a representative of the Board nor to be reimbursed for his attendance at meetings similar to the one of November 17, 2010. Let me succinctly assess the twisted "logic" of Ms. Edmonds' argument:

Using Ms. Edmonds' "logic": **It is perfectly fine to blatantly deny a Board Member access to LALB financial information then, subsequently, when that Board Member sues to seek such access to which he should have been provided in the first place, the egregious party (the LALB in this case) can merely deploy its own egregious act (denial to records) to further punish the already-aggrieved party (Freddie in this case) as justification for denying a valid reimbursement claim.**

Ms. Edmonds has absolutely no business whatsoever making remarks such as she did at the March 21, 2011 LALB meeting, and as a member of the public observing the proceedings, I find them to be nothing short of appalling. I am therefore vehemently objecting to the remarks on Ms. Edmonds' part, and I call for a formal reprimand of her conduct at the next LALB meeting to include a strongly-worded admonition to refrain from such conduct at future Board Meetings.

Sincerely,

Robert Edwin Burns

Cc: LA Rep. Regina Barrow, LA Sen. Dan Claitor
Freddie Phillips, LALB Board Member

Robert Burns

From: Robert Burns <Robert@AuctionSellsFast.com>
Sent: Thursday, October 21, 2010 4:44 PM
To: Sandy Edmonds (admin@lalb.org)
Cc: Freddie Phillips (freddiephillips@bellsouth.net)
Subject: Formal Objection to August 2, 2010 LALB Minutes
Attachments: 3_minutes 08-02-10.pdf

Sandy:

I appreciate you having replaced the 8/2/10 agenda with the appropriate minutes file on the B & C website. I have attached a PDF copy of those minutes for your review. Now that I have reviewed them, I make **FORMAL** objection to them based on the following observations:

While a motion to expand the minutes to elaborate beyond motions, seconds, and actions was defeated with only myself and Board Member Phillips voting in favor, you apparently chose to ignore that defeated item in expanding upon item five (5) under new business (the complaint "against the Board" entailing me) and quote Board Member Phillips verbatim.

While quoting Mr. Phillips, you **FAILED** to quote Mr. Phillips **FULLY**, and you failed to quote Ms. Steinkamp **AT ALL** regarding what led up to Mr. Phillips' remarks, which were derogatory comments about me. Specifically, Ms. Steinkamp stated: ". . . Your position on the Board is self-serving. It is not for the auctioneers. It never has been. . . **You need to resign . . .**"

Upon hearing Ms. Steinkamp's commentary, and you know full well this is on the tape, Board Member Phillips relayed that he had personally asked me to remain on the Board after the January 26, 2009 meeting, and THEN he made the quote you attributed to him. In fact, if you for any reason doubt that commentary on Mr. Phillips' and Ms. Steinkamp's part, all you have to do is advance the following audio file to the **2:10:50** mark:

www.bwwrealty.com/LALB080210mon.mp3. (Freddie's quote begins at the **2:12:48** mark, and you did not begin quoting him until the **2:13:35** mark.)

And I again remind you of the inappropriate assassination of Freddie's character which took place beginning at the 34:00 mark of the link above!

The minutes, as you have them, are nothing short of editorializing to the highest degree. You have blatantly ignored commentary leading up to a quote of Mr. Phillips, and then you failed to even quote Mr. Phillips fully. I submit that your predecessor, who was falsely accused of editorializing minutes, could not hold a candle to this GROSS mischaracterization of the minutes of that meeting as you have them prepared.

What those minutes SHOULD have said (and especially to be in conformity with the Board's own action taken at the outset of the meeting to NOT expand them beyond your usual noting of motions, seconds, and votes), follows: "After lengthy discussion of the item, the Board took no action."

As you are aware, Mr. Phillips made the partial quote you attribute to him as an emotional reaction to considerable lambasting of both his character and mine. He has clearly had second thoughts regarding potentially resigning; furthermore, no such resignation is applicable unless and until Mr. Phillips makes those intentions known in writing to Governor Jindal, which Mr. Phillips has not done. Further, as evidenced by the recent Advocate article, Mr. Phillips continues to diligently uphold the rules, laws, and regulations of the LALB in "going the extra mile" to ensure a



THOROUGH review of Ken Buhler's application transpires prior to the issuance of a license to Mr. Buhler. In fact, I believe he may have pointed out a blatant error in your job performance in failing to realize Mr. Buhler was applying for reinstatement of a LOUISIANA **RESIDENTIAL** license while using a TEXAS address and voter registration.

