

ROBERT BURNS

NUMBER 624.531 DOCKET: 27

19TH JUDICIAL DISTRICT COURT

VERSUS

PARISH OF EAST BATON ROUGE

LOUISIANA AUCTIONEER'S LICENSING BAORD,
CHARLES "HAL" McMILLIN, JAMES M SIMS,
DARLENE JACOBS-LEVY, GREGORY L. "GREG"
BORDELON, CHARLES "CLAYTON" BRISTER,
TESSA STEINKAMP, LARRY S. BANKSTON,
BANKSTON AND ASSOCIATES, LLC

STATE OF LOUISIANA

PETITION FOR DAMAGES FOR DEFAMATION

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 Defendants in this petition for damages are:

LOUISIANA AUCTIONEER'S LICENSING BOARD (LALB), an executive
agency of the State of Louisiana and a body corporate with the power to sue and
be sued whose office at all times pertinent herein is located in the Parish of East
Baton Rouge, State of Louisiana, and whose Chairman and representative for
Service of Process is Ms. Tessa Steinkamp, LALB Member and Chairman, 116
Rue Aries Road, Slidell, LA 70461-5226.

TESSA STEINKAMP, LALB Member and Chairman, individually and in her
capacity as LALB Chairman, a major resident and domiciliary of the Parish of St.
Tammany, State of Louisiana.

JAMES M. SIMS, LALB Member and Vice Chairman, individually and in his
capacity as LALB Vice Chairman, a major resident and domiciliary of the Parish
of Union, State of Louisiana.

CHARLES "HAL" McMILLIN, LALB Member, individually and in his
capacity as LALB Member, a major resident and domiciliary of the Parish of
Calcasieu, State of Louisiana.

FILED
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CLERK OF COURT

DARLEEN JACOBS-LEVY, LALB Member, individually and in her capacity as LALB Secretary-Treasurer, a major resident and domiciliary of the Parish of Orleans, State of Louisiana.

CHARLES “CLAYTON” BRISTER, LALB Member, individually and in his capacity as LALB Member, a major resident and domiciliary of the Parish of Rapides, State of Louisiana.

GREGORY L. “GREG” BORDELON, LALB Member, individually and in his capacity as LALB Member, a major resident and domiciliary of the Parish of Jefferson Davis, State of Louisiana.

LARRY S. BANKSTON, individually and in his capacity as Legal Counsel for Defendant LALB, a major resident and domiciliary of the Parish of East Baton Rouge, State of Louisiana.

BANKSTON AND ASSOCIATES, LIMITED LIABILITY COMPANY, LLC, a Louisiana Domestic Limited Liability Company, domiciled in the Parish of East Baton Rouge, State of Louisiana and whose Agent for Service of Process is Mr. Larry S. Bankston, 8708 Jefferson Highway, Suite A, Baton Rouge, Louisiana 70809-2411.

3.

Defendants Sims, McMillin, Brister, Bordelon, and Jacobs-Levy, acting in their official capacities as LALB Members, convened an Administrative Hearing entitled “LALB v. Robert Burns” on Monday, September 17, 2012.

4.

Defendants conducted the Administrative Hearing for the purpose of venting anger at Plaintiff over his having alerted three (3) Defendants, namely LALB Members Sims, Bordelon, and McMillin via email that the Chief of Accountability of Civil Service, Patrick Lowery, had characterized the payroll setup of Defendant LALB as constituting “blatant payroll fraud.” Mr. Lowery made that characterization on or about November 20, 2010 in a meeting between Plaintiff, Mr. Lowery, Ms. Melina Robert (at the time a Civil Service employee directly under Mr. Lowery who has since assumed Mr. Lowery’s former position), and Ms. Sherrie Wilks, former long-time Executive Director of Defendant LALB.

5.

