

LOUISIANA BOARD OF EXAMINERS
OF CERTIFIED SHORTHAND REPORTERS

BOARD MEETING FOR THE LOUISIANA BOARD OF
EXAMINERS OF CERTIFIED SHORTHAND REPORTERS HELD AT
THE FIRST PARISH COURT, PARISH OF JEFFERSON, 924
DAVID DRIVE, METAIRIE, LOUISIANA 70003, ON THE 19TH
DAY OF OCTOBER, 2018, COMMENCING AT 1:10 P.M. BEFORE
STEPHANIE LACOSTE RODRIGUEZ, CERTIFIED COURT REPORTER
IN AND FOR THE STATE OF LOUISIANA.

1 APPEARANCES:

2
3 JUDGE JOHN J. "Johnny" LEE, JR., Chairman

4 NHUNG "VICKIE" NGUYEN, Administrator

5 MILTON DONEGAN, JR., CCR

6 LAURA PUTNAM, Attorney

7 CHRISTINA M. WALLACE, CCR

8 SUZETTE M. MAGEE, CCR

9 KIMYA M. HOLMES, Attorney

10 DAVID MARCELLO, CSR Board Attorney

* * * * *

JUDGE LEE:

I'm not going to rush anybody
about anything, but I just want to comment
that it is a gorgeous day outside.

(Laughter.)

MR. KAUFMAN:

And it's Friday.

(Laughter.)

JUDGE LEE:

So let's do the Pledge of
Allegiance.

(Whereupon the Pledge of Allegiance was
conducted.)

JUDGE LEE:

All right. Ms. Nguyen, will
you do the roll call, please.

MS. NGUYEN:

Judge John J. Lee, Jr.?

JUDGE LEE:

Here.

MS. NGUYEN:

Suzette Magee?

MS. MAGEE:

Here.

1 MS. NGUYEN:

2 Kimya Holmes?

3 MS. HOLMES:

4 Here.

5 MS. NGUYEN:

6 Phillip Kaufman?

7 MR. KAUFMAN:

8 Here.

9 MS. NGUYEN:

10 Christina Wallace?

11 MS. WALLACE:

12 Here.

13 MS. NGUYEN:

14 Laura Putnam?

15 MS. PUTNAM:

16 Here.

17 MS. NGUYEN:

18 Milton Donegan?

19 MR. DONEGAN:

20 Here.

21 MS. NGUYEN:

22 And Vinnie Borello is absent
23 today. And we have Mr. Marcello as our Board
24 attorney.

25 Okay, Approval of Minutes...

1 JUDGE LEE:

2 All right.

3 MS. NGUYEN:

4 The secretary is not here, so,
5 Milton, can you take care of it, approval of
6 the minutes and the transcript.

7 MR. DONEGAN:

8 I so move that we approve
9 them.

10 MS. MAGEE:

11 Second.

12 JUDGE LEE:

13 Any opposed?

14 (No response by any committee members.)

15 JUDGE LEE:

16 Passes.

17 MR. KAUFMAN:

18 May I suggest, Your Honor --

19 JUDGE LEE:

20 Sure.

21 MR. KAUFMAN:

22 We have some new members, and
23 I haven't met everybody.

24 JUDGE LEE:

25 Okay.

1 MR. KAUFMAN:

2 And I don't know much about
3 some of the people that are sitting on here,
4 and I was wondering if we could maybe
5 introduce ourselves real quick and --

6 JUDGE LEE:

7 Absolutely.

8 MR. KAUFMAN:

9 -- a little bit about our
10 occupation, what we know about court
11 reporting: you know, official, freelance.
12 You know, I --

13 JUDGE LEE:

14 That's fine, Phillip. We'll
15 start with you.

16 MR. KAUFMAN:

17 All right. I'm Phil Kaufman.
18 I live in Lafayette, have been in reporting
19 for 34 years. I haven't reported actively in
20 several years; I've been running a firm. I've
21 actually had a firm most of those years,
22 worked with a number of reporters all around
23 the state.

24 And I was on the Board in 2009 to
25 2012, and I'm glad to be back on it. And I

1 look forward to serving with y'all.