The minutes, as you have them, continue a consistent pattern of the LALB to smear Freddie's name, belittle him, talk down to him, and in every other way fail to recognize him as an equal member of the LALB. Furthermore, the LALB has failed to grant Board Member Phillips privileges such as representing the LALB at NALLOA/NAA conferences, a privilege which has been customarily afforded to other Board Members, all of whom happen to be Caucasian. These actions represent an INEXCUSABLE pattern which cannot remotely be justified!! **It is my firm opinion that your action in editorializing the minutes, as well as the Board's subsequent action of approving those editorialized minutes, continues a pattern of BLATANT racial discrimination against the only African American auctioneer in the history of Louisiana.**



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BOARD MEETING MINUTES FROM A REGULAR MEETING

Date: **Monday, August 2, 2010** Time: **12:00 pm**
Place: 5222 Summa Court, Board Room, Baton Rouge, LA 70809

- I. CALL TO ORDER- K. Comer ROLL CALL- S. Edmonds
Board Members present: Ken Comer, Tessa Steinkamp, Buster Gay, Freddie Phillips (left the meeting in progress), Robert Burns, Charles 'Clayton' Brister, Greg Bordelon
Others: Sandy Edmonds, Anna Dow, Rep. John E. Guinn, Rep. Regina Barrow
A quorum was declared.

MOTION AND SECOND to expand the recording of the minutes of today's meeting to include specifics not just motions: R. Burns, F. Phillips. Roll Call Vote: C. Brister- nay, G. Bordelon- nay, T. Steinkamp- nay, R. Burns- yea, F. Phillips-yea, B. Gay-nay. The motion failed.

- II. APPROVAL OF MINUTES from May 17, 2010
MOTION AND SECOND to approve minutes from May 17, 2010: B. Gay, T. Steinkamp. MOTION PASSED with Mr. Phillips in dissention.

III. OLD BUSINESS

1. Approval of Tested Applicants:

1. Ariel Mutz

MOTION AND SECOND to approve Ariel Mutz: T. Steinkamp, G. Bordelon. MOTION PASSED UNANIMOUSLY.

2. Michael Lynch

MOTION AND SECOND to approve Michael Lynch: T. Steinkamp, C. Brister. MOTION PASSED UNANIMOUSLY.

3. Jesse Bolin

MOTION AND SECOND to approve Jesse Bolin pending receipt of bond: T. Steinkamp, C. Brister. MOTION PASSED UNANIMOUSLY.

2. Approval of reciprocal applicant:

1. Jonathan 'Chad' Brantley

MOTION AND SECOND to approve Jonathan Brantley: T. Steinkamp, R. Burns. MOTION PASSED UNANIMOUSLY.

3. Approval of Apprentice applicant:

1. Kaysie Wilkinson- applicant respectfully withdrew application prior to start of board meeting.



MOTION AND SECOND to defer NALLOA conference report until future meeting so Mr. Phillips can receive the information he requested: F. Phillips, R. Burns. MOTION FAILED with C. Brister, G. Bordelon, T. Steinkamp, B. Gay in dissention.

IV. NEW BUSINESS

1. Attorney Report/Investigative Report

1. Legislative report

MOTION AND SECOND to approve attorney report: B. Gay, T. Steinkamp. MOTION PASSED UNANIMOUSLY.

2. Approval of Financials

MOTION AND SECOND to approve last fiscal year ending budget: G. Bordelon, R. Burns. MOTION PASSED UNANIMOUSLY.

MOTION AND SECOND to approve current fiscal year budget after adding a 'technology improvement' category for \$23,000: G. Bordelon, R. Burns. MOTION PASSED UNANIMOUSLY.

3. NALLOA Conference report

4. Update Travel policy- to continue mileage reimbursement instead of state fleet rental.

MOTION AND SECOND to exempt the Board, employees, and contract employees from PPM49 revision requiring use of a state fleet rental and to allow reimbursement of full actual mileage: T. Steinkamp, G. Bordelon. MOTION PASSED with F. Phillips in dissention.

5. Complaint against Board regarding Robert Burns

After lengthy discussion, at 2:16 pm Mr. Freddie Phillips stated 'I'll take the initiative. I'll step down since I'm the problem. I'll step down then that will be that. At least I'll have some peace at the end of the day and know what time it is.' Mr. Phillips then left the meeting.

