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MEETING MINUTES FOR
THE BOARD OF COMMERCE AND INDUSTRY
HELD AT
617 NORTH 3RD STREET
LABELLE ROOM
BATON ROUGE, LOUISIANA
ON THE 25TH DAY OF APRIL, 2018
COMMENCING AT 9:32 A.M.

REPORTED BY: ELICIA H. WOODWORTH, CCR

1 **Appearances of Board Members Present:**

- 2 Robert Adley
- 3 Millie Atkins
- 4 Mayor Glenn Brasseaux
- 5 Representative Thomas Carmody
- 6 Yvette Cola
- 7 Major Coleman
- 8 Rickey Fabra
- 9 Manuel "Manny" Fajardo
- 10 Jerald Jones
- 11 Heather Malone
- 12 Charles R. "Robby" Miller
- 13 Jan K. Moller
- 14 Secretary Don Pierson
- 15 Scott Richard
- 16 Darrel Saizon, Junior
- 17 Daniel Shexnaydre, Junior
- 18 Bobby Williams, Jr.
- 19 Dr. Woodrow Wilson
- 20 Steve Windham

21 **Staff members present:**

- 22 Tam Bourgeois
- 23 Eric Burton
- 24 Paige Carter
- 25 Kristen Cheng
- 26 Frank Favaloro
- 27 Brenda Guess
- 28 Richard House
- 29 Stephanie LeGrange
- 30 Becky Lambert
- 31 Mandi Mitchell
- 32 Joyce Metoyer
- 33 Melissa Sorrell
- 34 Hud Usie
- 35 Anne Villa
- 36 Shawn Welcome



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1 MR. WINDHAM:

2 Good morning, everyone. I believe all
3 of the Board members that were in the cue for parking
4 have made it into the room. Yvette was the last one.
5 If not, I'm going to still go ahead and call this
6 meeting to order.

7 The Board of Commerce & Industry, April
8 25th, 2018 meeting is called to order.

9 Melissa, if you will call the roll, please.

10 MS. SORRELL:

11 Robert Adley.

12 MR. ADLEY:

13 Here.

14 MS. SORRELL:

15 Robert Barham.

16 (No response.)

17 MS. SORRELL:

18 Representative Devillier for
19 Representative Abramson.

20 (No response.)

21 MS. SORRELL:

22 Millie Atkins.

23 MS. ATKINS:

24 I'm here.

25 MS. SORRELL:



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1 Mayor Brasseaux.
2 MAYOR BRASSEAUX:
3 Here.
4 MS. SORRELL:
5 Representative Carmody.
6 MR. CARMODY:
7 Here.
8 MS. SORRELL:
9 Yvette Cola.
10 MS. COLA:
11 Here.
12 MS. SORRELL:
13 Major Coleman.
14 MAJOR COLEMAN:
15 Here.
16 MS. SORRELL:
17 Rickey Fabra.
18 (No response.)
19 MS. SORRELL:
20 Manny Fajardo.
21 (No response.)
22 MS. SORRELL:
23 Jerry Jones.
24 MR. JONES:
25 Present.



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1 MS. SORRELL:
2 Heather Malone.
3 MS. MALONE:
4 Here.
5 MS. SORRELL:
6 Senator Martiny.
7 (No response.)
8 MS. SORRELL:
9 Robbie Miller.
10 (No response.)
11 MS. SORRELL:
12 Jan Moller.
13 MR. MOLLER:
14 Here.
15 MS. SORRELL:
16 Senator Chabert.
17 (No response.)
18 MS. SORRELL:
19 Secretary Pierson.
20 SECRETARY PIERSON:
21 Present.
22 MS. SORRELL:
23 Scott Richard.
24 MR. RICHARD:
25 Here.



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1 MR. WINDHAM:
2 Darrel Saizon.
3 (No response.)
4 MS. SORRELL:
5 Danny Shexnaydre.
6 MR. SHEXNAYDRE:
7 Here.
8 MS. SORRELL:
9 Ronnie Slone.
10 (No response.)
11 MS. SORRELL:
12 Bobby Williams.
13 MR. WILLLIAMS:
14 Here.
15 MS. SORRELL:
16 Steve Windham.
17 MR. WINDHAM:
18 Here.
19 MS. SORRELL:
20 And Dr. Wilson.
21 DR. WILSON:
22 Here.
23 MS. SORRELL:
24 We have a quorum.
25 MR. WINDHAM:



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Thank you, Melissa.

Has everyone had a chance to read the minutes?

Is there a motion to approve?

Made by Representative Carmody; seconded by Mayor Brasseaux.

Any discussions?

(No response.)

MR. WINDHAM:

All in favor, indicate with an "aye."
(Several members respond "aye.")

MR. WINDHAM:

All opposed with a "nay."
(No response.)

MR. WINDHAM:

Motion carries.

Mr. Burton, please proceed with the Quality Jobs Program.

MR. BURTON:

I have four new now applications:
20170233, Brentwood Acquisition - Shreveport in Caddo
Caddo Parish; 20150966 W.R. Grace & Co.-Conn in
Calcasieu Parish; 20161571, Waitr, Inc. in Lafayette
Parish; and 20170280, Waitr, Inc. in Calcasieu Parish.

This concludes all new job applications.



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MR. WINDHAM:

Thank you, Mr. Burton.

Are there there comments from the public concerning the Quality Jobs applications?

(No response.)

MR. WINDHAM:

Any questions from the Board members?

(No response.)

MR. WINDHAM:

Is there a motion to approve?

Made by Major Coleman; second by Dr. Wilson.

MR. WINDHAM:

All favor, indicate with an "aye."

(Several members respond "aye.")

MR. WINDHAM:

All opposed with a "nay."

(No response.)

MR. WINDHAM:

Motion carries.

MR. BURTON:

Next item is going to be renewals. I do have one deferral. It's 20110812, Greatwide Dedicated Transport, III, LLC in St. Tammany Parish.

MR. WINDHAM:



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1 All right. Please proceed.

2 MR. BURTON:

3 So that leaves three renewals.

4 20130849, IBM Corporation in East Baton
5 Rouge Parish; 20130518, Idaho Timber of Coushatta, LLC,
6 Red River Parish; 20130067, Morehouse BioEnergy, LLC in
7 Morehouse Parish.

8 This concludes renewals.

9 MR. WINDHAM:

10 Thank you.

11 Are there any comments from the public
12 concerning the renewals from the Quality Jobs Program?

13 (No response.)

14 MR. WINDHAM:

15 Questions or comments from the Board
16 members?

17 (No response.)

18 MR. WINDHAM:

19 Motion to approve the renewals made by
20 Ms. Heather; seconded by Mr. Williams.

21 All in favor, indicate with an "aye."

22 (Several members respond "aye.")

23 MR. WINDHAM:

24 All opposed with a "nay."

25 (No response.)



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1 MR. WINDHAM:

2 Motion carries.

3 MR. BURTON:

4 Next item is going to be specials. I
5 have three change in name only of the following
6 contracts: 20141058, from NFR BioEnergy CT, LLC to
7 American Biocarbon CT, LLC in Iberville Parish;
8 20141117, from Yuhuang Chemical, Inc. to YCI Methanol
9 One, LLC in St. James Parish; 20120993, from Gremillion
10 & Pou and Associates, Inc. to Romph & Pou Agency, Inc.
11 in Caddo Parish.

12 I also have two changes in locations:
13 20141555, Dis-Tran Steel, LLC, from 4275 Highway 28
14 East, Pineville, Louisiana 71360 to 529 Cenla Drive,
15 Pineville, Louisiana 71360 in Rapides Parish; and
16 20161943, General Informatics, LLC, from 8000 GSRI
17 Road, Baton Rouge, Louisiana 70808 to One Smart Way
18 Road, Baton Rouge, Louisiana 70810 in East Baton Rouge
19 Parish.

20 This concludes the specials for Quality
21 Jobs.

22 MR. WINDHAM:

23 Thank you, Mr. Burton.

24 Are there any comments from the public
25 concerning the name change or the change in location?



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MR. JONES:

Mr. Chairman.

MR. WINDHAM:

Yes?

MR. JONES:

I need to recuse myself from Number
20141117, Yuhuang Chemical, Inc.

MR. WINDHAM:

So noted.

Any questions or other comments from the
Board members concerning these two items?

(No response.)

MR. WINDHAM:

Motion is made by Dr. Wilson to approve;
seconded by Major Coleman.

All in favor, indicate with an "aye."

(Several members respond "aye.")

MR. WINDHAM:

Opposed with a "nay."

(No response.)

MR. WINDHAM:

Motion carries.

MR. BURTON:

Thank you.

MR. WINDHAM:



1 Thank you, Mr. Burton.

2 Next up is Ms. Becky Lambert to present
3 the Restoration Tax Abatement Program.

4 MS. LAMBERT:

5 Morning, everyone. We have five new
6 applications for Restoration Tax Abatement Program, and
7 all of them are in Orleans Parish.

8 The first one is 20161486, 3044 St.
9 Claude, LLC; 20151382, Cornelius L. Payne; 20161605,
10 Effervescence, LLC; 20160773, Henry Fairbanks; 20141341
11 Studio Network - Orpheum, LLC; 20161470 Walker Saik.

12 That's six applications for a total
13 investment of 14,139,000.

14 MR. WINDHAM:

15 Thank you, Ms. Lambert.

16 Are there any comments from the public
17 concerning the Restoration Tax Abatement Program and
18 those applications?

19 (No response.)

20 MR. WINDHAM:

21 Any questions or comments from the Board
22 members?

23 (No response.)

24 MR. WINDHAM:

25 Is there a motion to approve?



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1 Made by Mr. Fajardo.

2 MR. FAJARDO:

3 Fajardo.

4 MR. WINDHAM:

5 Seconded by Mr. Adley.

6 All in favor, indicate with an "aye."

7 (Several members respond "aye.")

8 MR. WINDHAM:

9 All opposed with a "nay."

10 (No response.)

11 MR. WINDHAM:

12 I will get that name before I leave this
13 body.

14 Please proceed. That's it?

15 MS. LAMBERT:

16 That's all of the business for RTA for
17 this Board meeting.

18 MR. WINDHAM:

19 Thank you, Ms. Lambert.

20 Next up we have Ms. Metoyer to present
21 the Enterprise Zone applications and Program.

22 MS. METOYER:

23 Good morning. I have 15 new
24 applications: 20151647, 150 Third Street, LLC, doing
25 business as Watermark Baton Rouge, East Baton Rouge



1 Parish; 20141446, Affinity Health Group, LLC, Ouachita
2 Parish; 20141167, Associated Mooring, LLC, St. James
3 Parish; 20150905, Bankers Avenue Investments, LLC, East
4 Baton Rouge Parish; 20150942, Blake Management Group,
5 Lafourche Parish; 20140222, Blake Management Group, LLC,
6 Lafayette Parish; 20151047, Blake Management Group, LLC,
7 East Baton Rouge Parish; 20160426, DIVI Hospitality of
8 Port Allen, LLC, West Baton Rouge parish; 20150145,
9 Eagle US 2, LLC, Calcasieu Parish; 20150848, Enlink
10 Midstream Operating, LP in Iberville Parish; 20151066,
11 International Paper Company, Natchitoches Parish;
12 20151139, Meril and EJ LA, LLC, Orleans Parish;
13 20131236, Orion Instruments, LLC, East Baton Rouge
14 Parish; 20160726, Turner Specialty Groups, LLC -- I'm
15 sorry -- Turner Specialty Services, LLC, East Baton
16 Rouge Parish; and 20140297, it should be Westlake
17 Management Services, Incorporated. That's a typo on my
18 part. And that's Calcasieu Parish.

19 MR. WINDHAM:

20 All right. Thank you, Ms. Metoyer.

21 Are there any comments from the public
22 concerning the Enterprise Zone applications?

23 (No response.)

24 MR. WINDHAM:

25 Any questions or comments from the Board



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1 members?

2 (No response.)

3 MR. WINDHAM:

4 Is there a motion to approve these?

5 Made by Mr. Moller; seconded by Mr.

6 Coleman.

7 All in favor, indicate with an "aye."

8 (Several members respond "aye.")

9 MR. WINDHAM:

10 All opposed with a "nay."

11 (No response.)

12 MR. WINDHAM:

13 Motion carries.

14 Please proceed.

15 MS. METOYER:

16 Next I have the terminations. I have
17 six. 20131265, Turner Industries Group, LLC, East Baton
18 Rouge Parish. The existing contract period is 7/12/2013
19 to 7/11/2018. The requested term date is January 12th,
20 2016. All program requirements were met, and there are
21 no additional jobs anticipated; 20141140, Rich's Car
22 Wash, LLC, Orleans Parish. The existing contract is
23 August 9 of 2014 through August 8 of 2019. The
24 requested term date is August 8th of 2017. The program
25 requirements have been met, and no additional jobs are



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1 anticipated; 20111171, Anjaneya Hospitality, LLC,
2 Bossier Parish. Existing contract August 1, 2014 to
3 July 31 of 2019. The requested term date is July 31,
4 2017. All of the program requirements have been met,
5 and no additional jobs are anticipated; 20131409,
6 Triumph Investment Group, LLC, Livingston Parish.
7 Existing contract is March 1 of 2015 through February 28
8 of 2020. The requested term date is November 30 of 2017
9 and the program requirements have been met. No
10 additional jobs are anticipated; 20140109, Yogi Monroe,
11 Incorporated, Ouachita Parish. Existing contract period
12 February 1 of 2014 through January 31 of 2019. The
13 requested term date is December 31 of 2016. The program
14 requirements have been met, no additional jobs are
15 anticipated; and the last termination is 20140142, Om
16 Sai Om, LLC, Calcasieu Parish. Existing contract period
17 January 23 of 2014 through January 22 of 2019, and the
18 requested term date is December 31 of 2016. The program
19 requirements have been met and no additional jobs are
20 anticipated.

21 MR. WINDHAM:

22 Thank you, Ms. Metoyer.

23 Are there any comments from the public
24 concerning the contract terminations for the Enterprise
25 Zone Program?



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1 (No response.)

2 MR. WINDHAM:

3 Questions or comments from the Board?

4 (No response.)

5 MR. WINDHAM:

6 Is there a motion to approve?

7 Made by Dr. Wilson; seconded by Ms.

8 Atkins.

9 All in favor, indicate with an "aye."

10 (Several members respond "aye.")

11 MR. WINDHAM:

12 All opposed, "nay."

13 (No response.)

14 MR. WINDHAM:

15 Motion carries.

16 Ms. Metoyer.

17 MS. METOYER:

18 And I have a request to add an owner to

19 an existing contract. The Contract Number is 20151315

20 AFS Logistics, LLC. This is in Caddo Parish. The new

21 member would be Professional Park, LLC.

22 MR. WINDHAM:

23 Are there any comments from the public
24 concerning the addition of the owner?

25 (No response.)



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1 MR. WINDHAM:
2 Questions or comments from the Board
3 members?

4 (No response.)

5 MR. WINDHAM:
6 Is there a motion to approve?
7 Made by Represent Carmody; seconded by
8 Dr. Wilson.

9 All in favor, indicate with an "aye."
10 (Several members respond "aye.")

11 MR. WINDHAM:
12 All opposed with a "nay."
13 (No response.)

14 MR. WINDHAM:
15 Motion carries.
16 Ms. Metoyer.

17 MS. METOYER:
18 I have a special request, Parc
19 Lafayette, LLC, Contract Number 20150273 of Lafayette
20 Parish. Someone should be here to speak.

21 MR. WINDHAM:
22 Is there a representative from Parc
23 Lafayette, LLC?
24 Please step forward and identify
25 yourself for us and...



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MS. BABIN:

Good morning. I'm Missy Babin here representing Parc Lafayette, LLC.

MR. WINDHAM:

All right. Ms. Metoyer, can you proceed with this review of what we have here?

MS. METOYER:

Within 24 months of the contract effective date, all of the program requirements need to be met by meeting the jobs. You either need a 10 percent increase nationwide, including affiliates, of jobs or a minimum average of five in the first 24 months. So her request is to add an additional 24 months based on that language in the rules under Section 701(e) for good cause shown.

MR. WINDHAM:

All right. Ma'am, please identify yourself.

MS. BABIN:

Missy Babin with Parc Lafayette.

MR. WINDHAM:

All right. Please proceed with explaining what's the extenuating circumstances.

MS. BABIN:

My compelling argument.



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1 Thank you, first of all, for agreeing to
2 grant the special request for this Board. I understand
3 that this is a very rare opportunity that's been
4 extended to us.

5 Construction on our building began in
6 May of 2017. It was completed on April 29th, 2016. We
7 filed our Employee Certification Report on May 19th,
8 2017, and our baseline was determined to be 16
9 employees. At that time, and currently, Parc Lafayette
10 is under a contractual obligation with the Petroleum
11 Club of Louisiana to manage our ballroom. We have a
12 ballroom where we have weddings and special events,
13 receptions and whatnot. The date of that management
14 contract was before we filed our Employee Certification
15 Report. The contract dates are from March 15th, 2015,
16 and it expires at the end of this September.

17 We entered into the management agreement
18 with the Petroleum Club because of its success and
19 experience in operating this type of facility in the
20 Lafayette market. The Petroleum Club has been in
21 business since 1952. The club's general manager has
22 over 40 years of private club experience, and he's been
23 with the Petroleum Club itself for over 12 years.

24 Because of this management arrangement,
25 none of the net new jobs created within the 24-month



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1 project period qualified by being employed by Parc
2 Lafayette or its affiliate according to the definition
3 of the Enterprise Zone Program. The employees at the
4 facility that met these provisions during the project
5 period are employed directly by the Petroleum Club.