2 JUDGE LEE:

3 Okay. David, you want to go?

4 MR. MARCELLO:

5 I'm David Marcello, General
6 Counsel to the CSR Board.

7 MS. HOLMES:

8 Kimya Holmes, Attorney Member
9 of the Board.

10 MS. MAGEE:

11 Suzette Magee, Court Reporter.

12 MS. NGUYEN:

13 Vickie Nguyen, Administrator
14 for the Board.

15 JUDGE LEE:

16 I'm Johnny Lee. I'm the Judge
17 down the hall. I was appointed to the Board
18 last year.

19 I'm still getting to know
20 everybody. I think I've got the people here,
21 so...

22 Your turn...

23 MR. DONEGAN:

24 Milton Donegan, Freelance
25 Reporter, based out of Thibodaux.

1 MS. PUTNAM:

2 Laura Putnam, Board Member --
3 Attorney Board Member. I'm based out of
4 Lafayette.

5 MS. WALLACE:

6 I'm Christina Wallace. I'm
7 one of the newest members, I think. I'm an
8 Official Reporter in Shreveport. I work for
9 Judge Catherine Dora. And I've been a
10 reporter since 1986.

11 MR. KAUFMAN:

12 Okay.

13 JUDGE LEE:

14 All right. Let's go to Part
15 2, Discussion and Action. David and I talked
16 earlier in the week about the military
17 reciprocal certification rules.

18 So, David, you might explain
19 what we talked about.

20 MR. MARCELLO:

21 The Board, I think, has seen,
22 with some exceptions, the reciprocal
23 certification in draft. It's been under
24 development and consideration for quite a
25 while.

1 At the beginning of this year,
2 the Board received a letter from John Bell
3 Edwards encouraging action -- as it was
4 encouraging action among all the State Boards
5 to fulfill the concept of a reciprocity
6 admission mechanism for spouses of military
7 personnel, so that if your wife or husband
8 moves to Louisiana on military business and
9 you are practicing court reporting elsewhere,
10 you would have an easier track into active use
11 of your skills in Louisiana.

12 There are a number of
13 conditions that govern the ability to acquire
14 such a reciprocal certification. It says,
15 most pertinent, perhaps, is the requirement
16 that the individual demonstrate competency in
17 the occupation through methods as determined
18 by the Board, such as having completed
19 continuing education units or having had
20 recent experience.

21 So this draft of the
22 certification rule does require a certain
23 showing by the applicant, including affidavits
24 from a lawyer or judge who's worked with the
25 applicant, attesting to satisfactory

1 performance in providing court reporting
2 services elsewhere.

3 There are exceptions in the
4 event of dishonorably discharged military
5 personnel or spouses thereof, and it does
6 subject those who receive licensing to the
7 same continuing education requirements that
8 apply generally to the licensed court
9 reporters in Louisiana.

10 The matter has been up before
11 the Board for discussion and was in
12 development for quite some time through the
13 committee process. What hasn't happened yet
14 is adoption by the Board and instructions to
15 Vickie and myself to begin the process of
16 having it promulgated as a rule.

17 We are at the 19th of the
18 month, so the register -- the Louisiana
19 Register that would be published in November
20 may not be available to us. It might wind up
21 being published in the December 20th register,
22 in which case January, February, and March --
23 around about March or April, we would likely
24 expect to make it a final rule. But that's
25 assuming that the Board is satisfied with the

1 text and wants to kick off the promulgation
2 process.

3 MS. MAGEE:

4 I'm very satisfied with the
5 text. I have a son who's in the Navy, so I'm
6 very pro this.

7 MS. PUTNAM:

8 I motion that we begin the
9 promulgation process.

10 MS. HOLMES:

11 Second.

12 JUDGE LEE:

13 Sorry, I --

14 MS. PUTNAM:

15 Oh, no, I made a motion that
16 we begin --

17 JUDGE LEE:

18 Okay.

19 MS. PUTNAM:

20 -- that we kick off the
21 promulgation process --

22 JUDGE LEE:

23 Second?

24 MS. PUTNAM:

25 -- and get it in the register.

1 JUDGE LEE:

2 Do I have a second?

3 MR. KAUFMAN:

4 Yes, second.

5 JUDGE LEE:

6 All right. All in favor?

7 (All committee members reply "aye.")

8 JUDGE LEE:

9 Any opposed?

10 (No response by any committee members.)

11 JUDGE LEE:

12 Okay, passes.

13 All right. Let's go to the
14 next one, which is Discussion of Proposed
15 Procedure and Notice regarding reactivating
16 practice after one year or more of inactive
17 status. I think Milton discussed this at the
18 committee meeting.