Defendant Steinkamp was supposed to recuse herself from any investigative matter pertaining to Plaintiff. Such recusal resulted from another aspect of the Administrative Hearing entailing Defendant Steinkamp's employer, New Orleans Auction Galleries (NOAG). An official representing NOAG complained to Defendant LALB regarding Plaintiff's revelations of various filings pertaining to NOAG's bankruptcy of April 1, 2011. Specifically, Plaintiff exposed the fact that Defendant Steinkamp, who served as Vice President, Director, Secretary, and Treasurer of NOAG, failed to alert Defendant LALB of the fact that, for an extended period prior to bankruptcy, NOAG was engaging in numerous acts which were in direct violation of numerous auction statutes. Defendant Steinkamp's alleged recusal notwithstanding, Defendant Bankston informed Plaintiff via letter dated July 20, 2012 that Defendant Steinkamp would determine whether the "blatant payroll fraud" matter would be included in the hearing of September 17, 2012. Defendant Bankston's letter is attached hereto and made a part hereof as Exhibit P-1. Upon information and belief, Defendant Chairman Steinkamp is responsible for including the "blatant payroll fraud" matter as the dominant component of the hearing, thus nullifying her alleged recusal and thereby making her culpable as Defendant regarding this Petition.

6.

Despite Plaintiff's attorney for the hearing, Mr. Robert Loren Kleinpeter, repeatedly admonishing Defendant Bankston that no justification whatsoever existed for convening a hearing since not one single auction statute was even alleged to have been violated, Defendants Bankston, Chairman Steinkamp, Vice Chairman Sims, Member Bordelon, Member Brister, Member McMillin, and Secretary-Treasurer Jacobs-Levy charged headstrong with scheduling and conducting a "hearing."

7.

Notwithstanding Plaintiff's attempt to alert Defendants Bordelon, Sims, and McMillin of Mr. Lowery's "blatant payroll fraud" statements regarding its Executive Assistant, Sandy Edmonds, and the subsequent hearing scheduled regarding same, Defendant Secretary-Treasurer Jacobs-Levy, an attorney who touts her 43 years of

practicing law in Louisiana, stated to Administrative Law Judge Michael Vallan that she agreed with Plaintiff's counsel that **nothing** Defendant Bankston presented to Defendant LALB constituted an auction law violation. Thereafter, she repeatedly urged Administrative Law Judge Vallan to issue a Directed Verdict and dismiss the proceeding.

8.

At the urging of Defendant Secretary-Treasurer Darlene Jacobs-Levy to move for Directed Verdict, Mr. Kleinpeter immediately stated, "so moved;" however, Administrative Law Judge Vallan denied the Motion, stating it "is not appropriate at this time." Ms. Jacobs-Levy reiterated her conviction that a Directed Verdict was indeed "appropriate at this time," thus reiterating her conviction regarding Defendant Bankston's dismal failure to substantiate (or even assert) **any** auction license law statute violation.

9.

Mr. Patrick Lowery, then-Chief of Accountability of Civil Service, was subsequently called as a witness, and he stated, under oath, that he had indeed relayed that, if documents presented to him by Plaintiff and Ms. Sherrie Wilks were verified as authentic, they constituted "payroll fraud." Mr. Lowery elaborated relaying that, when an employee represents that she has been on the job when, in reality, she has been on a week-long vacation, combined with the fact that she had provided an email prior to her vacation relaying that she "would not be available" for work, that constitutes "payroll fraud."

10.

Defendants collectively convened an illegal Executive Session to discuss Plaintiff's plight notwithstanding the fact that both Plaintiff and Plaintiff's legal counsel, Robert Loren Kleinpeter, stated to the entire Board that Plaintiff had the right to insist that deliberations transpire in an open forum since they would entail discussions of Plaintiff's character. Defendants refused to conduct the deliberations in an open forum, leading to a separate Open Meetings Law violation lawsuit (Docket # 616916 pending before Judge Fields) against Defendants.

11.

Upon exiting Executive Session, Defendants appointed Defendant Secretary-Treasurer Jacobs-Levy to be their collective spokesperson for their "findings."

12.