6 I'm aware that there is a part of the
7 program that allows for the leased employees to generate
8 the same tax credit as direct employees. Unfortunately,
9 Parc did not meet the criteria for leased employees
10 either. Parc does not have the ability to directly
11 hiring and firing of leased employees, the ability to
12 determine work schedule, shifts assignments, nor does it
13 have the ability to determine pay rate. The Petroleum
14 Club performs all of the payroll administration for
15 these employees.

16 The management arrangements with the
17 Petroleum Club, like I said, will expire at the end of
18 September of this year. On October 1st, Parc Lafayette
19 will operate the facility directly or through one of its
20 affiliates, which will meet the criteria of the named
21 affiliate according to the Enterprise Zone Program.

22 Managing the facility directly
23 creates -- excuse me -- requires the creation of
24 permanent net new jobs that will definitely meet the net
25 new jobs requirements of the program. We anticipate



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1 creating at least 20 net new jobs. These positions will
2 include director of operations, general manager,
3 assistant manager, special events coordinator, marketing
4 director, office manager, chef, sous chef, bar manager
5 and new room services and line cook, and these jobs will
6 not be replacement jobs of Petroleum Club employees upon
7 the expiration of the management arrangement. The
8 Petroleum Club has its own facilities, so they will keep
9 their employees that they have on staff now.

10 Parc Lafayette has invested over
11 \$6-million in the construction of the project alone,
12 including land, infrastructure, development costs and
13 construction of the facility, and it continues to invest
14 in the development. The 13-acre lifestyle center, where
15 Le Pavillon is situated, directly creates significant
16 jobs and commerce for it's Louisiana Economic
17 Development Enterprise Zone.

18 Since opening in 2015, there have been
19 about 210 events held at the facility. Several of these
20 have been free events for charities, such as Hospice of
21 Acadiana, with keynote guest speaker Governor John Bel
22 Edwards, the Acadiana Symphony, St. Jude Hospital, local
23 schools and -- many more. For these reasons, Parc
24 Lafayette is deserving of the benefits provided by the
25 Enterprise Zone Program, and we humbly request that the



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1 Board grant the 24-month extension available under
2 Section 701(E)(1)(e).

3 Thank you very much, and that's it.

4 MR. WINDHAM:

5 Thank you, Ms. Babin. We do appreciate
6 the investment made into the Lafayette area made by Parc
7 Lafayette, because, I guess, let me ask one or just two
8 quick questions to make sure I understand. You invested
9 the money, but you did not create the jobs?

10 MS. BABIN:

11 Not to qualify for the program, no, sir.

12 MR. WINDHAM:

13 All right.

14 MS. BABIN:

15 Because the employees are employed
16 directly by the Petroleum Club.

17 MR. WINDHAM:

18 All right. And for staff, the question
19 that I have, the purpose of this program is to incent a
20 company to make an investment and create jobs?

21 MS. METOYER:

22 Yes.

23 MR. WINDHAM:

24 Thank you.

25 Mr. Adley.



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1 MR. ADLEY:

2 I guess the part I'm trying to
3 understand is I assume under State law that we allowed
4 for just cause to make this decision, that's why it's in
5 the rules. I assume that's correct?

6 MS. METOYER:

7 This is the first time that I'm aware
8 that this has been a circumstance. This has never been
9 brought before the Board that I'm aware.

10 MR. ADLEY:

11 Okay. Assuming that's correct,
12 hopefully it wouldn't have been in the rules to begin
13 with. The issue that I have, what I'm trying to
14 determine, in the State's statutes, this definition of
15 management, is that where that's found? Is this
16 regulation relating to who manages or who they fall
17 under, is that in State law or is that something within
18 the rule?

19 MS. METOYER:

20 That's not specifically in the rule, but
21 there is -- there's leased employee guidelines set up by
22 LED, and her site doesn't meet those guidelines either.

23 MR. ADLEY:

24 Okay. Were there any tax advantages or
25 anything received during this period of time that they



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1 were being managed by the Petroleum Club?

2 MS. METOYER:

3 No, because compliance has not been
4 illustrated.

5 MR. ADLEY:

6 Okay. My question is, what's the reason
7 for the just cause? I mean, if your contract expires --
8 I think the management contract, you said expires in
9 September or was it December?

10 MS. BABIN:

11 September 30th of this year.

12 MR. ADLEY:

13 Okay. So it expires in September and
14 then the employees come over to you --

15 MS. BABIN:

16 No, sir.

17 MR. JONES:

18 No, they don't.

19 MS. BABIN:

20 The employees that were employed by the
21 Petroleum Club will remain employees of the Petroleum
22 Club. I will be creating net new jobs that are
23 compliant, except for the timeframe that they have to be
24 created in with the program guidelines. They will be
25 new permanent jobs employed directly by Parc Lafayette



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1 or one of its affiliates.

2 MR. ADLEY:

3 That's what's confusing me. Why
4 wouldn't you just make a new application for the jobs
5 that you are creating?

6 MS. BABIN:

7 Because, to my understanding, and I may
8 have -- I may not be correct on this, but, to my
9 understanding, the net new jobs -- let me back up.

10 We're applying for the credits on the
11 construction materials and the --

12 MR. WINDHAM:

13 And that would be the investment tax
14 credit?

15 MS. BABIN:

16 Yes.

17 -- and I don't believe that that was an
18 option because they have to be created within 24 months
19 of building, the building or of purchasing the materials
20 or whatnot. So what you're suggesting, my material
21 invoices wouldn't fall within the dates to qualify for
22 the Enterprise Zone either on job creations or for what
23 you're suggesting, to do a new application.

24 MR. WINDHAM:

25 So the bottom line of it is that you



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1 wouldn't get the benefits for the capitol investments
2 that you made versus the job tax credits that are
3 created?

4 MS. BABIN:

5 Yes, sir.

6 MR. WINDHAM:

7 All right.

8 Secretary Pierson.

9 SECRETARY PIERSON:

10 Just for clarification to the Board, the
11 staff recommendation is against support of this appeal
12 in that we essentially want to be consistent with our
13 application of the program. The opportunity was
14 afforded over the two-year timeframe to establish these
15 jobs. There were no net new jobs associated with the
16 project. The company made elective changes to do a
17 handshake with Petroleum Club and then make some
18 choices, and we believe in order to have uniform
19 enforcement that, as maybe Mr. Adley has pointed out,
20 the idea of filing a new application to take advantage
21 of benefits that will be afforded relative to new job
22 creation is a pathway that the company could chose to
23 follow, but what has happened is contracturally they
24 represented to the State that they would create jobs,
25 that did not occur for the reasons that you've outlined,



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1 and, therefore, to be consistent, it would be very
2 difficult to allow a waiver on this particular contract
3 from the standpoint of your staff.

4 MS. METOYER:

5 Yes, sir.

6 MR. WINDHAM:

7 Thank you, Secretary Pierson.

8 Are there any other questions or
9 comments for Ms. Babin?

10 MR. ADLEY:

11 I certainly hate to be the bad guy, but
12 state law is state law regardless of what our rules say,
13 and if you're required to comply what you contractually
14 agreed to do, you have to do that. If you didn't do
15 that, according to the Secretary, you've violated the
16 contract, but you have the opportunity to come back and
17 now take those employees and put them under that
18 program, as I understand it.

19 MS. METOYER:

20 She could file another advance for this
21 portion that she wants to begin October 1, yes.

22 I also offered, as I do with all of the
23 companies who don't meet it, because this has happened
24 before, it's just never come to this point, that you
25 adjust your project periods. So you can possibly extend



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1 it out further and meet your job requirements, and that
2 wasn't an option for them.

3 MR. WINDHAM:

4 I see, but at least from my perspective,
5 we will support the Secretary's recommendation. You
6 just can't go about violating state law.

7 MR. WINDHAM:

8 So, Mr. Adley, I'll take that as a
9 motion to deny the --

10 MR. ADLEY:

11 Yes.

12 MR. WINDHAM:

13 -- special request appeal?

14 Seconded by Major Coleman.

15 All in favor -- I'm sorry. Any other
16 comments?

17 MS. BABIN:

18 I'm just unclear on one thing. Can you
19 explain to me how it violates state law? Is it because
20 of what Parc Lafayette represented by making -- entering
21 into the contract with the State; is that --

22 MR. ADLEY:

23 I think it is, as I understand it, what
24 happened here was you indicated the employees would be
25 your employees, but they were not, and you contracted



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1 with the State for them to be your employees, but they
2 were not.

3 MS. BABIN:

4 Okay. Thank you.

5 MR. WINDHAM:

6 Any other comments from the public?

7 (No response.)

8 MR. WINDHAM:

9 Questions from the Board members?

10 (No response.)

11 MR. WINDHAM:

12 Motion has been made and a second.

13 All in favor, indicate with an "aye."

14 (Several members respond "aye.")

15 MR. WINDHAM:

16 All opposed with a "nay."

17 (No response.)

18 MR. WINDHAM:

19 Motion carries.

20 MS. BABIN:

21 Thank you.

22 MR. WINDHAM:

23 Thank you, Ms. Babin.

24 MS. METOYER:

25 That concludes EZ. Thank you.



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MR. WINDHAM:

Thank you, Ms. Metoyer.

Next we have Ms. Cheng for the
Industrial Tax Exemption Program.

MS. CHENG:

Good morning. I have 22 new
applications that have advances filed prior to the
Executive Order, and I have one that the company would
like be deferred.

And I need defer 20151426Q, Denka
Performance Elastomer, LLC in St. John the Baptist
Parish.

MR. WINDHAM:

Say the name again?

MS CHENG:

Denka Performance Elastomer. It's the
second one.

MR. WINDHAM:

The second one is being deferred.

MR. ADLEY:

I'm sorry. I didn't catch it.

MS. CHENG:

Okay.

MR. ADLEY:

You said 2014?



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1 MS. CHENG:
2 20151426A, Denka Performance Elastomer.

3 MR. ADLEY:
4 Okay. Thank you.

5 MR. WINDHAM:
6 All right. Please proceed.

7 MS. CHENG:
8 2013 -- do you want me to read them one
9 by one?

10 MR. WINDHAM:
11 Yes.

12 MS. CHENG:
13 20131385, Bell Helicopter Textron, Inc.
14 in Lafayette Parish.

15 MR. WINDHAM:
16 Let me say this, though: Mr. Adley's
17 got a question about a couple of them when you get to
18 them.

19 MS. CHENG:
20 Okay.
21 20141521, DOW Chemical Company in
22 Iberville Parish; 20161431 DOW Chemical Company in
23 Iberville Parish; 20161432, DOW Chemical Company in West
24 Baton Rouge Parish; 20131175 DOW Chemical Company in
25 West Baton Rouge Parish; 20131176, DOW Chemical Company



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1 in Iberville Parish; 20161542 FG LA, in St. James
2 Parish.

3 MR. WINDHAM:

4 All right. Please pause there.

5 MS. CHENG:

6 Okay.

7 MR. WINDHAM:

8 Do we have a representative from DOW
9 Chemical?

10 Please step forward. Mr. Adley has a
11 couple questions for you and also, I believe, FG LA,
12 LLC.

13 MR. ADLEY:

14 Yes.

15 MR. WINDHAM:

16 Is there a representative from that
17 entity?

18 Please be prepared, FG LA, LLC.

19 MR. ADLEY:

20 I don't know if this is for DOW or this
21 is for the staff. When I read the application we had,
22 when I looked at it, the full-time persons to be
23 employed, they show 42 for this application, and then
24 when I looked on the agenda, it's 28. And I'm just
25 trying to find out what happened.



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1 MS. CHENG:

2 It was a mistake. There's -- 42 was
3 duplicated. It's actually 28.

4 That's actually one site; correct?

5 That's one site that straddles the ine
6 of West Baton Rouge and Iberville. We corrected it to
7 read the 28 that are associated with this side on West
8 Baton Rouge and 23 on the Iberville side.

9 MR. ADLEY:

10 Well, you split it between the two
11 parishes?

12 MR. WINDHAM:

13 Please identify yourself.

14 MS. DAIGLE:

15 Rona Daigle, DOW Chemical Lead Tax
16 Manager.

17 We actually have a plant in West Baton
18 Rouge, Poly D, that has 28 new employees, and then we
19 have a Poly B plant, a new plant, we have 23, for a
20 total of 40-some-odd.

21 MR. ADLEY:

22 And in the application for the other
23 plant, the 23, it showed 42.

24 MS. DAIGLE:

25 Yes. It's actually 51. I'm sorry.



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MR. ADLEY:

Okay. That was the only questions I had. It just didn't match.

MS. DAIGLE:

Yes, sir.

MR. WINDHAM:

All right. Any other questions by any other Board members?

(No response.)

MR. WINDHAM:

Thank you, ma'am.

Mr. Harris, please step forward and identify yourself for FG LA, LLC.

MR. HARRIS:

Good morning, gentlemen. Jim Harris here on behalf of FG LA, LLC, and specifically the project manager for the Formosa announcement that the Governor made on Monday, and delighted to say that we're ready to rock and roll.

MR. ADLEY:

Jim, this is going to be real simple.

MR. HARRIS:

Okay.

MR. ADLEY:

I know you're getting yourself ready.



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1 I've known you a long time, and I know you're getting
2 ready, but I just saw two words in this application that
3 I hadn't seen before.

4 MR. HARRIS:

5 Okay.

6 MR. WINDHAM:

7 And I just want you to tell me what you
8 meant by it when you said this application is for a
9 front-end job track. What do you mean by that?

10 MS. CHENG:

11 I could answer that actually.

12 This is an application for a project
13 that has not yet begun construction. So they have --

14 MR. ADLEY:

15 We did a number of those. I just never
16 saw those words before.

17 That's it, Jim.

18 MR. HARRIS:

19 That's it?

20 MR. WINDHAM:

21 Good job.

22 Good job, Ms. Lee. Thank you. Welcome
23 to Louisiana.

24 All right. Please proceed.

25 MS. CHENG:



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1 2015200053, Georgia Pacific Consumer
2 Oppilations LLC in East Baton Rouge Parish; 20160361,
3 Gravois Aluminum Boats, LLC in St. Mary Parish;
4 20161507, Gravois Aluminum Boats, LLC in Iberia Parish;
5 20160175A, Hood Container of Louisiana, LLC in East
6 Feliciana Parish; 20161523 Kennedy Rice Dryers, LLC in
7 Morehouse Parish; 20140198C, Lubrication Technologies,
8 Inc. in Caddo Parish; 20140362B, Methanex Louisiana, LLC
9 in Ascension Parish; 20150086 Monsanto Company in St.
10 Charles Parish; 20151753, Occidental Chemical
11 Corporation in Ascension Parish; 20150161A, PCS Nitrogen
12 Fertilizer, LP in Iberville Parish; 20150162, PCS
13 Nitrogen Fertilizer, LP in Iberville Parish; 20141270,
14 Performance Energy Services, LLC in Terrebonne Parish;
15 201614-5 Praxair, Inc. in Calcasieu Parish; 20160680,
16 REG Geismar, LLC in Ascension Parish; 20100198C, Sabine
17 Pass LNG, LP in Cameron parish; 20150156A, Sasol USA
18 Corporation in Calcasieu Parish; 20150945 Shell Chemical
19 Corporation -- sorry -- Shell Chemical Company, LP in
20 Ascension Parish; 20120058B, Shintech Louisiana, LLC in
21 Iberville Parish; 20141070B, Shintech Louisiana, LLC in
22 Iberville Parish; 20151314, Union Carbide Corporation in
23 St. Charles Parish; 20120041B, Union Carbide Corporation
24 in St. Charles Parish; 20161444, Union Carbide
25 Corporation in St. Charles Parish; 20141522, Union



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1 Carbide Corporation in St. Charles Parish; and
2 20150189A, United WELD Operations, LP in Livingston
3 Parish, for a total investment of \$11,262,390,255.

4 MR. WINDHAM:

5 Thank you, Ms. Cheng.

6 Ms. Melissa, can you make a note that
7 Mr. Miller has shown and also Mr. Saizon. Thank you.

8 All right. Is there any discussion from
9 the public concerning any of the applications that Ms.
10 Cheng just presented?

11 (No response.)

12 MR. WINDHAM:

13 Are there any questions or comments from
14 the Board?

15 (No response.)

16 MR. WINDHAM:

17 Is there a motion to approve?

18 So moved by Mr. Jones; seconded by Mr.
19 Miller.

20 All in favor, indicate with an "aye."

21 (Several members respond "aye.")

22 MR. WINDHAM:

23 All opposed with a "nay."

24 (No response.)

25 MR. WINDHAM:



1 Motion carries.

2 MS. CHENG:

3 I have eight new applications with
4 advances filed after the Executive Order on June 24 of
5 2016.

6 MR. WINDHAM:

7 All right. Thank you. Please proceed.

8 MS. CHENG:

9 These all have local approval
10 resolutions and fully-executed Cooperative Endeavor
11 Agreements with the state and LED.

12 20161956, Intralox, LLC in Jefferson
13 Parish; 20161650, Laitram Machine Shop, LLC in Jefferson
14 Parish; 20161649, Laitram Machinery, Inc. in Jefferson
15 Parish; 20161660, Laitram, LLC in Jefferson Parish.

16 MR. WINDHAM:

17 All right. Please pause.

18 Is there a representative for Laitram,
19 LLC with us today?

20 Please forward, ma'am. Please identify
21 yourself.

22 MS. RAYMOND:

23 Good morning. I'm Deanne Raymond, and
24 I'm director of tax for Laitram and all of the companies
25 are affiliated, Intralox, Laitram Machine Shop, Laitram



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1 Machinery and Lapeyrs Stair as well.