19 MR. DONEGAN:

20 Yes.

21 David, I think this has already
22 been covered by 507, the Administrative Code.
23 Look and see... It pretty much covers the same
24 thing that you've outlined.

25 MR. MARCELLO:

1 All right. It may well be.

2 MR. DONEGAN:

3 It pretty much covers
4 everything that you've outlined already. So
5 rather --

6 MR. MARCELLO:

7 Uh-huh.

8 MR. DONEGAN:

9 -- than having to promulgate
10 another rule on the authority here...

11 JUDGE LEE:

12 All right. Does anybody have
13 any discussion on whether or not 503 covers
14 this or not?

15 MR. DONEGAN:

16 507, Judge.

17 JUDGE LEE:

18 507?

19 MR. DONEGAN:

20 Yes.

21 JUDGE LEE:

22 I'm sorry. Thank you.

23 MR. MARCELLO:

24 This, I think, is a little more
25 detailed, but I think in the context of 507 it

1 could probably be implemented just in
2 accordance with this protocol. I think it goes
3 into a little more depth.

4 JUDGE LEE:

5 What is 507 called?

6 MR. DONEGAN:

7 Administrative.

8 JUDGE LEE:

9 Administrative? Got it. Okay.

10 MS. MAGEE:

11 Well, I think we thought that
12 what we have currently gave us a little bit
13 more --

14 MR. MARCELLO:

15 You know, 507, I think,
16 principally --

17 MS. MAGEE:

18 (Inaudible due to simultaneous
19 speaking.)

20 MR. MARCELLO:

21 Pardon me. I think it
22 principally deals with getting into inactive
23 status, and I think the challenge was how do we
24 get them off of inactive status.

25 MR. DONEGAN:

1 A, B, and C is the --

2 MR. MARCELLO:

3 Right.

4 MR. DONEGAN:

5 -- reactivation opportunity.

6 And if the --

7 MS. MAGEE:

8 I'm handing you two copies of
9 this (tendering documents).

10 MR. DONEGAN:

11 I think what this does, David,
12 is it gives us a little more leeway rather than
13 locking ourselves into criteria; you know,
14 automatically find this or that. You know,
15 it just gives the Board more freedom.

16 MS. MAGEE:

17 Like "A," reporter will be
18 required to take the qualifying exam, I think,
19 if they're practicing in another state. I
20 think as it reads now it says "may."

21 Is that one of the things,
22 Milton?

23 MR. DONEGAN:

24 Yeah. I mean --

25 MS. MAGEE:

1 It says, "It may require," so
2 there may be circumstances where it wouldn't.

3 MR. DONEGAN:

4 And we've used this before and
5 actually made people take another test --

6 MS. MAGEE:

7 Yes, we have. I gave one this
8 year.

9 MR. DONEGAN:

10 -- where people regain their
11 certificate.

12 MS. MAGEE:

13 So...

14 MR. DONEGAN:

15 I mean, if people haven't had
16 time to look at it, we -- they could look at it
17 at the next Board meeting.

18 MR. MARCELLO:

19 Perhaps the best thing to do is
20 put it into -- back into consideration.

21 MR. DONEGAN:

22 Right.

23 MR. MARCELLO:

24 My recollection is that we were
25 troubled at one point that C's guidance is a

1 sort of framework and that from one
2 reactivation application to another, you might
3 find different policies being applied. And
4 that's not really the best way to do business.
5 We ought to probably have a standard protocol.

6 MR. DONEGAN:

7 I don't mind a standard
8 protocol. I just don't want to be locked into,
9 you know, automatically, no matter what,
10 there's no --

11 MR. MARCELLO:

12 Right. It's kind of food for
13 thought, for people to decide --

14 MR. DONEGAN:

15 Okay. Right.

16 MR. MARCELLO:

17 -- if you'd like or not like
18 the idea of a qualifying exam and what amount
19 of ethics training and CE credit hours would
20 you expect people to get on the rebound, on
21 their way back into practice.

22 MS. MAGEE:

23 Because we do have people who
24 go inactive in this state, but they practice in
25 another state. And so then if they want to

1 move back here, you know, we wouldn't want them
2 to have to be required to take a test or obtain
3 back CE credits when they have been given them
4 in the state that they're in.