6. Legal Counsel contract/job performance (as requested by Robert Burns)

MOTION to defer to the next meeting: R. Burns, no second

MOTION AND SECOND to deal with now or wait until next contract approval term: G. Bordelon, T. Steinkamp. MOTION PASSED.

R. Burns chose not to discuss the agenda item

At 2:22 pm Mr. Freddie Phillips reentered shortly to state 'I would like to recuse myself from the meeting.'

7. Professional services contracts

1. Private investigator

MOTION AND SECOND to approve contract for private investigator services by AW McDaniel for \$19.50 per hour plus travel expenses according to state travel regulations: G. Bordelon, T. Steinkamp. MOTION PASSED UNANIMOUSLY.

8. Out of state applicants taking test by proctor at out of state location
MOTION AND SECOND to approve out of state applicants to take the examination by proctor at either their state's licensing board office or an official testing agency at their own expense: R. Burns, G. Bordelon. MOTION PASSED UNANIMOUSLY.

9. Chairman's comments

IV. NEXT MEETING DATE – September 20, 2010

V. ADJOURN

MOTION AND SECOND to ADJOURN: B. Gay, R. Burns. MOTION PASSED UNANIMOUSLY.

SUBMITTED BY:

APPROVED BY:

SandyEdmonds

Sandy Edmonds, Executive Assistant

Ken Comer, Chairman

Robert Burns

From: Dale Brown <1963@cox.net>
Sent: Saturday, April 16, 2011 9:49 PM
To: 'Robert Burns'
Subject: RE: GREAT High School Planning Meeting!!!! (PLEASE READ!!!!)

Robert, do not compromise. I know you will not but thought of Ayn Rand when she said, "When good & evil compromise evil always wins."

From: Robert Burns [mailto:Robert@AuctionSellsFast.com]
Sent: Saturday, April 16, 2011 5:50 PM
To: 'Dale Brown'
Cc: Freddie Phillips
Subject: RE: GREAT High School Planning Meeting!!!! (PLEASE READ!!!!)

Thank you so much, Coach. It's been tough (especially having the State Police in your living room questioning if you may be a terrorist threat) but your words in this email have made it all worth it. I want Freddie to seem them too (so I've copied him on this email) because I know they will mean EVERYTHING to him as well!!

Thanks again, Coach.



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From: Dale Brown [mailto:1963@cox.net]
Sent: Saturday, April 16, 2011 5:43 PM
To: 'Robert Burns'
Subject: RE: GREAT High School Planning Meeting!!!! (PLEASE READ!!!!)

Absolutely embarrassing the stupidity & arrogance. I am so proud of you that you stood up for justice.

1 P-17

From: Robert Burns [mailto:Robert@AuctionSellsFast.com]
Sent: Saturday, April 16, 2011 5:05 PM
To: 'Dale Brown'
Subject: RE: GREAT High School Planning Meeting!!!! (PLEASE READ!!!!)

Again, thanks so much, Coach!! Your inspiration is what has kept me going, and I really don't have the words to express my appreciation.

I'm sure you recall Freddie having been denied the privilege of attending last year's NALLOA Convention. Actually the Legislative Auditor's Office informed the Board years ago that ONLY officers of the Board (which Freddie is Secretary-Treasurer) can go and be reimbursed. Nevertheless, Freddie uncovered the fact Ms. Dow, the Board's attorney, went this past year with no Board approval and billed the LALB for her attendance at meetings (\$450). He challenged that fact, and you can WATCH the reaction at the following link (it gets **REAL, REAL interesting at the 3:09 mark**):

<http://www.youtube.com/watch?v=sru52zUDwKE>

Of course, Ms. Dow seems to be uneasy about the videotaping of meetings in general, as evidenced by the following link (just advance the tape to the **0:45** mark):

<http://www.youtube.com/watch?v=JJ-mXwxuod0>

So, I guess she just has a general fear of video camcorders since I'm sure that, as an attorney, she's aware of the following statute providing for the videotaping (or broadcasting for that matter) of any public State agency meeting: <http://www.legis.state.la.us/lss/lss.asp?doc=99525>. That's about as good as I can figure.

You have a GREAT weekend, Coach, and again, thanks for all of your words of encouragement you've so often provided and for your kindness and unique sense of humor when you, my mom, and I talk when mom and I walk in Walden most every night. Funny, none of the Walden folk seem to have a fear of me or decide they should have State Police follow me <smile>.