2 MR. WINDHAM:

3 All right. Thank you.

4 Mr. Adley.

5 MR. ADLEY:

6 The only question I had for you was on
7 20161616, and the project description says that you've
8 added new computer hardware and software, and I would
9 like to know what is that used for?

10 MS. RAYMOND:

11 Well, this computer hardware and
12 software that is added is -- if you can -- I don't know
13 if you saw the asset list, but we went through and
14 excluded a lot of assets that Laitram has to leave only
15 those that are used in the manufacturing process. And
16 because it's used by more than just the manufacturing
17 process, we did a ratio just trying to find a fair way
18 of do this ratio companywide the number of manufacturing
19 employees that we have, the total employees that are
20 using this software, and that was 75 percent. So we
21 only put through the program for the exemptions 75
22 percent of that software. So we excluded the --

23 MR. ADLEY:

24 I assume you gave that information to --

25 MS. RAYMOND:



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1 Yes.

2 MR. ADLEY:

3 -- to these guys?

4 MS. RAYMOND:

5 Yes.

6 MR. ADLEY:

7 So what was the total of all of the
8 software and not before you took a portion?

9 MS. CHENG:

10 Before we took a portion out?

11 MS. RAYMOND:

12 The total -- well, the total assets -- I
13 have that.

14 MR. WINDHAM:

15 And while you're looking for it, I want
16 to commend you for taking the time to break out what you
17 believe is strictly for the manufacturing process.

18 MS. RAYMOND:

19 Thanks. We're trying.

20 MR. ADLEY:

21 Never seen anybody do that before.
22 That's pretty good.

23 MS. RAYMOND:

24 Okay. So we had -- Laitram had assets
25 of 3.2-million and we had other exclusions of about



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1 1.5-million, so that left 1.8 of the computer-related
2 software. And so 75 percent of the 1.8 is 1.3 that we
3 have listed on the contract.

4 MR. ADLEY:

5 So all of it, is the software and
6 hardware then, I mean, when I look at the bottom at the
7 1.3 --

8 MS. RAYMOND:

9 I don't know if you're looking at the
10 asset listing because it lists out -- you don't have
11 that?

12 MR. WINDHAM:

13 No, we don't have the asset listing. We
14 have a single number.

15 MS. CHENG:

16 Yeah. So they had -- it was a total of
17 \$3.2-million and --

18 MR. ADLEY:

19 A total of how much?

20 MS. CHENG:

21 3.2.

22 MR. ADLEY:

23 Thank you very much.

24 Thank you, ma'am.

25 MR. WINDHAM:



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1 And, Ms. Raymond, that is a reasonable
2 way to approach the segregation.

3 MS. RAYMOND:

4 Okay. Thank you.

5 MR. WINDHAM:

6 Thank you.

7 All right. Please proceed.

8 MS. CHENG:

9 20161651, Lapeyre Stair, Inc. in
10 Jefferson Parish; 20170070, Mauser USA, LLC in Ascension
11 Parish; 20180088, Methanex Fortier, Inc. in Ascension
12 Parish; and 20170234, Talon Industrial, LLC in Ascension
13 Parish.

14 MR. WINDHAM:

15 All right. Is there a representative
16 from Talon Industrial with us today?

17 Please step forward. I believe
18 Mr. Adley has a question for you.

19 MR. ADLEY:

20 Yes, I did. And, Just for the staff,
21 and then to you. This has zero jobs.

22 MS. CHENG:

23 Okay. So they are actually related with
24 Mauser, USA, LLC. They're the real estate holding
25 company that owns the building that Mauser USA is housed



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1 in. Mauser is manufacturing inside Talon Industrial's
2 building.

3 MR. ADLEY:

4 I got you, but --

5 MS. CHENG:

6 Okay.

7 MR. ADLEY:

8 -- don't they have to create jobs to get
9 the ITEP?

10 MS. CHENG:

11 Jobs are being created by Mauser USA.
12 They just own the building.

13 MR. WINDHAM:

14 They're the responsible party for the
15 property taxes?

16 MS. CHENG:

17 If the building were owned by Mauser
18 USA, they would also.

19 MR. ADLEY:

20 Okay. So what you're telling me is this
21 company is not getting the ITEP?

22 MS. CHENG:

23 They're getting the ITEP.

24 MR. ADLEY:

25 They are?



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1 MR. WINDHAM:

2 But only for the building.

3 MS. CHENG:

4 Yes, only for the building because they
5 are the owners of the building.

6 MR. ADLEY:

7 Let me ask you -- this question is for
8 you. If you want to identify yourself, I'll ask you the
9 question.

10 MR. GOSE:

11 Sure. Ty Gose with Talon Industrial.

12 MR. ADLEY:

13 It says the project included building a
14 road to the site outside of the building that they use
15 for their manufacturing, I assume. Tell me about the
16 road.

17 MR. GOSE:

18 Sure. Per the requirements to go out
19 and acquire land to accommodate Mauser's need, we had to
20 construct a road, which will be taken in by the parish,
21 to get to the site. So it's an eight-acre site off of
22 Highway 30, and we constructed a road to access that
23 site.

24 MR. ADLEY:

25 If the parish takes it in, how are they



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1 eligible for ITEP?

2 MR. GOSE:

3 Taking in is actually an incorrect
4 statement. The road has to be constructed per parish
5 specs so that we can resub this property and make it its
6 own tax lot, but the owner, Talon Industrial, has to
7 maintain it. So the parish is not taking in the road,
8 it's just built to parish specs. It's approved by the
9 parish so that we can resub the lot.

10 MR. ADLEY:

11 Before you jump in, I'm going to look at
12 staff now. I'm trying to find out the reasoning that
13 this is part of the manufacturing process.

14 MS. CHENG:

15 Well, you can't get to the site without
16 a road; right?

17 MR. ADLEY:

18 I'm sorry?

19 MS. CHENG:

20 You can't get to site without a road.

21 MR. ADLEY:

22 No, actually that's -- I can't get home
23 without a road. You can't get anywhere without a road.
24 The manufacturing process, and so I'm just -- your view
25 is that because it's a road that goes there, that it's



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1 subject to -- I mean, if I, any road I build or had
2 going anywhere, if it hit that property, I could get
3 ITEP for it?

4 MS. CHENG:

5 If it's related to that building, to
6 that manufacturing facility.

7 MR. WINDHAM:

8 It's within the fence line of the
9 property?

10 MS. CHENG:

11 Correct, yes, sir.

12 MR. WINDHAM:

13 So it's -- go head, Mr. Miller.

14 MR. MILLER:

15 Is it inside the fence line?

16 MR. GOSE:

17 It's not inside of the fence line. It's
18 part of the lot.

19 MS. CHENG:

20 It's part of the facility.

21 MR. MILLER:

22 As a local government, are you -- I
23 mean, we do this all of the time. I know you have to
24 build a road to parish specs.

25 MR. GOSE:



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1 Correct.

2 MR. MILLER:

3 In our case, in Tangipahoa Parish, after
4 two years, we inspect the road and if it's held up and
5 it's ready, we take it into our road maintenance, so
6 then it becomes parish property, not private property.

7 Is that the process you're speaking of
8 or are y'all going to always -- this is always going to
9 be a private road?

10 MR. GOSE:

11 Per our direction from the parish, they
12 will never take this road in. Any new roads that are
13 constructed for the type of developments that we do,
14 which are industrial parks in nature, will be managed
15 and maintained by the owners in perpetuity.

16 MR. MILLER:

17 Okay. So it's going to remain a private
18 road? That's what --

19 MR. GOSE:

20 Yes.

21 MR. MILLER:

22 Okay. Thank you.

23 MR. ADLEY:

24 And my final question is, is it Mauser
25 that has the employees?



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1 MS. CHENG:

2 Yes, sir.

3 MR. ADLEY:

4 And when they apply for their ITEP -- do
5 they have ITEP?

6 MS. CHENG:

7 It's right there two lines above it.

8 MR. ADLEY:

9 Yes. So their employees are what's used
10 to calculate --

11 MS. CHENG:

12 Yes.

13 MR. ADLEY:

14 -- their ROI to us?

15 MS. CHENG:

16 Yes. That's why their Cooperating
17 Endeavor Agreement is between LED the State, Mauser and
18 Talon into one.

19 MR. ADLEY:

20 So how do you calculate their ROI on
21 this piece? I mean, I assume you've already used all of
22 the employees from Mauser when they applied for their
23 ITEP.

24 MS. CHENG:

25 That's why it's being --



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MR. ADLEY:

I can't hear you.

MS. CHENG:

It's done together. I believe the ROI was.

MR. ADLEY:

Well, let me ask you this question. I'll ask it differently.

MS. CHENG:

Okay.

MR. ADLEY:

Do they have another ITEP outside of this one, Mauser, do they have an ITEP other than this?

MS. CHENG:

No. It's right there. The other one would be the one that's two lines above Industrial -- Talon Industrial on the agenda.

MR. WINDHAM:

So they're a brand new application?

MS. CHENG:

And that is -- their application is for the machinery and equipment that's inside of the building that's owned by Talon Industrial. It's considered one project.

MR. ADLEY:



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1 I've got that, and we approved that
2 before. I don't particularly have a problem with that.
3 I have a problem with the jobs issue, how you're
4 creating any new jobs if, in fact, you've used the jobs
5 once before. That's all I'm trying to find out.

6 MR. WINDHAM:

7 So, Ms. Cheng, is what you're -- I don't
8 want to put words in your mouth.

9 MS. CHENG:

10 Okay.

11 MR. WINDHAM:

12 But you're taking the investment by
13 Mauser, you're taking the investment by Talon, you
14 combined that as a total, then you did the ROI analysis
15 to that total? Is that how y'all are doing it?

16 MS. CHENG:

17 I wasn't the one that did the ROI.

18 MR. WINDHAM:

19 Please identify yourself.

20 MR. HUNTER:

21 How are you doing? I'm Darrel Hunter,
22 the plant manager at Mauser.

23 MR. WINDHAM:

24 All right. I mean, would that be the
25 logical way to do it, to combine the two investments,



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1 take the 60 jobs and then calculate the ROI?

2 MR. PERNICI:

3 My name is Michael Pernici with
4 Louisiana Economic Development as well. So I was just
5 the project manager on for this particular project.

6 The way that this would basically set up
7 is it was a build-to-suit. There was no building out
8 there that met Mauser's -- met with what they needed to
9 do. So they typically do not build to own a facility.
10 They don't like to tie up their capitol in that way as a
11 business decision, so they went out and contracted out
12 with a local developer that was willing to build, and
13 they did a long-term lease on this building.

14 My understanding is within the contract
15 between Talon and Mauser -- and the executives could not
16 make it to this meeting, but between that contract, the
17 benefit of the entire application is all going to go
18 back to Mauser. Talon is not going to benefit from the
19 ITEP, and so this is a long-term lease, which is going
20 to ultimately pay back and make Talon whole on the
21 return.

22 MR. ADLEY:

23 So the total ITEP ends up with Mauser,
24 and none's going to Talon?

25 MR. PERNICI:



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1 That's my understanding, yes.

2 MR. HUNTER:

3 Yes, sir, that's correct.

4 MR. PERNICI:

5 So just administratively, the way that
6 it's acquired, it's my understanding with the ITEP is
7 that they needed to file two separate applications for
8 this. The owner of the assets needed to file as well
9 as, you know, the owner of the equipment. So Mauser has
10 got equipment that they're filing for, which is their --
11 which is their number, and then Talon's also go, you
12 know, their investment in the building and the equipment
13 and things.

14 MR. ADLEY:

15 And obviously when I road Mauser, I
16 didn't see a problem with it because it didn't have a
17 problem, but my question to you is when you -- based on
18 what he just said, I assume you bought some property,
19 had some buildings on it, one of them was not acceptable
20 and so you hired this gentleman to go build you another
21 one? Is that -- did I hear you correctly?

22 MR. PERNICI:

23 So this was a -- you know, it wasn't
24 just necessarily a Louisiana search. So, you know,
25 whenever they started looking for, you know, at where



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1 they wanted to make their next investment, Mauser, you
2 know, they decided that this area was going to be fit.
3 They --

4 MR. ADLEY:

5 I got that. I'm just trying to find
6 out --

7 SECRETARY PIERSON:

8 Let me --

9 MR. ADLEY:

10 I got the impression from you that they
11 had some existing buildings you said that were not
12 suitable to them.

13 MR. HUNTER:

14 Elsewhere in the country, not in
15 Louisiana.

16 MR. ADLEY:

17 I'm sorry?

18 MR. HUNTER:

19 Elsewhere in the country, not in
20 Louisiana.

21 MR. ADLEY:

22 So that wasn't correct, they didn't have
23 an existing building that --

24 MR. PERNICI:

25 No, no. This was their first physical



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1 assets in the State of Louisiana.

2 MR. ADLEY:

3 I've got you.

4 MR. WINDHAM:

5 Secretary Pierson.

6 SECRETARY PIERSON:

7 It would help if your thinking on this
8 would be along the lines of a joint venture, that this
9 is a \$9.4-million project as a real estate component and
10 a manufacturing component, and those are segregated in a
11 way that the tax structure internally is awarded by the
12 state through the ITEP Program. And the jobs on the
13 aggregate operation offset the through return on
14 investment to cover the tax abatement that's being
15 requested here on these two applications. You should
16 think of them as a combined project.

17 MR. ADLEY:

18 Then when I at least suggest,
19 Mr. Secretary, is that when we get this list of all of
20 the these things -- I mean, I see two different
21 companies. I don't see -- I don't have any way to put
22 the two of them together.

23 SECRETARY PIERSON:

24 That can be confusing. Understood.

25 MR. ADLEY:



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1 It would be very, very helpful, when you
2 have an instance like this, that you might group those
3 two or three, whatever they are, together so we know
4 who's getting what.

5 Talon is getting no ITEP?

6 MR. HUNTER:

7 Correct.

8 MR. ADLEY:

9 And how many jobs did they bring, Don?
10 How many was it for the \$9.4?

11 MR. HUNTER:

12 It was 28.

13 MR. ADLEY:

14 Okay. So they brought 28 jobs. They're
15 getting the ITEP, not Talon, so I'm just going to
16 suggest, it would help us a whole lot if you bring those
17 two together, because when my eyes see zero jobs, I
18 mean, that's exactly where I'm going to head.

19 Then only question I have for you now,
20 if the jury takes over the road that you're getting ITEP
21 for, what happens?

22 No. He's getting it on his investment.

23 MS. CHENG:

24 They would file an amended Affidavit of
25 Final Cost removing the cost of the road.



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MR. ADLEY:

Because the way we do it, the ITEP, it was based on the investment made.

MS. CHENG:

So --

MR. ADLEY:

Not on the assessed value. So when the jury takes it, nothing really comes off of the ITEP because the investment remains the same.

MS. CHENG:

No. The investment would be taken off on the Affidavit of Final Cost.

MR. ADLEY:

I understand when they --

MS. CHENG:

So they would --

MR. ADLEY:

They could come back and file --

MS. CHENG:

They would start paying property tax on the road.

MR. WINDHAM:

I got that. I do. If they were just year-to-year on some assessed value, they wouldn't have to do that, but it's not on that. It's on what they



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1 initially invested. So we can expect in the future, if
2 the jury takes it, that you will receive something from
3 them to reduce the investment, which ultimately reduces
4 the amount they're eligible for; is that correct?

5 MS. CHENG:

6 Yes, sir.

7 MR. ADLEY:

8 Thank you very much.

9 MR. WINDHAM:

10 Are there any additional questions or
11 comments from the public concerning these two?

12 (No response.)

13 MR. WINDHAM:

14 Questions or comments from the Board?

15 (No response.)

16 MR. WINDHAM:

17 We have eight applications in front of
18 us. Is there a motion to approve?

19 MR. ADLEY:

20 So moved.

21 MR. WINDHAM:

22 Made by Mr. Adley; seconded by Mr.
23 Shexnaydre.

24 All in favor, indicate with an "aye."

25 (Several members respond "aye.")



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MR. WINDHAM:

All opposed with a "nay."

(No response.)

MR. WINDHAM:

Motion carries.

Please proceed.

MR. USIE:

We have three renewals.

MR. WINDHAM:

Please identify yourself.

MR. USIE:

Hud Usie, Administrator for ITEP.

20150992, Axiall, LLC, Iberville Parish;
20150979, Georgia Gulf Lake Charles, LLC, Calcasieu
Parish; 20130428, Weatherford US, LP, Lafayette Parish.

MR. WINDHAM:

All right. Are there any comments from
the public concerning the Industrial Tax Exemption
renewals?

MR. ADLEY:

This is part of the grandfathered group?

MR. WINDHAM:

Any questions or further comments from
the Board members?

(No response.)



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1 MR. WINDHAM:
2 Is there a motion to approve the
3 renewals?

4 Made by Mr. Fajardo.

5 Is there a second?

6 Made by Mr. Miller.

7 All in favor, indicate with an "aye."

8 (Several members respond "aye.")

9 MR. WINDHAM:

10 All opposed with a "nay."

11 (No response.)

12 MR. WINDHAM:

13 I believe I got it correct that time.

14 Ms. Cheng.

15 MS. CHENG:

16 Hud's going to keep on going.

17 MR. USIE:

18 Next we have 13 late renewals, four of
19 which are requested to be deferred until June.

20 MR. WINDHAM:

21 Which four are those?

22 MR. USE:

23 The first four, Cornerstone Chemical
24 Company, all four in Jefferson Parish, 20130475,
25 20130477, 20130474 and 20130476.



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MR. WINDHAM:

All right. Please proceed.

MR. USIE:

Next we have 20120365, Hunt Forest Products, LLC in Grant Parish; 20130873, Hunt Forest Products, LLC in Grant Parish; and 20130874, Hunt Forest Products, LLC in La Salle Parish.