After complimenting Plaintiff on his intelligence (ironic given that one of the reasons for convening the hearing was Plaintiff's alleged "incompetence") and relaying that he "ought to enroll in law school," Ms. Jacobs-Levy then relayed verbatim, "When you verbally harass and abuse three of our employees, Ms. Steinkamp, Ms. Edmonds, and Ms. Dow, I think these allegations are scurrilous and uncalled for. Probably, if I had been any one of them, I would have filed a lawsuit against you for liable and slander because these are allegations which you can't prove.....If opinions are unfounded, that undermines the Constitution of the United States and free speech.....There are some of us who were in favor of taking your license. I'm not one of them. We are going to..... give you another chance, but we want you to cooperate with this Board...." Ms. Jacobs-Levy then relayed that she had "to fight for you and am sticking my neck out for you" and then relayed, "you may not be so lucky next time." Ms. Jacobs-Levy provided all of the preceding commentary despite readily admitting that nothing presented by the Board constituted a violation of any auction license statute, and she readily demonstrated her conviction in that regard by repeatedly calling for Directed Verdict to dismiss the whole matter.

13.

Upon conclusion of Defendant Secretary-Treasurer Jacobs-Levy's blatant slanderous, unfounded, and irresponsible statements regarding Plaintiff, she relinquished the floor to Defendant Vice Chairman James Sims. Mr. Sims then informed Plaintiff that the Defendants were issuing a "public reprimand" of Plaintiff.

14.

The only dissent to the Motion for Reprimand was made by Defendant Member Greg Bordelon; however, at a subsequent meeting of Defendant LALB conducted on January 8, 2013, Defendant Bordelon, as reflected in a court reporter's transcript of that meeting, stated that, although his attorney had advised him not to discuss the matter any further, he explained his dissenting vote of September 17, 2012 by stating, "I thought we should have went [sic] further."

15.

Ms. Jacobs-Levy, while standing in the parking lot of the Louisiana Municipal Association prior to leaving for her return trip home from the day's hearing, stated in the presence of Plaintiff, Plaintiff's mother, and Plaintiff's attorney, Robert Loren Kleinpeter, that, while in Executive Session, the Board voted 3-2 to revoke Plaintiff's license. She then reiterated what she'd relayed on-the-record in the hearing in saying she "really had to stick my neck out for you to save your license."

16.

At the very next meeting of Defendant LALB, which was conducted on November 5, 2012, Board Member Greg Bordelon responded to the roll call by saying, "I's here, too," after Board Member Sims responded by saying, "I's here." These responses were clearly captured on audio by Defendant LALB's audio recording device.

17.

When a newspaper article written by Advocate reporter Ted Griggs was published on December 22, 2012 regarding the roll call responses, Defendant Bordelon stated (as printed in the article), "I know I never said that. I never heard nobody [sic] say it either." The article further relayed that, "Bordelon said former Board Member Robert Burns is trying to stir up controversy in an effort to make the Auctioneers Board look bad. Bordelon said Burns has been a thorn in the Board's side ever since Gov. Bobby Jindal kicked Burns off a few years ago."

18.

Not only are Ms. Jacobs-Levy's statements regarding Plaintiff's alleged "verbal harassment" of Ms. Edmonds and Ms. Steinkamp inaccurate, the statements themselves are patently defamatory. Plaintiff has every right to expose potential payroll fraud on the part of Ms. Edmonds. Further, Defendant LALB had a duty to pursue Ms. Steinkamp for her failure to alert Defendant LALB of the fact that her employer was paying operating funds out of consignor escrowed funds, had over \$600,000 in unpaid consignors at the time of its bankruptcy filing, and had purportedly auctioned off paintings by artists which left NOAG's facility after auction **with Christie's rejection stickers on them as fakes!** These paintings, purchased by an innocent bidder in Los

Angeles on the dates of May 31, 2008 and June 1, 2008, Massoud Pouratian, were essentially worthless, thus resulting in a \$114,000 loss to him, causing him to file suit against NOAG in Los Angeles. Ms. Seinkamp, notwithstanding her role as then-Vice Chairman of Defendant LALB (now Chairman) and notwithstanding her position as a Secretary, Director, Vice President, and Treasurer of NOAG, failed to alert Defendant LALB to any problems whatsoever at her employer. Instead of acting on these revelations and summoning both Ms. Steinkamp and Ms. Jean Vidos (owner of NOAG) for a hearing entailing the transgressions, Defendants blatantly covered up the actions of Defendant LALB's Chairman, Tessa Steinkamp, by refusing to do anything other than schedule a hearing against Plaintiff for his revelations of the transgressions!