5 And, I mean, that may not apply
6 to everyone, but...

7 MR. DONEGAN:

8 Well, I suggest that we might
9 look at 507 C.

10 JUDGE LEE:

11 I think that's the best thing,
12 to bring --

13 MR. DONEGAN:

14 And look at any memorandum --

15 JUDGE LEE:

16 -- them back into
17 consideration.

18 MR. DONEGAN:

19 -- repair them, and then take
20 it back up the next year.

21 JUDGE LEE:

22 Right. Okay.

23 So we'll move on to Committee
24 Reports: Finance and Operations.

25 MR. DONEGAN:

1 As of October 17th, \$61,000 in
2 our balance sheet. Monthly statements are
3 attached if you want to thumb through them.

4 The accounting contract
5 ratification was just language clarification
6 that we already approved. This is just for
7 ratification.

8 2019 Renewals: We've had
9 approximately 430 that have renewed so far. We
10 have 800 outstanding so far, which would amount
11 to about another \$100,000 coming into the
12 coffers.

13 Anybody has any questions?

14 (No response by any committee members.)

15 JUDGE LEE:

16 No questions. We'll move on to
17 Licensing and Continuing Education.

18 MS. MAGEE:

19 On November 9th, the Louisiana
20 Clerk of Courts -- City Clerk of Court
21 Association is giving a seminar. They have
22 only requested ten CE credits.

23 I've sent them two emails
24 explaining to them that any court reporters who
25 attend this seminar will only get ten and they

1 will be lacking two and it's the end of the
2 year and the only seminar they could attend
3 would be the very next day in Metairie and they
4 were not at all concerned about that, so...

5 JUDGE LEE:

6 Let me explain something to
7 you, and maybe you can give me an explanation.
8 I got a -- I received a call from Suzette Magee
9 --

10 MS. MAGEE:

11 That's me.

12 JUDGE LEE:

13 Oh, that's you; that's right.
14 -- about speaking at that
15 seminar on the 9th, but --

16 MS. MAGEE:

17 Yeah.

18 JUDGE LEE:

19 -- I'm going to be up there the
20 week after that -- I mean, the week before
21 that, and I don't want to drive back after five
22 days to go to Natchitoches because I just did
23 it.

24 My question is -- and I think
25 we talked about it then -- why didn't they come

1 to the one I spoke at six weeks ago in
2 Natchitoches?

3 MS. MAGEE:

4 Okay, I'll explain why.

5 JUDGE LEE:

6 Please, again. I know you
7 probably did.

8 MS. MAGEE:

9 These are secretaries and
10 clerks. They don't consider themselves court
11 reporters, although they do hold a CVR license
12 and they sit in that position. They don't do
13 transcripts. So they don't attend any of the
14 things that we offer, first, because we do our
15 things on Saturdays and, you know, they're just
16 employees; they're not like court reporters.
17 I don't know how better to explain.

18 But the court pays for them to
19 attend these seminars that they give on a
20 workday, and they attend. And so even if you
21 look at the agenda, very little about it is
22 about court reporting.

23 JUDGE LEE:

24 Right.

25 MS. MAGEE:

1 It's mostly about things that
2 they do.

3 JUDGE LEE:

4 But you had asked me if you
5 could speak on the --

6 MS. MAGEE:

7 Yeah, and so I'm going to
8 speak.

9 JUDGE LEE:

10 -- ethics, and I said, "Sure."

11 MS. MAGEE:

12 Yeah. Thanks.

13 JUDGE LEE:

14 Well, you asked.

15 MS. MAGEE:

16 No, I know. There wasn't
17 anybody else.

18 JUDGE LEE:

19 Right. Okay.

20 MS. MAGEE:

21 You know, Vinnie and I
22 discussed it at length. We have always bent
23 over backwards to get them to speak, and I
24 don't think we're going to do it anymore.

25 The agenda had already been

1 published. They just needed someone to come
2 and when, you know, no one could go, they said,
3 "Well, can we get a judge to speak or..."

4 Anyway, I asked my judge, and
5 he said I could go. And then this week, he set
6 a special fixing on that date. So I looked at
7 him and I said, "We discussed it. You put it
8 on your calendar." So anyway, he changed the
9 special fixing for me, so I am going to go, but
10 I don't think I'll be asking him to do any
11 more.

12 JUDGE LEE:

13 So you did receive the
14 PowerPoints for that?

15 MS. MAGEE:

16 I did.

17 JUDGE LEE:

18 Okay, good.

19 MS. MAGEE:

20 So, yeah, I don't know what
21 else to say about CVRs.

22 JUDGE LEE:

23 Right.

24 MR. DONEGAN:

25 The question's going to arise

1 come January 1st that the licenses will be
2 automatically suspended.