MR. WINDHAM:

Is there a representative from Hunt Forest Products with us today?

Please step forward and identify yourself.

MR. COYLE:

My name is Steven Coyle. I'm the senior accountant for Hunt Forest Products, LLC.

MR. ADLEY:

And, sir, you're representing Hunt?

MR. COYLE:

Yes, sir.

MR. ADLEY:

When I look at your late renewals, it looks like they're about 15 months late. Is that -- am I reading that correctly? Staff, is that right or wrong?

MR. USIE:



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1 That's correct. The first...

2 MR. ADLEY:

3 Now during this 15-month period, they
4 were not on the tax rolls back in the parish by our
5 rules as I --

6 MR. USIE:

7 That's correct. I've verified with each
8 parish assessor for the remaining nine total late
9 renewals.

10 MR. ADLEY:

11 Got you. They're not on the tax rolls,
12 even though they --

13 MR. USIE:

14 They are not.

15 MR. ADLEY:

16 But if they had filed on time, they had
17 the exemption. If they did not file on time, they don't
18 automatically go on the tax rolls, so they just, for 15
19 months, they've been sitting there.

20 MR. USIE:

21 Correct.

22 MR. ADLEY:

23 Do I understand that correctly?

24 Mr. Chairman and members, I'm trying to
25 expedite time, but what we generally do and have done



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1 for those that are late, we only have three choices,
2 deny it altogether, approve it or create some penalty.
3 What we ran into at our last meeting, which was very
4 unusual and very like this one, where you have people
5 that are not a month late or two weeks, three days. I
6 mean, this is over a year that should have actually been
7 on tax rolls. Somebody should have known that you're
8 getting -- that you don't have an exemption, which would
9 mean you would have had to pay taxes for that year. But
10 because you're not on the tax roll, then you're able to
11 go through this process.

12 I'm just going to suggest that on these
13 that are late that we apply the 20 percent provision per
14 year just to simplify this process because I think we
15 have some here, I think I saw one that's three years
16 late that could have been on the tax rolls and is not.
17 And, frankly, 20 percent for being a year late is, in my
18 view, probably overly generous because that's generally
19 what we do with people who are a week late.

20 Unless someone's got some better idea,
21 but it is terrible that everybody else is paying their
22 taxes and someone who does not have an exemption,
23 doesn't have it, not paying their taxes. And so it's
24 just in my view, reason to be 12 months to three years
25 late for your renewal, unless you have an explanation.



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1 MR. COYLE:
2 The explanation of Hunt Forest Products
3 would be --

4 MR. ADLEY:
5 Can you get right next to the that
6 microphone?

7 MR. WINDHAM:
8 I believe you've identified yourself.

9 MR. COYLE:
10 Steven Coyle, Hunt Forest Products, LLC,
11 sir.

12 MR. WINDHAM:
13 Thank you.

14 MR. COYLE:
15 Okay. Initially these were filed late
16 and we were docked two years -- well, on two of these --
17 and in that process, as we do our filings, we come
18 across these and we set them up to renew after five
19 years. Well, after three years, it was up for renewal,
20 and after looking at it and looking at the
21 documentation, I said, "Oh, gee. We need to go ahead
22 and file these." And we immediately filed with the
23 State at that time, so it was kind of a situation where
24 normally these are five years renewal, and so at that
25 time, we automatically renewed.



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1 MR. ADLEY:
2 If you renewed it now, it would expire
3 when?

4 MR. WINDHAM:
5 You were late on the initial
6 applications; correct?

7 MS. BOATNER:
8 Rhonda Boatner with Didier Consultants.
9 We just began consulting with them. They were late with
10 their initial applications, which required LED to
11 penalize them, so they only got a three year for their
12 initial period, and then -- but according to Mr. Coyle,
13 they normally set this us on a five-year schedule, so
14 when they went to renew at the five-year period, it had
15 already expired two years prior. So that's what
16 happened, the application was late, they had three years
17 for the initial period rather than five years.

18 MR. COYLE:
19 At one time they would give us notice
20 through the mail saying, "Hey, your contract is up for
21 renewal" such and so numbers. Now that's not being
22 done.

23 MS. CHENG:
24 All three would expire at the end of
25 this year, 12/31/2018.



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1 MR. ADLEY:

2 I'm sorry. Say that again.

3 MS. CHENG:

4 They would expire on December 31st, 2018
5 if you were to approve with the 20 percent reduction per
6 year late.

7 MR. ADLEY:

8 So they expire at the end of this year?

9 MS. CHENG:

10 They will expire if you --

11 MR. ADLEY:

12 Last year, when they didn't have the
13 exemption, that was the second year of the exemption?

14 MS. BOATNER:

15 The exemption expired, according to the
16 DCR in 2021.

17 MS. CHENG:

18 If it were approved with five years.

19 MS. BOATNER:

20 Right, for a five-year renewal.

21 MS. CHENG:

22 But if you're putting a penalty, put the
23 20 percent penalty on them, it would expire at the end
24 of this year.

25 MR. ADLEY:



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1 I'm trying to get to it.

2 They said you've already assessed one
3 penalty. They said y'all did that; right?

4 MS. CHENG:

5 Yes, because their initial application
6 was filed late, years were taken off of the first
7 five-years initial period.

8 MR. ADLEY:

9 So you cut them 40 percent?

10 MS. CHENG:

11 Yes.

12 MR. COYLE:

13 That's correct. We already paid our
14 dues, sir.

15 MR. WINDHAM:

16 I like the way you're acting now. I do.

17 MR. COYLE:

18 We're a good project that's created
19 jobs, sir.

20 MR. ADLEY:

21 No, sir. You create law and people has
22 to follow the law. And the benefit of the tax exemption
23 is for you. That's what that benefit is for. What I've
24 heard so far is you were late this time, you were late
25 the first time. This is the second time.



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1 And if this gets renewed today, they get
2 it for three years? Then I would propose we exercise
3 the same penalty that you exercised before, and that
4 would give them the balance of the year left. I mean,
5 at some point --

6 MR. WINDHAM:

7 Is that a motion, Mr. Adley?

8 MR. ADLEY:

9 Yeah, I would make that as a motion
10 because we are going to have some down here that are
11 three years late.

12 MR. WINDHAM:

13 And is that a motion for all three of
14 them?

15 MR. ADLEY:

16 Well, I don't think you can deal with
17 all three of them because he had a three-year provision,
18 the other had probably a five-year provision, I assume.
19 Are all of these dealing with three-year provision?

20 Most renewals are for five. This one
21 was for three because they were late. The remaining
22 ones on the agenda, are they three or five-year
23 renewals.

24 MS. CHENG:

25 They're all -- the ones that expired on



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1 12/31/ of '17 would be five-year renewals. I think the
2 rest of them are five-year renewals. I think if you're
3 asking if any years were taken off the --

4 MR. ADLEY:

5 Then, yeah, I would apply this, except
6 for -- most of them are, I guess, about the same way. I
7 would apply the 40 percent rule to all of them, but what
8 I would do is reduce all of these by the 40 percent from
9 where they were, even this one was already at three, but
10 the other five would be reduced by 40 percent, which is
11 two years off.

12 MR. WINDHAM:

13 No, I don't believe that is correct, Mr.
14 Adley.

15 MR. ADLEY:

16 Okay.

17 MR. WINDHAM:

18 This contract, the first one, expired
19 2016, so it has been a year and a half late. So based
20 upon your position, that would be 40 percent reduction
21 of the five years. The next one was due 12/31 of '15,
22 so it --

23 MR. ADLEY:

24 He -- stop right there.

25 He doesn't have five years, if I'm



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1 hearing this right.

2 MR. WINDHAM:

3 The renewal is five years. First,
4 Mr. Coyle was penalized --

5 MR. WINDHAM:

6 Okay. Now I got you.

7 So the renewal is for five, the initial
8 ap was for three, so he ended up with eight. That's --
9 instead of 10.

10 MS. CHENG:

11 If you approve -- it would have been a
12 total of eight if you would approve the five. Now
13 you're taking 40 off.

14 MR. ADLEY:

15 If you apply the -- that's right.

16 MR. WINDHAM:

17 Two years.

18 MR. ADLEY:

19 We applied 20 percent -- allow me to
20 finish.

21 We've applied the 20 percent. People
22 come in here a week late or a month late, something like
23 that, we've hit them with 20 percent. This one is over
24 a year late. I would suggest that, to insure that we
25 stop this type process, that we make that penalty 40



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1 percent for anybody that's over a year late.

2 MS. CHENG:

3 Okay.

4 MR. ADLEY:

5 And that would simply reduce your
6 renewal from the five to three.

7 MS. COYLE:

8 Three years, yes, sir.

9 We are taking measures to make sure this
10 doesn't happen. We have a consultant now we did not
11 have at that time, so...

12 MR. WINDHAM:

13 So my question still is, I just want to
14 make sure I understand, you're saying for all of the
15 ones that are over one year late, there is a 40 percent
16 reduction?

17 MR. ADLEY:

18 Yes.

19 MR. WINDHAM:

20 Even if they're two years late? Even if
21 they're three years late?

22 MR. ADLEY:

23 Well, I'm going to down the list. I see
24 one that's '15 to '18 --

25 MR. WINDHAM:



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1 So we haven't gotten to those yet.
2 We're just on Hunt.

3 MR. ADLEY:

4 Well, when you get to him, you may want
5 to increase it because it's three years. I would
6 penalize them 20 percent for being late to begin with.
7 That's what we've always done. If they're late as much
8 as a year, I would add 20 percent. If they're late two
9 years, I'd add another 20. That's what I would do. I
10 think that's the right thing to do.

11 MR. WINDHAM:

12 So with these three, first one is two
13 years late. The second one was set to expire on the
14 15th, so it would be due on January 1st of '18, so it's
15 over two years late, so that would be a 60 percent
16 reduction.

17 MR. ADLEY:

18 I think -- let me make this suggestion,
19 Mr. Chairman. Why don't you just take this one, get it
20 out of the way, and then we'll take up the others,
21 because I think, based on what we did last week,
22 Mr. Jones is sitting there waiting to find out if these
23 people are actually here before we take any action,
24 because if they're not here, he's probably going to move
25 to do nothing, give nothing, and that's what we've done



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1 before.

2 So if we can, Mr. Chairman, if we can
3 just get this one out of the way, and maybe if we'll
4 look at other companies, I know they're not -- there's
5 only, what, two or three companies left total; is that
6 right?

7 MS. CHENG:

8 Can I cut in real quick?

9 MR. WINDHAM:

10 Ms. Cheng.

11 MS. CHENG:

12 Hunt Forest Products has three. One of
13 them expire in '16 and two of them expire in '15, so I
14 think that's what we're trying to figure out, how much
15 you're reducing from each respective ones.

16 MR. WINDHAM:

17 Each one of the contracts.

18 MR. ADLEY:

19 I'm going to suggest that the one that
20 we're dealing with now, that you reduce it by 40
21 percent. Instead of getting five years, they would get
22 three.

23 MR. WINDHAM:

24 That would be Contract Number 20120365.

25 We're going to do these one at a time by contract.



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1 MR. RICHARD:

2 I'll second that motion.

3 MR. WINDHAM:

4 Motion has been made by Mr. Adley;
5 second by Mr. Richard.

6 Is there any other discussion on this
7 single contract?

8 MR. MILLER:

9 To make sure I'm right, the one that
10 says expired 12/31/16, 2016?

11 MR. WINDHAM:

12 Correct.

13 MR. MILLER:

14 All right. I'm a little confused about
15 how late it is because it was supposed to be renewed at
16 '16; correct?

17 MS. CHENG:

18 Correct.

19 MR. MILLER:

20 So it's late for all of '16 and then
21 these few months of '18, so it's a year and a little
22 bit -- not two years, but a year and a little bit, and
23 the '15s are two years and a little bit. I'm not sure
24 it's really two years. It's one year late, unless it
25 crossed over and you call it one.



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1 MR. WINDHAM:

2 I think the discussion was each year or
3 portion thereof.

4 MR. MILLER:

5 Okay. So if it's a portion --

6 MR. WINDHAM:

7 If it's three days late in the second
8 year, it's two years' worth of reduction. I think
9 that's what Mr. Adley made the motion on, and
10 Mr. Richard has made a second.

11 MR. COYLE:

12 I would like to infer that the two, 873
13 and 874 were actually not due until '16 or '17 actually,
14 also. If you look at those dates, the 20130873 and
15 0874, the --

16 MR. WINDHAM:

17 All right. Let's take this one first.
18 Let's take this one first, though. This is the single
19 one ending in 365.

20 Any other comments on the one that ends
21 in 0365?

22 (No response.)

23 MR. WINDHAM:

24 Mr. Coyle, for the one ending in 0365,
25 which is the first one.



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1 MR. COYLE:

2 Yes, sir.

3 MR. WINDHAM:

4 Any comments on that one?

5 MR. COYLE:

6 Okay. I'm straight on it now. She
7 straightened me out.

8 MR. WINDHAM:

9 All right. Any other comments from the
10 public?

11 (No response.)

12 MR. WINDHAM:

13 Comments from the Board?

14 (No response.)

15 MR. WINDHAM:

16 All in favor, indicate with an "aye."

17 (Several members respond "aye.")

18 MR. WINDHAM:

19 All opposed with a "nay."

20 (No response.)

21 MR. WINDHAM:

22 Motion carries.

23 Mr. Adley, what is your pleasure on the
24 next one, which is 20130873, which was due -- expired on
25 12/31 of '15?



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MR. ADLEY:

And this one is a little over two years late?

MR. WINDHAM:

Correct.

MR. ADLEY:

All of '17, all of '16 and a few months into '18, and if you apply the same rule there, you would reduce it by 60 percent bringing it down to two years instead of three -- instead of five; is that correct?

MS. CHENG:

Yes, sir.

MR. ADLEY:

That's what I'd move we do.

MR. WINDHAM:

And there's a second made by Mr. Richard.

Are there any other questions or comments related to this motion?

(No response.)

MR. WINDHAM:

Mr. Coyle? No?

All in favor, indicate with an "aye."

(Several members respond "aye.")



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MR. WINDHAM:

All opposed with a "nay."

(No response.)

MR. WINDHAM:

Motion carries.

MR. ADLEY:

Mr. Chairman, the next one is the exact same time span as the one we just did, and I would make the same motion for it since it's identical to the one before it.

MR. WINDHAM:

Seconded by Mr. Doctor Wilson.

Ms. Cheng, you have an observation?

MR. COYLE:

That one actually is only three months late, so it would be a portion of one year, so that would be 20 percent.

MR. ADLEY:

Okay. They're only three months late?

MS. CHENG:

Yes, sir.

MR. ADLEY:

I'm reading 2015 to 2018. Am I reading the wrong one?

MR. WINDHAM:



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1 Services, Inc. in Terrebonne Parish. Their initial
2 contract expiration date was 12/31 of 2017 and their
3 renewal was requested on March 13th, 2018.

4 MR. WINDHAM:

5 Is there a representative from Hunting
6 Energy Services, Inc. with us?

7 Please step forward, identify yourself.

8 MR. ADLEY:

9 This is a span of about three months
10 late; right?

11 MR. USIE:

12 Correct.

13 MR. VORDICK:

14 My name is Chris Vordick, and I'm
15 Controller at Hunting Energy Services, Division
16 Controller.

17 MR. ADLEY:

18 What we've always done for those that
19 are fairly close to the deadline -- this one's like 90
20 days late. I would apply the 20 percent rule, as we've
21 used in the past. Since you don't have another year
22 lateness like the others have, I would move to reduce it
23 by 20 percent. That would give him a four-year
24 exemption.

25 MR. WINDHAM:



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1 Any questions or comments?

2 MR. VORDICK:

3 No, sir.

4 MR. WINDHAM:

5 Motion has been made by Mr. Adley;
6 seconded by Mr. Jones.

7 Any other comment from the public?

8 (No response.)

9 MR. WINDHAM:

10 Questions from the Board?

11 (No response.)

12 MR. WINDHAM:

13 All in favor, indicate with an "aye."

14 (Several members respond "aye.")

15 MR. WINDHAM:

16 All opposed with a "nay."

17 (No response.)

18 MR. WINDHAM:

19 Motion carries.

20 Thank you.

21 MR. USIE:

22 Next we have 20110606, McElroy Metal
23 Mill, Inc., Bossier Parish. Initial contract expiration
24 date of 12/31/2015. Renewal requested on 3/9 of 2018.

25 MR. ADLEY:



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1 So a little over two years late, '16 and
2 '17?

3 MS. CHENG:

4 And three months into '18.

5 MR. ADLEY:

6 Is somebody from McElroy here?

7 MR. WINDHAM:

8 Is there a representative from McElroy
9 Mill, Incorporated with us today?

10 (No response.)

11 MR. WINDHAM:

12 I would rely on Mr. Jones' judgment.

13 MR. JONES:

14 No representative?

15 (No response.)

16 MR. JONES:

17 No representative from McElroy?

18 (No response.)

19 MR. JONES:

20 I'm shocked.

21 Move to deny the renewal request.

22 MR. WINDHAM:

23 Motion has been made by Mr. Hones to
24 deny the renewal request.

25 Is there a second?



1 Seconded by Mr. Fajardo.

2 MS. CHENG:

3 Is this for all three of theirs?

4 MR. WINDHAM:

5 Is this for all three?

6 All three; right, Mr. Jones?

7 MR. JONES:

8 Unless there are representatives for
9 some and not others.

10 MR. WINDHAM:

11 All right. Any comments from the public
12 concerning the motion to deny the renewal?

13 (No response.)

14 MR. WINDHAM:

15 Questions or comments from the Board?

16 (No response.)