19.

Ms. Jacobs-Levy's statements about "verbally harassing" Board Attorney Anna Dow dealt exclusively with Plaintiff's contention that it's bad public policy for the same attorney to hold the dual position of general counsel to a public body and prosecuting attorney for that body. Nothing else was even alleged regarding Ms. Dow at the "hearing."

20.

It is indeed ironic that Defendant Bankston would aggressively pursue Plaintiff for stating his opinion that the two attorney functions should be separated and yet, when Plaintiff argued before Judge Fields on March 25, 2013 (regarding the Open Meetings violation lawsuit) that Defendant Bankston had failed miserably in his duty to alert Defendant LALB Members that they were required to conduct deliberations in public if Plaintiff so insisted (which Plaintiff did), Defendant Bankston justified his silence by stating to Judge Fields, "I was acting in a different capacity." So, Defendant Bankston would pursue Plaintiff for advocating that attorneys have such a different capacity and that no attorney serve in both capacities, yet he would assert such a "different capacity" as a defense for his silence in failing to warn Defendant Board Members of their liability for convening an Executive Session in direct violation of Louisiana's Open Meetings Laws! Since Mr. Bankston knew full well that Ms. Dow, the LALB's other attorney, was sequestered in the hallway when Plaintiff and Plaintiff's counsel, Robert Loren Kleinpeter, made known Plaintiff's desire for deliberations to

transpire in an open forum, Defendant Bankston was essentially arguing to Judge Fields that it was perfectly fine for the Defendant LALB to be without legal counsel at all since Ms. Dow was sequestered and Mr. Bankston asserts that he was “not in the capacity” of general counsel for Defendant LALB.

21.

Beyond the arguments posed above, Plaintiff has statutory immunity from the type of retaliatory action of Defendant LALB and its members through Louisiana Code of Civil Procedure 971, which provides for any court action to be stricken based on the public’s right to question governmental agency public issues. Since the LALB hearing is the equivalent of a court hearing, Defendant Bankston and LALB Members should have known, and essentially admitted that they did in fact know, that there was no auction law violation upon which they could even justify convening a hearing.

22.

Defendants’ actions constituted a long and sustained pattern of harassment of Plaintiff to include: #1) filing unfounded (and summarily dismissed) ethics charges against Defendant for his May 17, 2010 testimony before the Louisiana Legislature to strengthen shill bidding penalties; #2) with no foundation whatsoever, calling out the Louisiana State Police Terrorism Unit to Defendant’s home on April 12, 2011, resulting in a another lawsuit for defamation (Docket # 603248 pending before Judge Caldwell); #3) illegally (no Board action) hiring Mr. Bankston to pursue Defendant for the matters presented in this petition; #4) filing Ex Parte a Writ of Attachment and stating that its allegations “should be deemed satisfactory proof in order for the court to issue the Writ” regarding Plaintiff’s refusal to conform to a non-existent subpoena falsely portrayed in pleadings as having been “caused to be issued by the Board” (Docket # 621427 heard before Judge Hernandez on July 22, 2013, after which, on August 28, 2013, Judge Hernandez issued a ruling denying Defendant LALB’s Writ of Attachment); ; and #5) blatantly denying Defendant the right to address, at the January 8, 2013 LALB meeting, illegal payments for Board Per Diems for September 17, 2012, which is one of the subjects of an Open Meetings violation lawsuit also pending before Judge Hernandez (Docket # 619707).

The statements made by Secretary-Treasurer Jacobs-Levy upon the conclusion of the “hearing” are ipso facto defamatory, and the subsequent action of all Defendants to, without any justification whatsoever, issue a “public reprimand” of Plaintiff is also ipso facto defamatory. Further, the subsequent statements made by Defendant Bordelon published in the Advocate on December 22, 2012 are also without any question whatsoever ipso facto defamatory. His statement that he “never said that and I never heard nobody [sic] else say it either,” contradict the clear audio recording of same. Furthermore, his subsequent effort to falsely blame Plaintiff for his own unprofessional behavior and to infer that Plaintiff lied about the roll call response is blatantly defamatory as well as categorically false. Furthermore, Defendant Bordelon’s admission on January 8, 2013 that he voted against the public reprimand because, “I thought we should have went [sic] further,” constitutes continued defamation on his part. Furthermore, Ms. Jacobs-Levy’s on-the-record statements that multiple members of Defendant LALB felt Plaintiff should no longer hold an auction license are unquestionably defamatory, especially given the circumstances that not one Defendant even asserts that any auction statute was violated.