3 MS. MAGEE:

4 And unless they've got --

5 MR. DONEGAN:

6 Well, I shouldn't say that.

7 MS. MAGEE:

8 Unless they already got some
9 other credits. I mean, they may have attended
10 another seminar.

11 MR. DONEGAN:

12 No, I take that back, Suzette.
13 They won't be automatically suspended because
14 it's dealing with CE credits.

15 MS. MAGEE:

16 Right. And, again, they may
17 not be concerned because they've already gotten
18 them. I don't know. So I'm not -- You know,
19 we talked about you maybe sending a letter to
20 Sherry Phillips, who's the person --

21 JUDGE LEE:

22 Okay.

23 MS. MAGEE:

24 -- the chairperson, just, you
25 know, reiterating what I've already told her

1 twice.

2 JUDGE LEE:

3 I did one with Vinnie in New
4 Orleans, and then I did that one up there by
5 myself. And I thoroughly enjoyed it, but --

6 MS. MAGEE:

7 That --

8 JUDGE LEE:

9 I love Natchitoches, but --

10 MS. MAGEE:

11 That was a court reporting
12 association.

13 JUDGE LEE:

14 That was an association; that's
15 correct.

16 MS. MAGEE:

17 This is a City --

18 JUDGE LEE:

19 -- Court deal.

20 MS. MAGEE:

21 Clerks.

22 JUDGE LEE:

23 Clerks -- City Clerks, okay.

24 MS. MAGEE:

25 And so...

1 JUDGE LEE:

2 All right, now I understand.

3 MS. MAGEE:

4 They're not going to be
5 interested in one thing that I have to say; I'm
6 just going to say it.

7 So that's that. So we've
8 approached that with ten credits because
9 they're only -- The seminars are only from 9:00
10 to 3:00. If it were from 9:00 to 5:00, then
11 they would get the full --

12 JUDGE LEE:

13 Right.

14 MS. MAGEE:

15 -- amount.

16 LCRA is going to be holding one
17 final seminar this year on November 10th in
18 Metairie. They sent in their information,
19 and they will receive 12 credits.

20 JUDGE LEE:

21 Right.

22 MS. MAGEE:

23 The dates for the exams have
24 been set. The CVR exam for next year will be
25 March 1st and the --

1 MS. NGUYEN:

2 I thought you said February
3 22nd?

4 MS. MAGEE:

5 February 22nd. And then the
6 CCR exam will be April 26th, with the qualifier
7 being March 15th.

8 And that's it, unless you want
9 me to go to "4."

10 (No response by any committee members.)

11 MS. MAGEE:

12 So I'm done with "B," unless
13 you want me to go to "4," which is where we
14 talk about all the individual things.

15 JUDGE LEE:

16 Yes, why don't we just go --
17 Whose Compliance is this?

18 MS. PUTNAM:

19 That's me, but I thought there
20 was somewhere --

21 MS. HOLMES:

22 I'm Compliance.

23 MS. PUTNAM:

24 I'm sorry. I'm so sorry. I'm
25 jumping the gun here.

1 MS. HOLMES:

2 "C" is Compliance and
3 Discipline. The only pending matter we had was
4 Randy Bass versus Jenny Garrin. And we
5 discussed the complaint and agreed that it
6 should be dismissed.

7 Then we spoke about delinquent
8 renewals and that's what we're going to do,
9 some research on licensing fees and also the
10 grace period. And we are actually going to
11 come back at our next meeting and, hopefully,
12 have something in place so we can deal with
13 delinquent renewal fees.

14 JUDGE LEE:

15 Anybody have any questions at
16 all about that?

17 (No response by any committee members.)

18 JUDGE LEE:

19 Okay. Research and Planning;
20 Phil, is that yours?

21 MR. KAUFMAN:

22 The task force for E-Signature,
23 yes. We had a presentation via video
24 conference by Brian Clune with YesLaw. We
25 learned in August at the national convention

1 that they've developed their system since I had
2 last spoke with them a year ago and they are
3 now a certificate authority so that they can
4 provide certificates for digital
5 signatures independently, as well as with their
6 software.