17 MR. WINDHAM:

18 All in favor, indicate with an "aye."

19 (Several members respond "aye.")

20 MR. WINDHAM:

21 All opposed with a "nay."

22 (No response.)

23 MR. WINDHAM:

24 Motion carries.

25 Please proceed.



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MR. USIE:

Do you want me to read the two additional McElroy ones? I only read the first.

MR. WINDHAM:

Oh, yes.

MR. USIE:

20120227, McElroy Metal Mill, Inc., Bossier Parish. Initial contract expiration of 12/31/16. Renewal received 3/9 of 2018.

The next one was 20130279, McElroy Metal Mill, Inc., Bossier Parish. Initial contract expiration 12/31 of 2017, received 3/9/2018.

MR. WINDHAM:

For procedure purposes, we're going to have Mr. Jones make the same motion; correct?

MR. JONES:

Same motion.

MR. WINDHAM:

Seconded by Mr. Fajardo.

All in favor, indicate with an "aye."

(Several members respond "aye.")

MR. WINDHAM:

All opposed with a "nay."

(No response.)

MR. WINDHAM:



1 Motion carries.

2 MR. USIE:

3 20120499, Placid Refining Company, LLC,
4 West Baton Rouge Parish. Initial contract expiration
5 12/31/2016. Renewal requested February 27, 2018.

6 MR. WINDHAM:

7 Is there a representative from Placid
8 Refining Company with us?

9 Please step forward and identify
10 yourself.

11 MR. ADLEY:

12 As he's coming up, this is late all of
13 2017 and several months into '18; that's correct?

14 MR. USIE:

15 Correct. Two months into '18.

16 MR. WINDHAM:

17 For the first one?

18 MR. USIE:

19 For the first one.

20 MR. MCQUISTON:

21 Ron McQuiston with Placid Refining
22 Company.

23 MR. WINDHAM:

24 Mr. Ron.

25 And the second, I believe, was late by



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1 almost three months, two and a half.

2 MR. ADLEY:

3 No. He's late a year and three months,
4 and based on what we've done with the others, that would
5 be a 40 percent reduction in the ITEP, meaning you have
6 three years remaining.

7 MR. WINDHAM:

8 So that would be for the first one,
9 Number 20120499.

10 Mr. Adley has made a motion to reduce it
11 by 20 percent --

12 MR. ADLEY:

13 No.

14 MR. WINDHAM:

15 I'm sorry. By 40 percent.

16 Seconded by Dr. Wilson.

17 Any comment, sir?

18 MR. MCQUISTON:

19 Thank you very much for your
20 consideration.

21 MR. WINDHAM:

22 All in favor, indicate with an "aye."

23 (Several members respond "aye.")

24 MR. WINDHAM:

25 All opposed with a "nay."



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1 (No response.)

2 MR. WINDHAM:

3 Motion carries.

4 The second one I believe also has to
5 be --

6 MR. ADLEY:

7 Same Placid, the next one, and it's a
8 few months. I would move for a 20 percent reduction as
9 we have with the others --

10 MR. WINDHAM:

11 All right.

12 MR. ADLEY:

13 -- that's late this year.

14 MR. WINDHAM:

15 Mr. Adley had made the motion for a 20
16 percent reduction; seconded by Mr. Fajardo.

17 MR. USIE:

18 I didn't read that one out yet.

19 MR. WINDHAM:

20 Oh, please. I'm sorry.

21 MR. USIE:

22 20130457, Placid Refining Company, LLC.
23 Initial expiration 12/31/2017. Renewal requested
24 February 27, 2018.

25 MR. WINDHAM:



1 Motion has been made by Mr. Adley;
2 seconded by Mr. Fajardo.

3 Any other comments from the public?

4 (No response.)

5 MR. WINDHAM:

6 Questions from the Board members?

7 (No response.)

8 MR. WINDHAM:

9 All in favor, indicate with an "aye."

10 (Several members respond "aye.")

11 MR. WINDHAM:

12 All opposed with a "nay."

13 (No response.)

14 MR. WINDHAM:

15 Motion carries.

16 MR. JONES:

17 Mr. Chairman?

18 MR. WINDHAM:

19 Yes, Mr. Jones?

20 MR. JONES:

21 Perhaps it goes without saying, but I'm
22 not going to assume. We look at this, the ITEP, as
23 probably being one of our most valuable incentives, and
24 I think the message that I hope is being taken to the
25 industry and to those who represent the industry, and as



1 you're talking to your association groups, if it's
2 important enough to apply for this, it's important
3 enough to diary renewals, it's important enough to put
4 somebody on top of it to make sure they're monitoring it
5 and it's important enough to file what you're supposed
6 to file in a timely manner. This Board is, I think, is
7 being generous on these renewals, but I appreciate the
8 steps we're taking. I think the message is being sent,
9 but what I would hope to see is this list of renewals
10 gets smaller and smaller every year because we shouldn't
11 have this kind of late renewal issue at all. So I,
12 please, as you go and talk to your association groups,
13 please send the message do your jobs, do the diarying,
14 do the proper filings at the proper time. We're not
15 going to be reminding you, we're not going to be sending
16 out a dun letter. This is your value, take care of it.

17 MR. WINDHAM:

18 Thank you, Mr. Jones.

19 All right. Next.

20 MR. USIE:

21 Next we have --

22 MR. WINDHAM:

23 I think we have --

24 Q. MR. USIE:

25 -- three change in name requests.



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1 United WELD Operations, LP, Contract 20150834 in East
2 Baton Rouge Parish requesting to change their name to
3 Epic Piping, LLC; United WELD Operations, LP, Contract
4 20150189 in Livingston Parish requesting to change the
5 name to Epic Piping, LLC; Yuhuant Chemical, Inc.,
6 Contract 20141117 in St. James Parish requesting to
7 change their name to YCI Methanol One, LLC.

8 MR. WINDHAM:

9 Thank you, Usie.

10 Are there any comments from the public
11 concerning the name changes?

12 (No response.)

13 MR. WINDHAM:

14 Are there any comments from the Board?

15 MR. JONES:

16 Mr. Chairman, I need to recuse myself
17 from any consideration on Yuhuang Chemical, Inc.

18 MR. WINDHAM:

19 So noted. Mr. Jones has recused himself
20 from Yuhuang.

21 Motion has been made by Dr. Wilson;
22 seconded by Major Coleman.

23 All in favor, indicate with an "aye."

24 (Several members respond "aye.")

25 MR. WINDHAM:



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1 All opposed with "nay."

2 (No response.)

3 MR. WINDHAM:

4 Motion carries.

5 MR. USIE:

6 Next we have three change in location
7 requests. Pod Pack International, LTD, Contracts
8 20140273, 20150422 and 20160717. These are all in East
9 Baton Rouge Parish. Previous location 11800
10 Industriplex Boulevard, Suite 9, Baton Rouge, Louisiana
11 70809. New location, 17100 Manchac Park Lane, Suite B,
12 Baton Rouge, Louisiana 70817.

13 MR. WINDHAM:

14 Thank you, Usie.

15 Any comments from the public concerning
16 the change in location for the Industrial Tax Exemption
17 Program application for Pod Pack International?

18 (No response.)

19 MR. WINDHAM:

20 Questions or comments from the Board?

21 (No response.)

22 MR. WINDHAM:

23 Motion has been made by Mr. Fajardo to
24 approve the change in locations; seconded by Mr. Miller.

25 All in favor, indicate with an "aye."



1 (Several members respond "aye.")

2 MR. WINDHAM:

3 All opposed with a "nay."

4 (No response.)

5 MR. WINDHAM:

6 Motion carries.

7 MR. USIE:

8 Next we have 12 transfer of their tax
9 exemption contract requests. Pod Pack International,
10 LTD, Contracts 20140273, 20150422 and 20160717 in East
11 Baton Rouge Parish, and the new owner would be Pod Pack
12 International, LLC.

13 MR. WINDHAM:

14 You can read the next ones, too.

15 MR. USIE:

16 We also have Gulf Island Marine
17 Fabricators, LLC, Contracts 20071166, 20071166A,
18 20071166B, 20091178, 20111134, 20121231, 20121231A,
19 20140006, and 20150029. Those are all in Terrebonne
20 Parish. And the new owner would be Gulf Island
21 Shipyards, LLC.

22 MR. WINDHAM:

23 Any comments from the public concerning
24 the transfer of tax exemptions?

25 (No response.)



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MR. WINDHAM:
Questions from the Board members?
(No response.)

MR. WINDHAM:
Is there a motion?
Made by Ms. Cola; seconded by Ms.
Atkins.

All in favor, indicate with an "aye."
(Several members respond "aye.")

MR. WINDHAM:
All opposed with a "nay."
(No response.)

MR. WINDHAM:
Motion carries.

MR. USIE:
Next we have one partial transfer request. Performance Energy Services, LLC (Harvey), Contract Number 20141612, and it would be Performance Energy Services, LLC in Harvey in Jefferson Parish would retain \$390,111 in assets, and Performance Energy Services, LLC in Houma, Terrebonne Parish would receive \$347,544 in assets.

MR. WINDHAM:
All right. Any comment from the public concerning the partial transfer?



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1 (No response.)

2 MR. WINDHAM:

3 Questions or comments from the Board
4 members?

5 (No response.)

6 MR. WINDHAM:

7 Is there a motion to approve?

8 Made by Mr. Shexnaydre; seconded by
9 Mr. Williams.

10 All in favor, indicate with an "aye."

11 (Several members respond "aye.")

12 MR. WINDHAM:

13 All opposed with a "nay."

14 (No response.)

15 MR. WINDHAM:

16 Motion carries.

17 MR. USIE:

18 Next we have 18 cancelation requests.

19 Entergy Louisiana, LLC, Contract Numbers 20071312,
20 20081244, 20091195, 20101176, 21111224, 20131354, and
21 20141510. Those are all in Iberville Parish, and the
22 company didn't give a reason for the request.

23 MR. WINDHAM:

24 All right. Please proceed and read the
25 rest of them.



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MR. USIE:

Halliburton Energy Services, Inc.,
Contracts 20100024 and 20100024A in Bossier Parish,
company requests cancelation due to manufacturing not
resuming as of December 21st, 2017. Next we have
Halliburton Energy Services, Inc., Contract 060683B and
20080875 in Cameron Parish, company requests cancelation
due to manufacturing not resuming as of December 21st,
2017; Halliburton Energy Services, Inc., Contract
20080781 in Iberville Parish, company requests
cancelation due to manufacturing not resuming as of
December 21st, 2017; Mondi Bags USA, LLC, Contracts
20090828, 20120379, 20130338, 20140440, 20150693 and
20160967. Those are all in Bienville Parish. Company
requests cancelation due to no longer being in operation
at this facility as of December 31st, 2017.

MR. WINDHAM:

Thank you, Usie.

Are there any comments from the public
concerning the cancelation of those contracts?

(No response.)

MR. WINDHAM:

Any questions or comments from the Board
concerning the cancelations?

(No response.)



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1 MR. WINDHAM:
2 Is there a motion to approve the
3 cancelations?

4 Made by Ms. Atkins; seconded by
5 Mr. Jones.

6 All in favor, indicate with an "aye."
7 (Several members respond "aye.")

8 MR. WINDHAM:
9 All opposed with a "nay."
10 (No response.)

11 MR. WINDHAM:
12 Motion carries.

13 MS. CHENG:
14 I had have six ITE appeals.

15 MR. WINDHAM:
16 All right. Please proceed.

17 MS. CHENG:
18 Okay. CARBO Ceramics, Inc., Contracts
19 20110334 and 20110335. Their late renewals were
20 initially denied because there was no company
21 representative here and they would like to appeal that
22 decision.

23 MR. WINDHAM:
24 All right. Is there a representative
25 from CARBO Ceramics with us today?



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MR. ADLEY:

How late were they?

MS. CHENG:

They were six months late. However, we didn't bring them back because LED was misinformed about the facility not being in operations, but we did go do a site inspection and have looked over their tax filings, and they were in deed in operation between 2016 and present.

MR. ADLEY:

How legitimately late are they?

MS. CHENG:

They were six months. They filed their late renewal six months late.

MR. WINDHAM:

All right. Please identify yourself.

MS. MASON:

Brittany Mason, CARBO Ceramics.

MR. WINDHAM:

All right, Ms. Mason.

Questions?

MR. MILLER:

They've not been put on the tax rolls?

MS. CHENG:

No. I checked with Iberia Parish.



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MR. ADLEY:

And so I think what the confusion that occurred somewhere between y'all is these 20 percent rule that we would normally apply would probably fits this one.

MS. CHENG:

Yes, sir.

MR. ADLEY:

I would move for a 20 percent reduction.

MR. WINDHAM:

All right. Motion has been made; seconded by Mr. Richard.

MS. CHENG:

We're going to have to approve the appeal because it was already denied. So you're going to have to approve the appeal before you reconsider the late fee.

MR. WINDHAM:

All right. Mr. Adley, your motion is to?

MR. ADLEY:

Well, I'll move to approve the appeal with the understanding that the renewal is going to be for four years.

I assume this was a five year?



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1 MS. CHENG:

2 Yes, sir.

3 MR. ADLEY:

4 That the renewal will be for no more
5 than four.

6 MR. WINDHAM:

7 Motion has been made to approve the
8 appeal; seconded by Ms. Cola.

9 Any other comments from the public
10 concerning the appeal?

11 (No response.)

12 MR. WINDHAM:

13 Questions or comment from the Board?

14 (No response.)

15 MR. WINDHAM:

16 All in favor, indicate with an "aye."

17 (Several members respond "aye.")

18 MR. WINDHAM:

19 All opposed with a "nay."

20 (No response.)

21 MR. WINDHAM:

22 Motion carries.

23 All right. Mr. Adley, your motion still
24 stands with a one-year reduction?

25 MR. ADLEY:



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I'm happy.

MR. WINDHAM:

Still seconded by Mr. Richard.

Any other comments from the public?

(No response.)

MR. WINDHAM:

Questions from the Board.

(No response.)

MR. WINDHAM:

All in favor, indicate with an "aye."

(Several members respond "aye.")

MR. WINDHAM:

All opposed with a "nay."

(No response.)

MR. WINDHAM:

Motion carries.

Thank you.

MS. CHENG:

And then I have Calumet Lubricants Co.,
LP, Application 20170189 in Bossier Parish.

MR. WINDHAM:

All right. Is there a representative
from Calumet?

Please step forward.

Dr. Wilson, you're on deck.



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DR. WILSON:

Yes, sir, I am.

MR. WINDHAM:

Please identify yourself.

MS. SADLER:

Jennifer Sadler, Tax Manager, Calumet.

MR. WINDHAM:

All right. I know last time we gave you an extension, and you're requesting another extension?

MS. SADLER:

Well, we did receive, for Shreveport, we did receive support from the Caddo Parish.

MR. WINDHAM:

Okay. Good.

Dr. Wilson.

DR. WILSON:

Yes, sir. I can speak to the Caddo Parish, but not to Bossier.

Ms. Jennifer, is Bossier Parish on board and will provide --

MS. SADLER:

We haven't received that, no.

MS. CHENG:

I received a denial from the Bossier Parish Police Jury and have not received anything from



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1 the school board or the sheriff.

2 MR. ADLEY:

3 Okay. But the facility is located in
4 Shreveport?

5 MS. CHENG:

6 There are two, two facilities.

7 MR. ADLEY:

8 One in Princeton and one in Shreveport?

9 MS. SADLER:

10 Right. Right.

11 MR. ADLEY:

12 One in Bossier. It's Princeton.

13 So my question is, if she received from
14 Caddo what we asked them to get but she has not received
15 from Bossier, you would only -- if you were going to
16 approve, you would only approve the one in Caddo?

17 MS. CHENG:

18 Yes, sir.

19 MR. ADLEY:

20 That's my understanding.

21 MS. CHENG:

22 That's correct.

23 MR. ADLEY:

24 Is that your understanding, what y'all
25 want to do in Caddo?



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DR. WILSON:

Yes, sir.

Now, I just have one question, though.
Ms. Kristin, will Bossier School Board be providing any
at all to us; do you know?

MS. CHENG:

I have not been informed that anything
else was going to be provided for Bossier Parish. I
only received one letter from the police jury denying
their request.

DR. WILSON:

So we really don't know the --

MR. ADLEY:

Denying?

DR. WILSON:

We don't know their intent from both
Bossier School Board and Bossier City Government?

MS. SADLER:

Yep, that's correct.

MR. WINDHAM:

Mr. Jones.

MR. ADLEY:

Well, let me just interject this, if I
can. I think the rule is that we vote, and you -- I
think it was you, Mr. Chairman, that came up with this



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1 idea, and that was you had to go the parish, you had to
2 go to the sheriff and you had to go to the school board
3 and you had to go to the city impacted. If someone
4 didn't take any action, then they were stuck with like
5 two thirds of what the others did. If the others have
6 done nothing and one said no, then there's nothing to
7 grant.

8 MR. WINDHAM:

9 That is correct.

10 DR. WILSON:

11 That is correct. I agree. However,
12 when you get to the next application, on Caddo's side,
13 the City of Shreveport and the school board was
14 understanding that they had more time to act on this
15 matter, and they have not acted yet, so we're requesting
16 for an extension until our next meeting. Caddo Parish
17 Commission had a meeting last Thursday. The City of
18 Shreveport, based on our discussions yesterday, and
19 they're under the impression they had more time to act.

20 MR. WINDHAM:

21 They intend to act one way or the other?

22 DR. WILSON:

23 Yes, sir, they're going to act one way
24 or the other.

25 MR. WINDHAM:



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1 All right. Mr. Jones, you have a
2 question, I believe?