As a result of Defendants’ actions, Plaintiff has suffered significant harm to his otherwise stellar business and personal reputation. That harm includes having to divulge to the State Board of CPAs of Louisiana on his renewal application for CPA Certificate status for 2013 that he was the subject of an investigation by another State regulatory body in 2012. Plaintiff also prides himself on being able to state truthfully to any prospective client that he has never been cited by Defendant LALB nor in any way disciplined by Defendant LALB. Plaintiff’s ability to make such a claim became impossible after September 17, 2012, thus further damaging Plaintiff’s business and personal reputation. Accordingly, Plaintiff reached an agreement to transfer ownership of his firm, Auction Sells Fast, LLC, a company with a 10-year stellar record of conducting real estate auctions in Louisiana without a single complaint against it, to his long-time friend and loyal bid assistant, Rev. Freddie Lee Phillips. By so doing, Rev.

Phillips may continue making such a representation to prospective clients about the firm's owner.

25.

Plaintiff is also Vice President of a trade association founded by Rev. Freddie Lee Phillips, the Louisiana Association of Professional Auctioneers (LAPA). Tenet number three (3) of that association requires the voluntary disclosure on the association's website, www.auctioneer-la.org, any adverse ruling by Defendant LALB. This requirement is present for any LAPA member irrespective of whether that member is an actively-licensed Louisiana auctioneer or not. Although Plaintiff opted not to renew his auction license for 2013 in order to put an end to Defendant LALB's continual harassment of Plaintiff as outlined in Paragraph 22, Plaintiff nevertheless conforms with LAPA's requirement and does in fact disclose Defendant LALB's action of September 17, 2012. Given that Defendant's actions of that date were completely lacking any merit whatsoever and were retaliatory, callous, and an attempt at intimidating Plaintiff into ignoring transgressions (and alleged criminal activity) by LALB employees and members, Defendants have further defamed Plaintiff's character by forcing him to either terminate his LAPA membership or divulge the Defendant LALB's action of September 17, 2012, either of which would (and has, in the case of disclosing the 9/17/12 "public reprimand") reflect negatively upon Plaintiff.

26.

Defendant Bankston and his firm, Bankston and Associates, LLC, are liable unto Plaintiff for his failure to properly dismiss this matter and refuse to prosecute it. Instead, as evidenced by Exhibit P-1, Mr. Bankston actually led the charge to prosecute which, upon information and belief, is the sole reason he was illegally hired (without public LALB approval) in the first place. In fact, Defendant Bankston was "hired" on March 9, 2012. Such hiring entailed one of two scenarios, either of which constitutes illegal acts by one or more Defendant LALB Members. First, if a telephone "meeting" including a vote to hire Defendant Bankston transpired, that's a clear and unequivocal violation of Louisiana's Open Meetings Laws. Alternatively, Defendant Board Chairman Steinkamp abused her authority and authorized Defendant Bankston's hiring on her own. If so, Defendant Steinkamp and LALB's Executive Assistant, Sandy