7 It appears that their software
8 works very much like RealLegal. The reporter
9 will have control of the digital signature.
10 YesLaw would verify the identity of the
11 applicant for the digital signature by
12 notarized application and also require, if we
13 chose, the individual's -- well, certification
14 card -- annual certification card, an image of
15 it.

16 The cost for the certificate
17 itself -- for the creation of the digital
18 signature is \$27 for ten years. They're not
19 -- He says they're not out to make money as a
20 certificate authority; their software would be
21 optional. The certificate for digital
22 signatures created with it can be used in
23 virtually any other system, but their interest
24 is in the option, you know, that the reporters
25 may choose to use them or the firms may choose

1 to use them as the company for the software.

2 And this kind of changes a
3 little bit of what the committee has been
4 considering, because, heretofore, it appeared
5 that only an AATL would give us the kinds of
6 requirements that we wanted to have in place
7 and now this adds a whole new option. And
8 therefore, I think -- I would suggest that as
9 far as meeting our needs, this, RealLegal, and
10 then the option of CAs listed on the AATL,
11 technology-wise identification of the
12 individual, ensuring that there is no proxy,
13 most of our concerns that we've discussed -- or
14 virtually all of our concerns that we've
15 discussed in the committee meetings have been
16 addressed.

17 The last other open-ended
18 concern was -- and still tends to be -- that
19 attorneys would be able to potentially forward
20 certified PDF transcripts. Some of that
21 discussion has been -- it wasn't today -- that
22 attorneys are already receiving the electronic
23 files -- are receiving the transcripts in the
24 PDFs, so -- and if they're sharing them -- I
25 mean, if they're not sharing them now, they're

1 not likely to any more just because they're
2 digitally signed.

3 So, anyway, that's where the
4 committee stands, and I think we should be
5 ready to firm a recommendation up at our next
6 committee meeting.

7 JUDGE LEE:

8 Okay.

9 MR. KAUFMAN:

10 Does that sound appropriate,
11 Laura?

12 MS. PUTNAM:

13 I think so. David?

14 MR. MARCELLO:

15 Yes.

16 MS. PUTNAM:

17 We started a draft, if I
18 recall, two meetings ago so maybe we can add
19 what we learned today to it.

20 MR. MARCELLO:

21 Uh-huh.

22 MR. KAISER:

23 Laura, we also talked about
24 some FAQs -- frequently asked questions --
25 about it. I've done a draft of that that I can

1 circulate. It's strictly for discussion
2 purposes. Phil's worked on it some, too. So
3 we can send that around to all the committee
4 members.

5 MS. PUTNAM:

6 Okay, thank you.

7 JUDGE LEE:

8 Okay. The next topic,
9 Licensing; who handles that?

10 MS. MAGEE:

11 That was me.

12 JUDGE LEE:

13 Okay.

14 MS. MAGEE:

15 Let me go back, though, to
16 Licensing and Continuing Education, B-4. I did
17 not report the results of the last exam that we
18 gave.

19 So Vickie gave the CCR exam,
20 and nine out of thirteen people passed; and I
21 gave the CDR exam, and three out of four
22 passed. So under "4," Licensing, the CE
23 requests -- individual requests, I'll make a
24 motion that the -- Well, one through twelve
25 have met the requirements, and I'll make a

1 motion that we accept them all in globo.

2 MR. DONEGAN:

3 Second.

4 JUDGE LEE:

5 Second by Milton. All in
6 favor?

7 (All committee members reply "aye.")

8 JUDGE LEE:

9 Any opposed?

10 (No response by any committee members.)

11 JUDGE LEE:

12 It passes.

13 MS. MAGEE:

14 And then there were four people
15 whose employment with courts terminated, and so
16 their CDRs are no longer valid. I think Vickie
17 has received them -- their certificates back.

18 I don't think we need to do
19 anything. It's just as a matter of law.

20 JUDGE LEE:

21 Okay.

22 MS. MAGEE:

23 And then we had one request for
24 retirement from Faye Melancon. As of
25 December 31st, she will not be renewing her

1 license.

2 And that, also, does not
3 require a motion.

4 JUDGE LEE:

5 Okay.

6 MS. MAGEE:

7 And neither does the inactive
8 request for Donna Chandler and Jacqueline
9 Willie. They both sent in the required
10 information, so their licenses will now be
11 inactive.

12 JUDGE LEE:

13 Okay. Anybody have any
14 questions about that?

15 (No response by any committee members.)

16 JUDGE LEE:

17 Okay. We'll move on to new
18 business.

19 Anybody have any proposed new
20 business?

21 (No response by any committee members.)