3 MR. JONES:

4 It's been answered.

5 MR. WINDHAM:

6 All right. Based upon that, we'll take
7 up the Bossier one first, Bossier Parish one first.

8 So just to confirm, Ms. Cheng --

9 MR. ADLEY:

10 So the only thing you have from Bossier
11 is a letter of rejection from the Jury and nothing from
12 anyone else?

13 MR. WINDHAM:

14 I believe it's from the sheriff.

15 Ms. Cheng, Kristin?

16 MS. CHENG:

17 Excuse me?

18 MR. WINDHAM:

19 The letter of denial is from the
20 sheriff; correct?

21 MS. CHENG:

22 For Caddo?

23 MR. WINDHAM:

24 For Bossier.

25 MS. CHENG:



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1 For Bossier, no. It's from the police
2 jury.

3 MR. WINDHAM:

4 From the police jury.

5 MR. ADLEY:

6 Then I would move that you not grant the
7 extension for Bossier, that you do grant the extension
8 for Caddo based upon your testimony you wanted more time
9 for the approval.

10 DR. WILSON:

11 Yes, sir. I appreciate that.

12 MR. ADLEY:

13 We've heard nothing positive in any way
14 from Bossier?

15 MS. SADLER:

16 That's correct.

17 MR. WINDHAM:

18 Secretary Pierson.

19 SECRETARY PIERSON:

20 I just want to understand the process
21 here. You've got correspondence to the Bossier Parish
22 School Board, and you have not received a communication
23 one way or the other?

24 MS. SADLER:

25 That's correct.



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1 SECRETARY PIERSON:

2 And then the facility is actually in
3 Princeton, it doesn't have anything to do with Bossier
4 City, which I think may have been entered into the
5 record, but this a rural occasion.

6 MS. SADLER:

7 Yep. That's outside.

8 MR. ADLEY:

9 This would be Princeton, I assume, the
10 only town impacted would be Princeton. Have y'all
11 contacted Princeton?

12 MS. SADLER:

13 Yes, we have.

14 MR. ADLEY:

15 And you've got nothing back from them?

16 MS. SADLER:

17 No.

18 SECRETARY PIERSON:

19 What were the dates of the contact? How
20 much time has been afforded to those local --

21 MS. SADLER:

22 We sent everything out in January.

23 MR. WINDHAM:

24 January of this year?

25 MS. SADLER:



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1 Uh-huh.

2 MR. WINDHAM:

3 All right. Unfortunately, the motion
4 has been made to deny for Bossier Parish tax exemption,
5 and the second has been made by Dr. Wilson.

6 Is there any further discussion from the
7 public concerning this?

8 (No response.)

9 MR. WINDHAM:

10 Any further discussion only related
11 to -- by the Board members?

12 (No response.)

13 MR. WINDHAM:

14 All in favor, indicate with an "aye."
15 (Several members respond "aye.")

16 MR. WINDHAM:

17 All opposed with a "nay."

18 (No response.)

19 MR. WINDHAM:

20 Motion carries.

21 All right. So your motion for the
22 second one is to grant the extension?

23 Dr. WILSON:

24 Yes.

25 MR. WINDHAM:



1 Motion by Dr. Wilson; seconded by...

2 MR. JONES:

3 How long? Until June?

4 MR. WINDHAM:

5 Until the next Board meeting; correct?

6 MR. JONES:

7 Yes.

8 MR. WINDHAM:

9 Seconded by Mr. Fajardo.

10 Any comments from the public?

11 (No response.)

12 MR. WINDHAM:

13 Questions from the Board?

14 (No response.)

15 MR. WINDHAM:

16 All in favor, indicate with an "aye."

17 (Several members respond "aye.")

18 MR. WINDHAM:

19 All opposed with a "nay."

20 (No response.)

21 MR. WINDHAM:

22 Motion carries. So we'll see you at the
23 next Board meeting.

24 MS. CHENG:

25 This conclude the Industrial Tax



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1 Exemption portion.

2 MR. WINDHAM:

3 All right. Thank you, Ms. Cheng.

4 Before we get into our comments, I've
5 been asked to make sure that the Board members are aware
6 a Civil Law training has been made available to us by
7 the Office of Attorney General Jeff Landry dealing with
8 dual office holding, open meetings, case, attorney
9 general opinion policy and public records, and it is to
10 be held on May 21st. So, actually, on the back, there's
11 a number of dates, May 21st, June 25th, July 30th,
12 August 27th, September 24th and November 26th. So
13 this -- I don't know if it's in place of our ethics
14 training, but it is being made available to us as Board
15 members.

16 With that said, I will turn the floor
17 over to Secretary Pierson.

18 SECRETARY PIERSON:

19 Thank you, Mr. Chairman and fellow Board
20 members. We have some important conversation to have
21 today to bring the public element and the stakeholder
22 element up to speed here today. We've provided a
23 written document relative to some proposed improvements
24 to the Louisiana Industrial Tax Exemption Program.

25 Before I get into that, I would like to



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1 also acknowledge to the Board that our last meet, there
2 was some discussions around the return on investment,
3 and as I had pledged to you, we have provided to you a
4 document that gives you that overview and the way that
5 we approach projects and conduct our return on
6 investment calculations.

7 I would also note to the public that
8 OpportunityLouisiana.com there will be a link and you
9 can observe the documentation relative to our approach
10 on run on investment calculations for our projects.

11 With that said, any questions relative
12 to the ROI discussion and the information that I
13 provided to you?

14 MR. ADLEY:

15 I think, Mr. Secretary, when you do your
16 workshops for us, when you get to the rules, we're
17 probably just going to set aside 1 and go through the
18 ROI and your return on the investment.

19 SECRETARY PIERSON:

20 I'll be glad to review that with our
21 members at any time, sir.

22 We'll begin a conversation relative to
23 some proposed process improvements for Louisiana's
24 Industrial Tax Exemption Program, the one that we've
25 spent a lot of time here today focused on because, as



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1 Mr. Jones pointed out, it is our most significant
2 workforce program that's utilized in the state to keep
3 our ability to grow our existing industry and to attract
4 new industry here.

5 Late last year, Governor John Bel
6 Edwards directed LED to make recommendations regarding
7 improvements to the program. I would think that each of
8 you in your individual course of business constantly
9 review your programs to be sure they're effective and
10 efficient, and certainly across our department, that's
11 something we're doing, but certainly it was noted by the
12 Governor that there's been some challenges that have
13 been encountered since the implementation of the
14 Executive Order that was issued on June 24th, 2016.

15 LED took a very comprehensive approach
16 to this directive from Governor Edwards, and for several
17 months, we have conducted extensive reviews internally,
18 we've had extensive dialog with all of our stakeholders,
19 which include a number of associations across the State.
20 Those include the Louisiana Business and Industry
21 Association, Louisiana Chemical Association, Louisiana
22 Industrial Development Executives Association,
23 Midcontinent Oil and Gas, off to the School Board
24 Association, Police Jury Association, the Association of
25 Tax Assessors, Louisiana Sheriffs Association, Louisiana



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1 Municipal Association, and the Associations of
2 Educators. We've also included in the conversation
3 Together Louisiana.

4 It would be fair to say that local
5 governments, economic development practitioners, the
6 business community and the community support groups are
7 supportive of changes to the program. I think we're all
8 together on noting that there are ways that we can
9 become more effective and efficient in the execution of
10 this important program.

11 With that said, I want to make you aware
12 of what I've noticed to this Board on the 16th of April
13 relative to the principles that we will seek to achieve
14 with the proposed process improvement for this program.

15 First is to streamline the
16 accountability document. It's a very important feature,
17 one that was first brought forward with the Executive
18 Order from June of '16, and that's the accountability
19 feature for the company to represent what their jobs,
20 wages, capital investment and term investment will be.
21 That alone allows the certainty at the local level to
22 consider what they will receive in exchange for the tax
23 abatement afforded to the company.

24 Initial document would staff through
25 state government. It's known as Exhibit A, and as it



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1 passed through the Division of Administration and the
2 Office of Contract Review, it gained many features that
3 are important to state government. However, at the same
4 time, it gained many features that were not necessarily
5 applicable to a company making the application for the
6 Industrial Tax Exemption Program. So after significant
7 review, in concert with LABI, LIDEA and others, LED was
8 able to bring about a more efficient draft document.
9 I'll call it a skinny Exhibit A. So we've been able to
10 downsize that and hopefully take administrative burden
11 away from that process.

12 Goal number two is to provide for
13 property tax revenues reaching communities sooner and
14 yet maintain an attractive abatement yield in order to
15 successfully recruit and expand companies in Louisiana.

16 The constitutional amendment that
17 established ITEP provided for a five-year, 100 percent
18 tax abatement and an additional five-year, 100 percent
19 tax abatement provision. In order to provide a better
20 community property tax yield, Governor Edwards'
21 Executive Order 2016-73 reduced the term to maximum of
22 eight years, five years at 100 percent and an additional
23 three years at 80 percent. When one compares the two
24 programs, the latter is approximately 75 percent yield
25 of the original program due to the shorter term and the



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1 reduction from 100 percent to 80 percent during three
2 years of the allowable term.

3 It should be noted that while this was
4 an improvement in delivery of property tax revenues to
5 local communities, certainly the revenue stream began in
6 year six.

7 What we are proposing in the new rules
8 is to provide an improved stable and needed property tax
9 revenue earlier in the process reaching communities
10 sooner and yet maintaining an attractive abatement yield
11 to successfully recruit and expand industry in
12 Louisiana.

13 We're proposing that an ITEP term be
14 returned to the 10 years, but a level of 80 percent tax
15 abatement. This improvement will provide property tax
16 revenues to communities sooner as these assets will be
17 placed on tax rolls year one, going back to
18 constitutionally-created 100 percent, 10-year tax return
19 Tax Abatement Program. That program established a
20 revenue for the community beginning in year 11. The
21 revised Executive Order provided for revenues coming
22 into communities in year six. This proposal will bring
23 revenues to communities in year one, when these
24 communities are experiencing the burden of construction,
25 traffic, infrastructure improvements, schools, law



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1 enforcement across the board.

2 In discussions with industry and
3 business, we're supportive of strong school systems,
4 enhanced infrastructure and certainly law enforcement.
5 So the idea that we can maintain a yield of 80 percent
6 and at the same time provide revenues to communities
7 faster, we believe to be an important feature of this
8 improved program.

9 Finally, and I think it was noted here
10 today, that was kind of a staged example, but you saw
11 the difficulty of messaging to our impacted parishes,
12 sheriffs and school boards. We seek to streamline the
13 approval process for local governments while retaining
14 the important feature of their exercise of a local voice
15 in the approval process. Most local governments
16 expressed great appreciation for this newly-established
17 voice, but at the same time, they've spent an inordinate
18 amount of time trying to figure out how to evaluate
19 ITEP, consider return on investment, review
20 qualifications and company deliverables, job, wages,
21 capital investment, term. Essentially those were
22 challenges that they were not well equipped to do to
23 execute.

24 The LED staff is much better equipped to
25 consider the program qualifications, legal examination



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1 of Exhibit A, establishing accountability and process
2 abatement contracts. So in order to lift that
3 administrative burden off of the shoulder of local
4 governments, LED proposed the process be realigned as
5 follows: After filing an Advance Notification, an
6 applicant will submit its application to the Board of
7 Commerce & Industry with Exhibit A. This Board will
8 consider the application, and with LED as its
9 administrative agent, review the application and allow
10 it to come before the Board for approval. Approved
11 applications will then be noticed to all of the
12 applicable governmental agencies to include the
13 assessors. Upon receipt, local governments can rely on
14 the C&I Board's approval as a project that is in
15 compliance with program rules and regulations. The
16 local government can then choose to consider the
17 application or take no action. Taking no action will be
18 considered by this Board as acceptance and approval.
19 The community seeks to take the application to a vote,
20 then those local governments, after being noticed,
21 should place that on their agenda for their next meeting
22 essentially within 30 days of receipt of notification
23 from the C&I Board.

24 Once on the agenda, the body must
25 approve or deny at the next regular meeting, no more



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1 than 60 days from receipt. In this way, communities can
2 continue to have active knowledge, an understanding of
3 the mechanism that we're utilizing to manage and a voice
4 in being able to opt in or opt out of ITEP in a more
5 streamlined and organized way. Noted that sheriff
6 requirement of public proceedings, so their letter would
7 be expected to be returned to LED to the C&I Board
8 within 30 days of their notice.

9 This revised process will preserve the
10 important feature of local voice and provide for more
11 process certainty as well as relief from significant
12 administrative burden at the local level.

13 We had an example of Calumet today,
14 which, again, will now have a 60-day waiting period
15 before they have certainty. With this process that
16 we're proposing, if there's no objection within 30 days,
17 the company can be confident that they can move forward
18 with the knowledge of what their tax abatement will be.
19 In the event that the local voice is exercised, they
20 will then have that same additional 30 days to wait, but
21 at the end of that timeframe, they will have the
22 certainty of knowing what their exemptions will be.

23 This is something we've spent a lot of
24 time in taking a look at and are prepared to move
25 forward with implementation through process that will be



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1 managed by this Board.

2 It should be noted that we will do this
3 in strict compliance with the Administrative Procedures
4 Act.

5 And with that, I would like to move that
6 this Board act to advance what has been directed by the
7 Governor to initiate these improvements, do so in a
8 manner that's in compliance with the Administrative
9 Procedures Act and act as a body in order to move the
10 program forward to consider ITEP rule changes.

11 And let me be a little more specific
12 about that, as I ask this Board to consider making that,
13 my motion and a pathway going forward. There has been a
14 set of rules provided. Those rules are available to the
15 public at our link at OpportunityLouisiana.com. By this
16 body's moving forward with this activity, we will then
17 be able to provide a Notice of Intent, one of the
18 features required by the Administrative Procedures Act,
19 and anticipate then that we would be able to establish a
20 period from now until the 22nd of June as a time for
21 written comments. That gives us eight weeks for these
22 suggested remarks or comments to arrive. We would then
23 be able to set a public hearing date for the 25th of
24 June, and we would then be able to come together with a
25 revised set of documents to be considered by the Board



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1 for formal adoption at our meeting on 27 June.

2 With this, we would accomplish needed
3 and appropriate changes to the program to streamline the
4 process, provide a competitive tax exemption program for
5 our state and create a more efficient local approval
6 process.

7 MR. WINDHAM:

8 Thank you, Mr. Pierson.

9 So your motion is to move forward as a
10 body of the whole in consideration of these rules?

11 MR. ADLEY:

12 So, Mr. Chairman --

13 MR. JONES:

14 Do you want a second to the motion so we
15 can open it for discussion?

16 MR. WINDHAM:

17 That's a motion. Second was made by
18 Mr. Jones.

19 MR. WINDHAM:

20 All right. Open for discussion.

21 Mr. Adley.

22 MR. ADLEY:

23 So the motion would be that -- the
24 discussion, Don, you and I had night before last, these
25 rules would end up in the Rules Committee, as they



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1 always do, and would be back here for our next meeting
2 for approval by the entire body. You're not suggesting
3 we bypass that?

4 SECRETARY PIERSON:

5 That's our goal is that if we can
6 conduct eight weeks of input, that's, in my view, a very
7 allowable, reasonable amount of time to have the
8 internal discussions necessary, to get the association
9 and public input necessary so that we can arrive at an
10 adoption with the goal of adoption on 27 June. Again,
11 that's nine weeks away. Even with that, we would then
12 have publication of those new rules, and likely these
13 would become effective mid August. That's an aggressive
14 timeframe, but I believe that these improvements rise to
15 that level and that we would hope to move forward in
16 that manner.

17 MR. WINDHAM:

18 So let me ask legal counsel, timing, how
19 this would work. My understanding is the rules have to
20 be published, available for public comment.

21 MS. BOURGEOIS:

22 Right. And we anticipate that to occur
23 on May 20th.

24 MR. ADLEY:

25 That's correct. After we have our next



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1 meeting and the Board approves the complete set of
2 rules. You're talking about publication now.

3 MS. BOURGEOIS:

4 Yes, sir, to begin that APA process.

5 MR. ADLEY:

6 Okay. What I'm going to suggest to you
7 as a proper approach for the Board to do what we've
8 always done and you go back to the Rules Committee
9 process. I believe, and I've set dates as chairman of
10 that committee, a procedure letter where you talk about
11 having a workshop for us, in one part of this. I would
12 suggest that the Rules Committee would meet on May the
13 22nd, the 27th and the 5th and the 12th if necessary.
14 We'll go through the rules, strike out all of the
15 provisions and current law that does no longer apply in
16 these rules, clean them up, put them over here for
17 everyone to see and then adopt the rules.

18 MR. HOUSE:

19 The Secretary is acting under his
20 authority under Louisiana law as provided with the rules
21 today. These are the rules before the committee and
22 those are going to be subject to publication and the
23 APA, and anyone, any citizen of Louisiana, is welcome to
24 make comments on those rules. And in terms of a rules
25 process, we have, from the beginning, as the Secretary



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1 pointed out, first of all, the Governor initiated this,
2 and then at the Governor's instruction, we have talked
3 across the board to people throughout. They're well
4 aware of what we're talking about here. They certainly
5 have the opportunity to review the rules.

6 But in terms of drafting the rules, a
7 set of rules has been drafted. It certainly is subject
8 to comment and review by this Board in a very open
9 process, but there's no need for a drafting set of four
10 or five or whatever you're talking about drafting
11 sessions. That work has been accomplished throughout
12 with the output and reach out that we have had. We have
13 fully consulted all, and I mean all, as the Secretary
14 said, stakeholder groups.

15 Now, that doesn't mean that those
16 stakeholder groups are barred from making public
17 comments and making their views known. You know, I
18 don't think that there's anyone that we've talked to who
19 will agree with everything that's going on here, but I
20 think that we did make that effort and we brought that
21 out.