Edmonds, engaged in misappropriation of funds by signing a check payable to Bankston and Associates without Board approval or having any form of approved, written contract with the law firm. In any event, Mr. Bankston went straight to work immediately pursuing Plaintiff for the matters referenced in this Petition. Incredibly enough, his “hiring” came only nine (9) days after the issuance of a damning report by the Louisiana Legislative Auditor’s Office (LAO) regarding blatant disregard for Civil Service policies and procedures entailing Defendant LALB’s employment of Executive Assistant Sandy Edmonds. That report was a direct result of information intermittently supplied to the LAO by Plaintiff as a result of Patrick Lowery, the then-Head of Accountability of Civil Service, having referred Plaintiff and Ms. Sherrie Wilks, former long-time Executive Director of the LALB, to the LAO as a result of Ms. Edmonds being unclassified and therefore making Mr. Lowery (and more specifically, Civil Service) unable to pursue Ms. Edmonds for payroll fraud. In fact the LAO report itself contains tables using the date of July 18, 2011, which was the last date Plaintiff and Ms. Wilks supplied payroll information on the LALB to the LAO. Rev. Freddie Lee Phillips supplied payroll records for the State Board of Interior Designers of the same date to the LAO (Ms. Edmonds also serves as Executive Director of that agency), and the LAO report contained the numbers supplied by Plaintiff, Ms. Wilks, and Rev. Phillips. Further, though Defendant LALB conducted a regular meeting on March 19, 2012 (10 days after Defendant Bankston was “hired”) Defendant LALB and Defendant Board Members **continued to conceal** Mr. Bankston’s hiring until the LALB convened its next meeting on May 21, 2012, at which time Mr. Bankston’s hiring was formally approved by Defendant LALB. The failure to formally hire Mr. Bankston on March 19, 2012 was done for the sole and exclusive purpose of permitting Mr. Bankston to continue a covert pursuit of Plaintiff over the matters presented in this Petition. Incredibly, Defendant Bankston sent a letter to Plaintiff dated May 23, 2012 (only **two days** after he’d been “officially” hired), which was an **unsigned** “Failure to Comply letter” (Defendant LALB’s means of informing an auctioneer of an alleged violation of an auction statute). Defendant Bankston acted in a reckless manner throughout the “hearing” process and during the hearing itself, as evidenced by:

- A. The fact that he proved absolutely nothing in terms of an auction statute violation (in fact, he failed to even successfully assert that such a statute had been violated),
- B. The fact that he failed to subpoena NOAG's attorney who complained of Plaintiff's exposing of NOAG's egregious auction statute violations and Defendant Steinkamp's silence thereof, even though that attorney relayed on the complaint form that he would be willing to attend,
- C. The fact that he failed to obtain any sworn statement from that complaining attorney,
- D. The fact that he failed to heed the repeated warnings of Plaintiff's attorney, Robert Loren Kleinpeter, who relayed repeatedly to Defendant Bankston, including one encounter outside the courthouse in St. Francisville, that the material comprising the "Failure to Comply" letter should be compared with the excrement of a rather large animal.
- E. The fact that he failed to even do as his letters indicated and copy Plaintiff's attorney, Robert Loren Kleinpeter, on correspondence sent to Plaintiff. Instead, Mr. Kleinpeter obtained the documentation only by virtue of the fact Plaintiff scanned them in PDF and was regularly emailing them to Mr. Kleinpeter even though Plaintiff assumed Defendant Bankston would honor the cc notations on his letters. Mr. Kleinpeter relayed to Plaintiff days before the hearing that he had chided Defendant Bankston about him (Kleinpeter) having made it clear that he represented Plaintiff and yet was receiving the correspondence only via email from his own client (Plaintiff) scanning of that correspondence and sending it to him.

27.

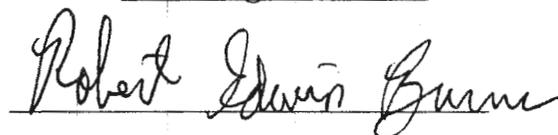
Throughout the entirety of the pursuit of Plaintiff from March 2012 to September 17, 2012, Defendants acted in a callous, malicious manner in an effort to strong-arm Plaintiff into acquiescing to illegalities and Oath of Office failures on their parts. Such actions culminated in defamation of Plaintiff's character in a public manner which has resulted in immeasurable harm to his professional reputation. In addition to that harm to his professional reputation, Plaintiff has suffered public humiliation and

mental anguish arising from the irresponsible acts of Defendants as outlined in this petition.