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From: Dale Brown [mailto:1963@cox.net]
Sent: Friday, April 15, 2011 7:05 PM
To: 'Robert Burns'
Subject: RE: GREAT High School Planning Meeting!!!! (PLEASE READ!!!!)

Sad commentary to our fight against terrorism. Can't wait to talk to you about it. Welcome to the world of the NCAA.

From: Robert Burns [mailto:Robert@AuctionSellsFast.com]
Sent: Friday, April 15, 2011 4:24 PM
To: Anna Dow; Anna Dow; Sandy Edmonds
Cc: larep029@legis.state.la.us; Dan Claitor; Freddie Phillips; Karen Kennedy; John Hopewell; Ryan Vivian; Dale Brown; Beau Box
Subject: GREAT High School Planning Meeting!!!! (PLEASE READ!!!!)

Hello!!!!

Since those on the "TO" line of this email have apparently indirectly gotten so interested in the Glen Oaks High School Class of 1981 30-Year Reunion, I figured I'd take a moment to relay we had a **GREAT** time at our eight planning meeting last night!!

I want to take just a moment to express sincere thanks to you, Ms. Kennedy, for your generosity in permitting me to film a segment promoting the reunion at 5222 Summa Court a week ago today. I'm sure everyone knows that you can see some of that footage at the latter part of the following video link:

http://www.youtube.com/watch?v=Me8GodKLCrk&feature=player_embedded

I do think Louisiana State Police did find it somewhat baffling that, unbeknownst to them until they'd spent 40 minutes in my home questioning me on Tuesday, that I had: **1. Called for permission to do shoot the short video clips, 2) that the permission had been granted, 3) that Karen let me in the door, and 4) that I had my video equipment (tripod and camera) with me in plain view at the time I entered the building.** Hence, the "Investigative Support Services" of State Police (a unit designated for organized crime, money launderers, and terrorists -- see the service's section on State Police website -- <http://www.lsp.org/iss.html>) likely concluded I am in no way a terrorist threat upon the conclusion of their visit to my domicile on Tuesday of this week.

To me, the much more logical path to have taken was for whomever apparently had such **irrational** concerns to have picked up the phone, called me, and asked what I was up to, but I guess my premise of assuming logic would prevail, alas, is fundamentally flawed. I mean given that I do not have so much as a parking ticket going back 20 years, have never taken **ANY** kind of illegal drug whatsoever, have **NEVER** smoked the first cigarette in my life, have never been arrested, was **NEVER** suspended from any school (or even had to stay after school involuntarily), **graduated from LSU with a 4.000 GPA** etc., I can see where the "default" assumption is that I am likely a terrorist. I'm certain all in the audience at the Arthritis Association's charity auction sat on pins and needles last year (<http://www.auctionsellsfast.com/community.html>) wondering when Freddie or me would "lose it" and take out our concealed assault rifles and take out half the crowd.

Since those of you on the "TO" line seem to have taken such a strong indirect interest in our Class Reunion, you can see ALL the details at www.members.cox.net/gohs1981. I'm sure you can readily tell I've placed an **ENORMOUS** amount of work into it (you can even download photos of the **ENTIRE** Senior Class -- yes, including even my picture with ache, glasses, and all!!) from the Yearbook and see other exciting pages from our yearbook (Options 10 & 11 at the previous

link). On page 55 of Option 11, you can even see me on the debate team for Ronald Reagan (fall, 1980), as well as the Jimmy Carter debate team. The saddest thing for me in doing this whole reunion project is that I uncovered the fact that Jessie Jackson, pictured on the far-right on the Carter debate team, passed away on October 8, 2004 at age 41. No matter how enjoyable our reunion may turn out to be, there will be a void without him there. We have a page to pay tribute to other classmates who have passed on at <http://members.cox.net/gohs1981/1981GOHSdeceased.htm>.

You can quickly see my profile and Freddie's profile by clicking on our names at this link:
<http://members.cox.net/gohs1981/1981GOHSlist.htm>.

Well, I guess I've said enough.

While I am of the firm opinion that the recipients on the "TO" line of this email quite likely owe me an apology (as well as an apology to Freddie, a fellow GOHS graduate of Class of 1983 and who will be guest of mine at the 1981 reunion on August 6), I am not naïve enough to hold my breath believing I will receive it.

I hope you all have an enjoyable weekend.



Robert Edwin Burns

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