22 And I will say this: The Governor wants
23 these rules implemented as soon as possible and
24 permissible under the law. And today is April the 25th.
25 The next meeting that the Secretary's talking about is



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1 June 27th, so there's plenty of time between now and
2 then for comment, but the rules are already there.

3 And one other thing that I think the
4 Governor wants too is a simplification of this process,
5 and he would like to have the Department of Economic
6 Development so far has delivered with respect to other
7 programs, a simplification of the processes in moving
8 forward with economic development successes that the
9 Governor and the Secretary are bringing about.

10 So that's where we stand, and there
11 simply isn't a need for drafting sessions.

12 MR. ADLEY:

13 Richard --

14 MR. WINDHAM:

15 Secretary Pierson.

16 SECRETARY PIERSON:

17 I just want to be sure. I don't see
18 anything that would precludes those meeting dates for
19 discussion that you've outlined, Mr. Adley.

20 MR. ADLEY:

21 And I said clearly you should not
22 publish rules until they are adopted by the Rules
23 Committee.

24 Now, Richard --

25 SECRETARY PIERSON:



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1 Excuse me.

2 MR. ADLEY:

3 Pardon me.

4 -- I'm reading your text to me yesterday
5 and came here today representing the Governor with his
6 intention to move swiftly through the Rules Committee
7 get it approved through the APA. This is your message
8 to me yesterday, "Rules will not be adopted tomorrow."

9 MR. HOUSE:

10 No rules are being adopted today. None
11 whatsoever --

12 MR. ADLEY:

13 Asking --

14 MR. HOUSE:

15 -- are being adopted today. The
16 Secretary has prepared and is issuing rules that are
17 going to be published. Those are not adopted.
18 Publishing them is not adopting them.

19 MR. ADLEY:

20 Richard --

21 MR. HOUSE:

22 No, sir. You're not going to interrupt
23 me.

24 Publishing them is not adopting them.

25 And let me speak to the Rules Committee in terms of the



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1 Rules Committee has to operate under the resolution of
2 the Board. The Rules Committee is subject to what the
3 Board wants to do. There's no constitutional or even
4 statutory place for the Rules Committee.

5 The Board can act as a Rules Committee.
6 The Board can disregard what the Rules Committee brings
7 to it. So if there's a procedure out there, I couldn't
8 find it, nor could Brenda Guess, who's been here a lot
9 longer than anybody.

10 So let's get all of this straight on
11 what we have to do and --

12 MR. ADLEY:

13 Let's do get it straight.

14 MR. HOUSE:

15 -- and what I told you yesterday is 100
16 percent correct.

17 MR. ADLEY:

18 Richard, the text to you was, "Talked
19 with Don last night. We'll have several meetings with
20 Rules Committee before presentation of rule changes to
21 the entire Board for adoption in June. We will not
22 adopt anything tomorrow. Is that your understanding?"

23 Your response, "Rules will not be
24 adopted tomorrow."

25 Now, you may have played with words, I



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1 guess, because you're going to the APA, but I think, at
2 least the fellow I represent believes, we are going to
3 the Rules Committee and we'll be back in here in June
4 for that final set.

5 MR. WINDHAM:

6 So let me ask the attorneys this: Is
7 there any reason that this full body cannot act as the
8 Rules Committee?

9 MR. HOUSE:

10 No.

11 MR. WINDHAM:

12 So is this body willing to act as the
13 Rules Committee?

14 MR. JONES:

15 I think that's the motion before the
16 Board right now.

17 MR. WINDHAM:

18 All right.

19 MR. ADLEY:

20 And I'm going to object.

21 MR. WINDHAM:

22 All right. Secretary Pierson.

23 SECRETARY PIERSON:

24 I was trying to make some points of
25 clarification. One of the things I heard you say,



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1 Mr. Adley, was that there were other or older elements
2 that needed to be taken out of the rules. This set of
3 rules is only designed to stay in the lane of what we've
4 been directed and approved to do here, and other
5 activities, other suggested rule changes may be or may
6 not be things that the body should consider. That
7 should be, in my mind, a separate endeavor that doesn't
8 slow down this process.

9 Now, there are no adoption of any rules
10 today. There's a publication, a starting point for
11 discussion that is focused on the implementation of the
12 program that I have outlined. There's going to be
13 plenty of time for dialog for every Board member here,
14 and to establish a separate Rules Committee might be to
15 tell certain members of this Board that they're either
16 on or off that Board. This is open discussion and
17 should lead us through a lot of dialog and arrive at
18 point where we can implement these important changes.

19 MR. ADLEY:

20 If I can just point this out,
21 Mr. Chairman, when you move through this process, if you
22 adopted rules today and you start your APA process and
23 you hit any -- if you hit any, any kind of conflict,
24 you're back to the Board and you have delayed enactment
25 again. I believe sincerely that if you take this month



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1 and do what we have normally done and you bring all of
2 the parties in, your rules are going to be cleaned up
3 and you're going to have what you've asked for, and you
4 I both have asked for the same thing. The proper thing
5 for us to do, in my view -- and I think you're right.
6 You can do anything you want to as a group. You can do
7 that, but I'm going to plead with you that the Rules
8 Committee should take these rules, have them back to you
9 at the next meeting in June and you'll have a complete
10 set that you had ample time to go through and you can
11 vote up or down and move it on through the process.

12 MR. WINDHAM:

13 Mr. Jones.

14 MR. JONES:

15 I'm not sure if my question is to Don or
16 Richard, but under the motion, at what point in time
17 would the Board as a whole acting as a Rules Committee
18 consider the rules?

19 MR. HOUSE:

20 After the final time for public comment,
21 which would be June 27. However, you could -- you could
22 leave that open so that if the Board needed to consider
23 the rules before then because of some reasons coming
24 from the public comments or feedback that you would get,
25 that you could do that.



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1 MR. JONES:

2 So we could call a special meeting of
3 the Board and have all of the public input we desire?

4 MR. HOUSE:

5 Before June 27th. But as of June -- you
6 could also delay the June 27th meeting, too. But as of
7 the schedule that we're on right now, we're talking
8 about an implementation of the rules under the APA of
9 around August the 25th, three months, 90 days.

10 MR. JONES:

11 Just for clarity in my own mind, so we
12 can do at least one of maybe infinite things, but what
13 you've outline is if the Board chooses to call a special
14 meeting and have public input based on the information
15 that we've gotten, we can sure call that special
16 meeting, or at the presently-scheduled meeting June
17 27th, we can do that at that meeting?

18 MR. HOUSE:

19 Correct.

20 MR. WINDHAM:

21 And we have a public hearing date of
22 June 25th.

23 MR. JONES:

24 Proposed.

25 MR. WINDHAM:



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1 Proposed.

2 MR. JONES:

3 And I guess that's where my confusion
4 was. What is the June 25th meeting intended to be?

5 MR. HOUSE:

6 It's a public hearing.

7 MR. JONES:

8 So we would --

9 MR. HOUSE:

10 It's a required public hearing, and
11 that's the earliest we can do that required hearing
12 under the APA. But, again, people can submit written
13 questions to us and anything else they want to do
14 between now and then, but the last time, we couldn't
15 move forward with the rules being considered by the
16 entire Board until we had had that public hearing. Now,
17 you can have a meeting before then if you want to have
18 one, but to have the rules fully considered, it's going
19 to have to be after June 25th.

20 MR. JONES:

21 Is there any reason we couldn't have
22 that public hearing at the meeting on the 27th?

23 MR. HOUSE:

24 That would be the idea of doing it, yes.
25 Both things would be noticed under the Publics Meetings



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1 Law, and the Board would then be sitting at that time
2 and taking those into consideration at that time.

3 MR. JONES:

4 Because it would seem to me that that
5 would be the most efficient from the standpoint of
6 simply planning to have the meeting on the 27th, if,
7 however the public, the staff comes to us and said we've
8 gotten public comments that raises serious questions, a
9 special meeting can be held prior to the 27th and can
10 call that public hearing at least by no earlier than the
11 25th?

12 MR. HOUSE:

13 Correct.

14 MR. JONES:

15 Okay. I'm with you.

16 MR. HOUSE:

17 And the rules are now on the website
18 today. There's a link them as of about 9:30 or 10
19 o'clock this morning.

20 MR. JONES:

21 And the rules --

22 MR. HOUSE:

23 For public consumption.

24 MR. JONES:

25 I'm sorry. I didn't mean to interrupt.



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1 The rules that have been in published
2 are the rules specifically outlined by Mr. Pierson
3 earlier?

4 MR. HOUSE:

5 Correct.

6 MR. JONES:

7 And as I appreciate what we're trying to
8 do is keep this issue limited to these ITEP changes; is
9 that correct?

10 MR. HOUSE:

11 That's correct.

12 MR. JONES:

13 The fear of being that if we start going
14 outside of those issues, we bring a lot of extreme --
15 I'm sure the rules have a lot of tidying up to do, but
16 we don't want to bring that into these issues at this
17 time; is that accurate?

18 MR. HOUSE:

19 Well, that's going to be up to y'all.
20 The public has the right to comment on the rules that
21 are now are on the website. They're going to be
22 published in the Louisiana Register, and those are
23 not -- it's still up to this Board to decide. This has
24 nothing to do with -- this is part of the process
25 leading to an adoption of a set of rules.



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MR. JONES:

They're not adopted until we adopt them?

MR. HOUSE:

They're not adopted until you adopt, and you can't adopt them or approve them until after the public hearing date June 25th and your meeting date June the 27th.

MR. JONES:

Okay.

MR. HOUSE:

And then after that, there is also another notice, and the period under the APA goes to August 25th. And so they would not be in effect until August 25th, but by publishing these now, we have gotten them on the agenda or gotten them going forward to August 25th.

The last time when we started with the Rules Committee process, it was a time period that took nearly a year because we did not publish the rules until after the Rules Committee had had several meetings, then when it got to the Board, the Board made some further changes. So the process I believe we finally passed those rules June the 20th, 2017, which was nearly a year after the Executive Order, and the Executive Order pretty much laid out the template for what we were going



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1 to do. So this is hopefully going to be -- we're trying
2 to make this a faster process. But let me stress,
3 again, you're not committing yourselves to approve
4 anything right now. What you're committing yourselves
5 to or trying to do is move the process forward so that
6 you can approve something within a timely period, more
7 timely period, thinking about business, more business
8 certainty under this and go forward and that's what we
9 were charged to do and that's what the Secretary
10 outlined.

11 MR. JONES:

12 I'm sorry, Mr. Chairman. One more
13 question.

14 Is it accurate then to say that the
15 rules that you have brought to us and are now posted on
16 the website are coming to us as a recommendation from
17 the staff? Is that essentially correct?

18 MR. HOUSE:

19 And the Secretary, yes.

20 MR. JONES:

21 And the Secretary. Thank you.

22 MR. WINDHAM:

23 Thank you, Mr. Jones.

24 All right. I do have to say we all know
25 how much time and effort was put in last time to these



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1 rules. These, from what I have appreciated, have been
2 the small adjustments that really need to be made so
3 that we as a Board and as a State can portray to all of
4 the industries that are out there, all of the
5 businesses, all of the consultants, that we have a
6 stable process in place that they can look to as they're
7 doing their matrices so that they can make their
8 decision. We want to stay competitive. These were the
9 very few areas that we got feedback both from the
10 locals, from the companies and from the Economic
11 Development community and the industries that we need to
12 have some certainty in here. So I believe, you know,
13 that these are good things to look at. I just wanted to
14 say that.

15 Mr. Richard. I see you reaching for a
16 button.

17 MR. RICHARD:

18 I'm good.

19 MR. WINDHAM:

20 All right.

21 Mr. Moller.

22 MR. MOLLER:

23 Is now the time talk about the proposed
24 rules or...

25 MR. WINDHAM:



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1 No. Now, no.

2 MR. MOLLER:

3 Okay. Because I have some questions
4 about what you're actually proposing.

5 SECRETARY PIERSON:

6 No. We invite your full inspection of
7 those, and that dialog we would want to have with you at
8 anytime that is available to you or our staff, but this
9 was designed to illuminate the strategic goals of what
10 we're trying to achieve, a methodology that gets us
11 there rapidly, that does not take the voice of any of
12 the members of the C&I Board out of play and there is
13 plenty of room and plenty of time for constructive
14 dialog to improve the document that we have drafted and
15 provided to you.

16 MR. MOLLER:

17 So the time for this Board to have a
18 public dialog about the current rules versus the new
19 proposed rules is going to be when, on June 25th or on
20 the 27th or are we going to have that public dialog?

21 MR. ADLEY:

22 It really -- look, I've dealt with APA
23 rules, Richard, probably as long as you have, and I've
24 been here 40 years. I can tell you what it means.
25 You're not adopting the rules because the APA process



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1 will adopt the rules. If you come back, you've already
2 published the rules. When the rules get published,
3 they're basically saying this is what you are for.
4 That's really what you're doing. Now, you may not be
5 saying I'm voting to approve the rules, but when you
6 approve to publish it for the APA, you're saying this is
7 what we believe is the right thing to do.

8 You can come during the process and
9 voice your opinion, as any citizen can, and then if you
10 find problems with it, then it gets delayed again. So
11 that's exactly what happened to us the last time when it
12 took as long as it did. We got the rules out fairly
13 quickly, but as they moved through the process, they had
14 to delay hearing because of -- and had to change some
15 things, and that created delays. It does. I think you
16 can avoid those delays with the Board itself saying --
17 look, I can ask all of y'all how many of y'all have read
18 the rules?

19 MR. JONES:

20 Mr. Chairman, with respect --

21 MR. ADLEY:

22 Let me finish.

23 MR. JONES:

24 I'm sorry.

25 MR. ADLEY:



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1 I'm sorry, Mr. Jones.

2 How many people here have read the
3 rules? And what you're saying is that you're willing to
4 say this is what we ought to do. That's what you do
5 when you do the APA, Richard.

6 MR. HOUSE:

7 That's totally incorrect. The Secretary
8 has the authority under Louisiana law and as the
9 Administrator of this Board to publish those rules. Let
10 me make that very clear. And this Board doesn't have to
11 act today and is not being asked to act today. No
12 matter how many times somebody wants to say that, you're
13 not being asked to do that and you're not approving
14 these rules. You have the rules to consider and to
15 bring forward.

16 And, Mr. Moller, in answering your
17 question, there's a scheduled meeting on the 27th.
18 People have talked of combining it. If you, after
19 taking a look at things, you certainly have the right to
20 request to the Chairman and the Secretary that another
21 meeting be scheduled, and that door is open to you.
22 Nobody is trying to close anybody's doors, but we're
23 trying to move this forward. And the last time we
24 implemented rules, for a lot of reasons, good reasons,
25 it did not have prior input from a dozen different



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1 constituencies in the state. These do. And last time
2 we went through a long rulemaking process and did not
3 even get rules to you until, I believe, very, very late,
4 at least six months down the way, if not eight months
5 down the way.

6 Right now, you have rules before you
7 that can focus you in on what we're talking about. You
8 can take a look at it, can make some intelligent choices
9 from that. But we're way ahead of the process right now
10 with the publication of these rules.

11 MR. WINDHAM:

12 Mr. Moller, anything else?

13 MR. MOLLER:

14 I mean, I just kind of want to
15 understand the difference between the old rules and
16 what's being proposed. And I understand --

17 MR. WINDHAM:

18 We can do that on the -- let's address
19 the motion on the floor right now.

20 MR. ADLEY:

21 Well, wait a minute. You said you
22 didn't have to have a motion.

23 MR. WINDHAM:

24 Yeah. We have a motion.

25 MR. JONES:



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1 We have a motion and a second on the
2 floor right now.

3 MR. ADLEY:

4 Then let's get this straight. A motion
5 is not even required for them to do this, so just go do
6 it and we'll have meetings with the Rules Committee.
7 Why are you asking for a motion?

8 MR. MOLLER:

9 With this motion, am I voting to approve
10 or saying I'm in favor of all of these changes that were
11 just outline?

12 MR. JONES:

13 Mr. Chairman?

14 MR. WINDHAM:

15 Yes, Mr. Jones.

16 MR. JONES:

17 I haven't been doing this for 40 years.
18 I've only been doing it for 30, and respectfully,
19 Mr. Adley, I just disagree with you. The publication of
20 rules is only a publication of rules. What this Board
21 has been asked to do in this motion today is to put in a
22 process in which those rules will be considered and
23 acted upon. This Board can come in on June 27th and
24 say, "Mr. Pierson, we're amused by your opinion, but we
25 reject it." We're perfectly free to do that. And these



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1 rules do not go into effect unless and until this Board
2 gets a majority vote to approve them. And then they
3 still have to go through the remainder of the APA
4 process.

5 So the recommendation that is coming to
6 us from the Secretary and staff is coming to us just as
7 that, and what the motion is designed to do is to
8 recognize the process by which those rules will be
9 considered and acted upon. That's it. And any
10 reference, respectfully, Mr. Adley, that we are somehow
11 adopting something today is simply factually, legally,
12 statutorily inaccurate.

13 MR. ADLEY:

14 Mr. Jones, I've known you for probably
15 over 30 years, and I would absolutely disagree with you.
16 The Board is simply saying, as the Secretary has, I
17 would like to move it forward, and to do that, he's
18 asking for a motion. And Richard said you don't have to
19 have a motion. He can just publish the rules. By
20 virtue of the fact, no passing -- Richard, bear with me
21 now. I sat back when you asked me to. I'm going to ask
22 you to do the same thing.

23 By virtue of the fact that we're
24 literally voting to approve what's been laid out here
25 for publication is going to be the same thing as me



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1 saying we believe this is correct.