22 JUDGE LEE:

23 No?

24 (No response by any committee members.)

25 JUDGE LEE:

1 You've got any?

2 MS. NGUYEN:

3 No.

4 JUDGE LEE:

5 No? All right. Then we'll
6 schedule the next Board meeting, which I think
7 we may have accomplished as of -- I don't know.
8 For those who maybe weren't here when we talked
9 about it, we're looking at January 25th.
10 That's a Friday. It would be here again.

11 MR. KAUFMAN:

12 I'd just like to note I will
13 definitely be out of town. I'd like to suggest
14 that we could meet other days besides a Friday.

15 MS. MAGEE:

16 We work.

17 MR. KAUFMAN:

18 I understand.

19 JUDGE LEE:

20 And, also, this place is open
21 on Friday.

22 MS. NGUYEN:

23 Yes.

24 JUDGE LEE:

25 It's available on Friday.

1 Okay, so we'll set it on Friday, the 25th.

2 MS. NGUYEN:

3 Okay.

4 MR. KAUFMAN:

5 Okay.

6 JUDGE LEE:

7 Any public comments from the
8 members of the public?

9 (No response by any public members.)

10 JUDGE LEE:

11 No? Okay.

12 MS. NGUYEN:

13 (Indiscernible whispering.)

14 JUDGE LEE:

15 Oh, okay. Let's go back to
16 that.

17 All right. We're going to now
18 pass out the new committee assignments -- CSR
19 Committee Assignments. Vickie's going to pass
20 them out.

21 You want me to read these while
22 you --

23 MS. NGUYEN:

24 Yes, you can read it.

25 JUDGE LEE:

1 Sure, I'll read it: "Vincent
2 Borello, Jr., Secretary. Compliance and
3 Discipline" --

4 COURT REPORTER:

5 Excuse me, Judge. I'm sorry.
6 I couldn't hear you with all the papers being
7 shuffled.

8 JUDGE LEE:

9 Not a problem. I understand.
10 Secretary is Vincent Borello, Jr.; Compliance
11 and Discipline/Ethics, Kimya Holmes. The Chair
12 is Milton -- Oh, she's the Chairman. Milton
13 Donegan and Phillip Kaufman are on the
14 committee.

15 Licensing and Continuing
16 Education, Suzette Magee is the Chair. Milton
17 and Vinnie are both on it as well.

18 Research and Planning
19 Committee, Laura Putnam is the Chair.
20 Christina Wallace and Milton is on that one as
21 well.

22 Ad Hoc Sub-Committee to Promote
23 Efficiency in Court Reporting, Suzette Magee,
24 Official; Milton Donegan, Freelance; and
25 Christina Wallace, CDR.

1 The Advisory Committee on
2 Access to Justice, Suzette Magee is the Chair.
3 Advisory Committee on the Future of Profession,
4 Christina Wallace is the Chair.
5 Advisory Committee on Inter-Professional
6 Relations, Vincent Borello, Jr. is the Chair.
7 2018 Legislative Advisory Committee, Milton
8 Donegan is the Chair.

9 Special Committee on E-
10 Signatures and E-Filing, Laura Putnam and
11 Milton Donegan,
12 Co-Chairs.

13 Any questions about the
14 committee assignments?

15 (Mr. Kaufman gestures.)

16 JUDGE LEE:

17 Sure, Phil.

18 MR. KAUFMAN:

19 Will there be member
20 assignments for the others -- for the ones that
21 just have Chairs right now?

22 JUDGE LEE:

23 I'll ask Vickie.

24 MS. NGUYEN:

25 No.

1 JUDGE LEE:

2 There's only Chairs.

3 MS. NGUYEN:

4 Right. They're just Chairs.

5 JUDGE LEE:

6 There are no other members?

7 MS. NGUYEN:

8 Uh-uh.

9 MR. KAUFMAN:

10 Okay.

11 MS. NGUYEN:

12 It's always been just Chairs.

13 JUDGE LEE:

14 Do you have a suggestion,

15 Phillip, about that?

16 MR. KAUFMAN:

17 Well --

18 JUDGE LEE:

19 It's just the way it's always
20 been done, apparently.

21 MR. KAUFMAN:

22 Okay. I would think that a few
23 of them are important enough that it might
24 warrant having one or two other members, you
25 know.