WHEREFORE, petitioner, ROBERT EDWIN BURNS, prays that Defendants, LOUISIANA AUCTIONEER'S LICENSING BOARD, JAMES M. SIMS, CHARLES "HAL" McMILLIN, DARLENE JACOBS-LEVY, CHARLES "CLAYTON" BRISTER, GREGORY L. "GREG" BORDELON, TESSA STEINKAMP, LARRY S. BANKSTON, and BANKSTON AND ASSOCIATES, LLC 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 defendants, LOUISIANA AUCTIONEER'S LICENSING BOARD, JAMES M. SIMS, CHARLES "HAL" McMILLIN, DARLENE JACOBS-LEVY, CHARLES "CLAYTON" BRISTER, GREGORY L. "GREG" BORDELON, TESSA STEINKAMP, LARRY S. BANKSTON, and BANKSTON AND ASSOCIATES, LLC 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
4155 Essen Lane, Apt 228
Baton Rouge, LA 70809-2152
(225) 201-0390 (home) (225) 235-4346
E-mail: rburnsbtr@hotmail.com



PLEASE SERVE:

LOUISIANA AUCTIONEERS LICENSING BOARD

James D. "Buddy" Caldwell, Attorney General, State of Louisiana
1885 N Third St
Baton Rouge LA 70802

JAMES M. SIMS

Member & Vice Chairman, LALB
341 Wildwood Acres Dr
Farmerville LA 71241-5177

CHARLES "HAL" McMILLIN

Member, LALB
1423 Beech Street
Westlake, LA 70669-4101

DARLENE JACOBS-LEVY

Member, LALB
823 St. Louis St.
New Orleans, LA 70112-3415

CHARLES "CLAYTON" BRISTER

Member, LALB
85 H Brister Loop
Seiper, LA 71472-9746

GREGORY L. "GREG" BORDELON

Member, LALB
6173 Morgan Shores Rd
Lake Arthur, LA 70549-5314

TESSA STEINKAMP

Chairman and Member, LALB
116 Rue Aries Road
Slidell, LA 70461-5226

LARRY S. BANKSTON, individually and as Agent for Service of Process for
BANKSTON & ASSOCIATES, LLC
8708 JEFFERSON HWY STE A
BATON ROUGE LA 70809-2411



BANKSTON & ASSOCIATES
A LIMITED LIABILITY COMPANY
ATTORNEYS AT LAW

Larry S. Bankston
larry@bblawyers.net

Jenna H. Linn
jlinn@bblawyers.net

July 20, 2012

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert Edwin Burns
Auction Sells Fast, L.L.C.
4155 Essen Lane, Suite 228
Baton Rouge, LA 70809

RE: Louisiana Auctioneers Licensing Board Complaint Hearing
Robert Edwin Burns Our file: 1107-0001

Dear Mr. Burns:

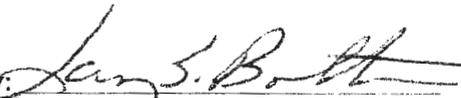
I have been provided a copy of an email entitled, "Condensed LAPA Related Issues for 7/16/2012 Meeting." In that email you have continued to raise an issue related to the employment agreement with Sandy Edmonds. Your email indicates that Patrick Lowery of the Louisiana Department of Civil Service has "...indicated that the LALB (and IDB) work arrangements constitute "blatant payroll fraud." I have discussed this matter with Mr. Lowery. He informed me that he never made such a statement. In fact, he informed you that Civil Service has no jurisdiction over non-classified employees. This misrepresentation has been duly noted and may result in an actionable complaint to be considered by the Board. I have referred this matter to the board chairperson to determine if these comments should be added to your hearing on September 17, 2012. In the interim, you should consider purging yourself of this false and misleading statement by informing this office of your error.

It is my understanding that this payroll issue has been reviewed by all of the appropriate authorities and the issue has been fully resolved. This item will not be on future agendas of Board. If you have any questions concerning this matter please feel free to contact this office. We will advise you concerning the hearing set for September 17, 2012 after the regularly scheduled board meeting.

Thank you in advance for your attention to this matter.

Sincerely,

BANKSTON & ASSOCIATES, L.L.C.

By: 
Larry S. Bankston

cc: Loren Kleinpeter, Esq. via email
Sandy Edmonds, Exec. Director, via email
Tessa Steinkamp, Chairperson, via email