1 Research and Planning, I guess,
2 is the main, and then these others fall under
3 it: Ad Hoc Advisory on Justice, Profession --
4 or Future of the Profession. Is that right?
5 So these Chairs are -- They're actually --

6 JUDGE LEE:

7 Right.

8 MR. KAUFMAN:

9 -- part of the Research and
10 Planning Committee or --

11 MS. NGUYEN:

12 Yeah.

13 JUDGE LEE:

14 Correct. Exactly.

15 MR. KAUFMAN:

16 Okay.

17 MS. NGUYEN:

18 They're just sub-committees.

19 MR. KAUFMAN:

20 Okay.

21 JUDGE LEE:

22 Okay.

23 MS. WALLACE:

24 One correction. I'm not a CDR;
25 I'm a CCR.

1 MS. NGUYEN:

2 I know, but you're going to be
3 doing the CDR correction of the transcript
4 sampling when we --

5 MS. WALLACE:

6 Oh, I see. Okay.

7 JUDGE LEE:

8 All right. Do I have a motion
9 to adjourn from anyone?

10 MS. HOLMES:

11 I think we have to go into an
12 Executive Session.

13 JUDGE LEE:

14 Yes, let's do that. Let's move
15 to go into Executive Session.

16 MS. NGUYEN:

17 Open comments.

18 JUDGE LEE:

19 I did that. All right. Do I
20 need a motion to go into Executive Session?

21 MS. MAGEE:

22 Yes. I'll make that motion.

23 MS. HOLMES:

24 I second.

25 MR. MARCELLO:

1 All right. And we should give
2 a reason. It's on the agenda, but we could
3 state that the reason is to discuss the pending
4 litigation of Esquire/Veritext.

5 JUDGE LEE:

6 Okay.

7 (Off the record during the Executive Session.)

8 JUDGE LEE:

9 We're out of Executive Session,
10 and now we're going to bring up two topics.

11 MR. DONEGAN:

12 I make a motion that we have
13 Elliott Baker take over as the primary attorney
14 representing the Board and the Board members
15 with Mr. Marcello and Josh Force as backups.

16 MS. HOLMES:

17 I second.

18 JUDGE LEE:

19 Any in favor?

20 (All committee members reply "aye.")

21 JUDGE LEE:

22 No opposed?

23 (No response by any committee members.)

24 JUDGE LEE:

25 None? Okay, so ordered.

1 MR. DONEGAN:

2 The second motion is that the
3 settlement proposal has come forth from Jones
4 Walker concerning Veritext and Esquire, and I
5 move that we turn down that settlement offer.

6 MS. PUTNAM:

7 Second.

8 JUDGE LEE:

9 Any opposed?

10 (No response by any committee members.)

11 JUDGE LEE:

12 Unanimous. All right, let's
13 call David in and we'll adjourn.

14 (A short break was taken at this point.)

15 JUDGE LEE:

16 Do I have a motion to adjourn?

17 MS. MAGEE:

18 Uh-huh, so move.

19 JUDGE LEE:

20 All in favor?

21 (All committee members reply "aye.")

22 JUDGE LEE:

23 Any opposed?

24 (No response by any committee members.)

25 JUDGE LEE:

The motion is granted.

(Whereupon the Board meeting was concluded
at 3:15 p.m.)

REPORTER'S PAGE

I, Stephanie Lacoste Rodriguez, Certified Court Reporter, in and for the State of Louisiana, the officer, as defined in Rule 28 of the Federal Rules of Civil Procedure and/or Article 1434 (b) of the Louisiana Code of Civil Procedure, before whom this sworn testimony was taken, do hereby state on the Record:

That due to the interaction in the spontaneous discourse of this proceeding, dashes (--) have been used to indicate pauses, changes in thought, and/or talkovers; that same is the proper method for a Court Reporter's transcription of the proceeding, and that the dashes (--) do not indicate that words or phrases have been left out of this transcript;

That any words and/or names which could not be verified through reference material have been denoted with the phrase "(phonetic)."

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REPORTER'S CERTIFICATE

This certification is valid only for a transcript accompanied by my original signature and official seal on this page;

This testimony was reported by me in the Stenomask (voice-writing) method, was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my ability and understanding;

And that I am not related to counsel or to the parties herein; am not otherwise interested in the outcome of this matter; and am a valid member in good standing of the Louisiana State Board of Examiners of Certified Shorthand Reporters.

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Certified Court Reporter
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