2 MR. HOUSE:

3 Well, what's proposed, as Mr. Jones has
4 said, is a process for going forward in considering
5 these rules and in considering them as a committee, as a
6 Rules Committee of the whole, with dates established to
7 move forward. And the Board right now has a set of
8 rules before it that it can consider. It is not
9 approving. You're considering it. You have a draft of
10 rules, just as when the Rules Committee, after six
11 months, came to you last time with a set of rules,
12 which, by the way, the Board considered and made changes
13 to, which pushed it back effectively another three to
14 six months. It took a year to get the rules implemented
15 the last time. That's what we're trying to deal with
16 here. We're not asking you to approve them.

17 Certainly Mandi can also tell you what a
18 broad overview of the changes in these rules either
19 right now or at some point in time.

20 MR. MOLLER:

21 And that was my question. I mean, when
22 does the public going to get to have or hear the public
23 conversation about what these rules do and propose to do
24 and how we're proposing to change the implementation of
25 this process? I mean, we put in those old rules that



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1 these meetings have to be broadcast online. So if I'm a
2 taxpayer somewhere in Louisiana and I'm watching this
3 and I want to understand what's before this body, when
4 is that conversation taking place? Is that today or is
5 that in June or some other time between?

6 SECRETARY PIERSON:

7 It takes place live right now. We are
8 in broadcast. We specifically stated today that on our
9 website is the link to the revised rules, to the
10 information contained on the ITEP overview which those
11 rules are designed to implement. So I think we've got
12 very open and transparent activity here.

13 MR. MOLLER:

14 So my question is --

15 MR. HOUSE:

16 Under the APA, the earliest we can have
17 the public comment is June the 25th. It coincides also
18 with our next board meeting, which is June the 27th.

19 Now, I know we're dealing with around
20 July the 4th, but we can also deal with -- we can't deal
21 with the comment date for APA. That's under the law.
22 We can deal with the 27th if we need, but also, between
23 now and then, I'm sure you'll hear from constituents,
24 there could be a special meeting called. Certainly you
25 have -- if you're a member of the Board, you certainly



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1 can ask for that.

2 MR. MOLLER:

3 Well, I have questions about what's
4 being proposed, and I could ask you privately, but I
5 would rather ask it publically so that people -- you
6 know, in case somebody else has the same question.

7 MR. WINDHAM:

8 Well, I think that's one of the things
9 that we are trying to decide. We have a motion to
10 convene the whole body as the Rules Committee because
11 all of us have different questions, so we want to all
12 have that input. Whereas last time, we had a Rules
13 Committee who had questions and such, then we had to
14 bring it to the whole body and then we had more
15 questions. So let's just do it all in one fell swoop.

16 MR. MOLLER:

17 I'm all for streamlining. I just want
18 to understand --

19 MR. WINDHAM:

20 But right now I think all -- I think the
21 motion on the table is to convene the body as a whole,
22 and that's it. That's the motion. The motion was made
23 by the Secretary to convene the Rules Committee by the
24 body as a whole, and seconded by Mr. Jones.

25 MR. ADLEY:



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1 And I have a substitute.

2 MR. WINDHAM:

3 All right. Mr. Adley.

4 MR. ADLEY:

5 I'm trying to reach some middle ground
6 with y'all here, if that's possible. I want to suggest
7 that we have -- we go ahead now and plan a special
8 meeting of this Board on May the 22nd for the sole
9 purpose of discussing this issue, discussing what's out
10 there, and I believe that does not delay your APA
11 process enough to amount to a hill of beans. I believe
12 that's the logical way.

13 If you want to stay outside of the Rules
14 Committee, that, to me, makes perfectly good sense.
15 Just have a special meeting on the May the 22nd, bring
16 up the rules, everybody gets heard.

17 I'm going to tell y'all what's
18 concerning me. Don, in these meetings I know we've had,
19 publicly and privately, there are a number of parties
20 that are concerned about what we're doing. Some like
21 it; some don't like it. They want to have that input.
22 They thought they were going to have time to do it in
23 front of the Rules Committee. If they're not, this
24 Board ought to at least hear them before we run out
25 there with it.



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1 I'm going to suggest that we do a
2 special meeting of the Board for the sole purpose of
3 discussing these rules and then moving forward on May
4 the 22nd.

5 MR. WINDHAM:

6 Well, I think we need to pass the first
7 motion before we can set a meeting in order to have the
8 whole body hear it, though.

9 MR. HOUSE:

10 Correct.

11 MR. WINDHAM:

12 So I don't think your motion is -- I
13 think it's a good motion.

14 Is there a second?

15 MR. ADLEY:

16 Excuse me. What did you say?

17 MR. WINDHAM:

18 I don't think we can meet as a whole
19 body to hear --

20 MR. ADLEY:

21 If we have an official meeting -- no,
22 we're not. We're going to have an official meeting of
23 this Board, and that's a public meeting that you -- you
24 can do that all day long.

25 MR. HOUSE:



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1 You can call it a special meeting or you
2 can call it a meeting of the committee of the whole, and
3 I think that all that would be -- the only thing I would
4 say is let's put a date in there, May 22nd or some
5 similar date so that you can be sure to get as many
6 people as you possibly can.

7 MR. ADLEY:

8 As long as it's not prior to -- Richard.
9 Richard, as long as your date is not prior to May the
10 22nd.

11 MR. HOUSE:

12 It can be the same motion, just as a
13 special meeting and a meeting of the committee of the
14 whole, Rules Committee as a whole, before May 22nd or
15 such similar day. How is that?

16 MR. WINDHAM:

17 Is that an amended motion or a
18 substitute motion?

19 MR. ADLEY:

20 Well, it's my substitute motion.

21 MR. HOUSE:

22 It's amended.

23 MS. MITCHELL:

24 It's amended.

25 MR. ADLEY:



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1 And once we've had that meeting, then
2 you move ahead with the publication?

3 MR. HOUSE:

4 No. We're going ahead with the
5 publication under the authority of the Secretary.

6 MR. ADLEY:

7 If he has that authority, he certainly
8 can do what he thinks he ought to do.

9 MR. HOUSE:

10 We're not going to delay this another
11 month just so we can --

12 MR. MILLER:

13 If we were to have this special meeting,
14 it doesn't change our timeline, we don't create this
15 uncertainty for longer than we need to; is that correct?

16 MR. HOUSE:

17 No, sir. If we want to have the
18 Board --

19 MR. MILLER:

20 I like so much to come here, I want to
21 come more.

22 MR. HOUSE:

23 I know you want to go to all of those
24 Rules Committees, too, like you did last time.

25 MR. WINDHAM:



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1 All right. So there's a substitute
2 motion on the floor. Is there a second?

3 MR. MOLLER:

4 Second.

5 MR. WINDHAM:

6 Mr. Moller has seconded it.

7 Is there any objection?

8 MR. JONES:

9 Objection, yes.

10 MR. WINDHAM:

11 We need a rollcall, Ms. Melissa.

12 MS. SORRELL:

13 Robert Adley.

14 MR. ADLEY:

15 Yes.

16 MR. WINDHAM:

17 Does everyone know what the motion is?

18 Let's restate the motion. Clarify the
19 motion.

20 Restate the motion, Mr. Adley.

21 MR. ADLEY:

22 The motion is a substitute motion that
23 we would meet as a full Board for a potential meeting --

24 MS. MITCHELL:

25 As a meeting of the whole.



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1 MR. ADLEY:

2 Well, it doesn't have to be -- we can
3 meet anywhere we want to. I want to meet as a full
4 Board so it's a public meeting for the sole purpose of
5 discussing these rules.

6 MR. WINDHAM:

7 Okay. Is your intent to do that prior
8 to publication?

9 MR. ADLEY:

10 My intent is to do it on May the 22nd.
11 What I've heard here today, the Secretary can make his
12 publication whenever he likes without any authority from
13 us, and I suggest that if he believes that's what he
14 should do, he should do that. But this Board, on the
15 other hand, as a separate body, has an obligation, I
16 believe, to go through these rules very carefully. And
17 if we're not going to do it through the Rules Committee,
18 it makes sense to me, just bring together the whole
19 Board and go through the rules.

20 MR. WINDHAM:

21 Mr. Richard, you have a question?

22 MR. RICHARD:

23 Thank you, Mr. Chairman. Just for the
24 sake of clarity, this particular motion to establish a
25 special meeting of this Board or committee of the whole



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1 to have a presentation of the rules that have been
2 proposed does not stop the APA process from moving
3 forward today with the proposed rules that have been put
4 before us?

5 SECRETARY PIERSON:

6 It does delay this process.

7 MR. HOUSE:

8 No. No, it doesn't. We're going to go
9 forward with the publication of the rules, and if the
10 Board wants to have a meeting on May the 22nd, it
11 certainly may do so. I would suggest you do it as a
12 committee, a Rules Committee of the whole in accordance
13 with the motion. But I would also suggest to the Board
14 that under the schedule that's outlined in the original
15 motion, the Board is going to do its duty. The Board
16 has always done its duty. And, in fact, having rules
17 before you now to consider, that took place after a
18 number of meetings with various groups from all over the
19 state and all over the spectrum of business, any
20 business and everything else, to suggest that somehow or
21 another you're not going to consider something the same
22 way is inaccurate. But if you wish to have a meeting on
23 May the 22nd, you can certainly proceed with that
24 meeting, and the rules that are being published are the
25 rules that are on the OpportunityLouisiana website are



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1 what you're going to be talking about on May 22nd or on
2 June 27th.

3 And by -- on May 22nd, you will not have
4 the public comment under the APA. That's not going to
5 be available to you. But that's fine. I suspect you
6 will hear a lot from different constituencies at that
7 time regarding this matter, and they certainly deserve
8 to be heard, but there again, there is a public process
9 or a public comment process under the APA.

10 MR. JONES:

11 Mr. Chairman?

12 MR. WINDHAM:

13 Mr. Jones.

14 MR. JONES:

15 You may have just cleared up my
16 questions, but, again, for clarity, I think we all need
17 to understand, the meeting on May 22nd in no way holds
18 up the APA. The rules are being published today
19 presumably. That gives the time period so that we can
20 ultimately act on the rules on June 27th or at some
21 point after June 25th at least?

22 MR. HOUSE:

23 Yes, sir.

24 MR. JONES:

25 Okay. The May 22nd meeting will be a



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1 public meeting, it will have to have advanced notice,
2 there will have to be public comment at that open
3 meeting -- I want to be sure I have your attention,
4 Richard, before I -- so there will be public comment at
5 that meeting, the public can be heard. It will not be
6 the formal public hearing that is required under the
7 APA, but it will, nevertheless, be an otherwise open
8 public meeting under the Open Meetings Law in Louisiana?

9 MR. HOUSE:

10 Yes, sir.

11 MR. JONES:

12 Okay.

13 MR. HOUSE:

14 And the motion, as you now have it --
15 and, remember, on June 25th, you don't need to show up
16 on June 25th. You're certainly welcome if you wish to,
17 but that is the comment period that will be transcribed,
18 it will be attended by the Department of Economic
19 Development, and certainly any Board member, any
20 interested citizen is welcome to attend on June it 25th.

21 So you could certainly have your meeting
22 on May the 22nd, but I want to emphasize the schedule
23 that was outlined is the Department's attempt to move
24 forward expeditiously as we have been directed to do so.

25 MR. JONES:



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1 But, still, there would be no action by
2 this Board any earlier than the 25th?

3 MR. HOUSE:

4 Any earlier than the 27th.

5 MR. JONES:

6 That's when you envision this Board
7 acting on the rules is on the 27th?

8 MR. HOUSE:

9 We would like for that to happen, but
10 that's the earliest that it can. It will not and would
11 not have been moved before then.

12 MR. WINDHAM:

13 Mr. Richard.

14 MR. RICHARD:

15 Just for the sake of this Board, this
16 very large, diverse board that's deliberating some
17 significant issues, when I asked the question about APA,
18 so we have two processes that we're discussing. The
19 Administrative Procedures Act, which is required to
20 change the rules regarding the ITEP, is a separate
21 process that is going to commence today based on the
22 Secretary's provision of the proposed rules. Whether we
23 vote on that or not today, that process is moving
24 forward.

25 MS. MITCHELL:



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1 May 20th.

2 MR. HOUSE:

3 It actually will be published on May the
4 20th, but in order to get it published by May the 20th,
5 we had to submit a draft of the rules that you were
6 shown today. We had to submit it earlier in the week.
7 So it's being published May the 20th. It would become
8 effective no earlier than August the 25th.

9 MR. RICHARD:

10 In the register, once it gets published,
11 it commences the process.

12 MR. HOUSE:

13 Right.

14 MR. RICHARD:

15 Which includes public comment, if
16 anybody makes a request for a hearing, and legislative
17 oversight as well.

18 MS. MITCHELL:

19 That's correct.

20 MR. HOUSE:

21 Correct.

22 MR. RICHARD:

23 Which is about a 90-day process, which
24 we're trying to expedite for a number of reasons.

25 MR. HOUSE:



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1 Yes, sir.

2 MR. RICHARD:

3 So that process commences. We're not
4 voting on halting that process based on the motions that
5 are before us. What we're deliberating on and
6 discussing are a motion and a substitute motion to, as a
7 body, to meet and get an overview of the changes of the
8 rules, which we are -- we can do that at any time as a
9 body. It's not going to stop the Administrative
10 Procedures Act, though. And I want to make sure that's
11 made clear today because the Secretary seems to have
12 some consternation about it, but I think we've received
13 clarity from legal counsel. Am I correct on that? Can
14 I get a confirmation on that, two processes?

15 MR. HOUSE:

16 Yes. Confirmed.

17 MR. RICHARD:

18 APA moves forward with the publishing of
19 the proposed rules on May the 22nd.

20 MR. HOUSE:

21 And your next regularly-scheduled
22 meeting is June the 27th, which is, under the APA, the
23 earliest time that you could pass, amend, change or
24 whatever the rules because that's after the required
25 date for public comment under the APA.



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1 Now, if you wish to have a public
2 meeting of the Board May 22nd or anytime thereabout,
3 then certainly you may have that. You may discuss and
4 listen to take your own public comment at that time too,
5 but you also have the public comment on June the 25th
6 that is also under the law the official public comment.
7 But, no, there's certainly nothing wrong with having a
8 meeting around May the 22nd.

9 MR. RICHARD:

10 For the purpose of receiving an overview
11 of the proposed rules by the Board of Commerce &
12 Industry?

13 MR. HOUSE:

14 Correct.

15 MR. RICHARD:

16 Okay. Thank you.

17 MR. WINDHAM:

18 Thank you, Mr. Richard.

19 Any additional questions?

20 SECRETARY PIERSON:

21 I think based on that clarification I
22 can withdraw my objection.

23 MR. WINDHAM:

24 All right. Are there any comments from
25 the public on the motions?



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1 Please step forward, identify yourself
2 and state your comment.

3 MR. LEONARD:

4 My name is Jimmy Leonard, and I'm with
5 Advantous Consulting. I want to thank the Board and
6 everyone involved with the rulemaking. Obviously we are
7 going to be very interested in the process.

8 I just have more questions than I have
9 with anything else, and my understanding is today the
10 rules became available and the actual Notice of Intent
11 is what is going to be issued on -- published on May the
12 20th; correct?

13 MR. HOUSE:

14 Yes.

15 MR. LEONARD:

16 Right. So it became public today. A
17 formal Notice of Intent would be the May the 20th, and
18 the public comment period, pretty much we get a chance
19 to look at it today and provide our input to the
20 Department between now and the 25th?

21 MR. HOUSE:

22 Of June.

23 MR. WINDHAM:

24 Of June.

25 MS. BOURGEOIS:



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1 The written comment.

2 MR. LEONARD:

3 Not that written comment, and on the
4 25th, the Board or the Rules Committee, whichever body
5 we sit before, will have the opportunity to hear and
6 read or review all of the commentary that is coming from
7 all interested parties, but if it turns out that there
8 is a good idea for a material substantive change that
9 results from these comments, what happens to the process
10 then?

11 MR. HOUSE:

12 The process will basically start over
13 then. It will start over on the 27th. The earliest
14 that any of those comments can be considered is going to
15 be the Board meeting on the 27th of June. The comments
16 have to be made both either in writing and/or at the
17 public meeting and not meeting of the Board. It's a
18 public meeting.

19 MR. LEONARD:

20 APA.

21 MR. HOUSE:

22 It's an APA meeting, and that's on the
23 25th of June, but if we waited until after that happened
24 and then promulgated some rules, that wouldn't be
25 promulgated until sometime in July, then you would be



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1 looking at October as an earliest time. If, and again,
2 people can still come in after that, when you redo that
3 time period and make comments, which could push it to
4 January or February. I don't believe anybody wants
5 that. If it happens, that's the rule of law. If it
6 doesn't happen, that would be great, but we don't want
7 to close off anybody from their opportunity to comment
8 or to participate as required by law. So that's what
9 we're trying to accomplish here.

10 MR. LEONARD:

11 Is it fair for me to make the statement
12 if the rules as published today for public review, for
13 comment and review, remain intact, the process initiated
14 today is the most expeditious process of getting them
15 into effect as possible? I mean, that's what I'm
16 understanding.

17 MR. RICHARD:

18 Mr. Chairman?

19 MR. WINDHAM:

20 Mr. Richard.

21 MR. RICHARD:

22 I don't mean to be disrespectful but I
23 don't think a body should have Q&A in public comment.
24 Those are questions that could be answered offline with
25 staff, and I would ask that we move forward with the



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1 meeting.

2 MR. WINDHAM:

3 Anything of relevance to this motion?

4 MR. LEONARD:

5 I'm fine. Thank you.

6 MR. WINDHAM:

7 Thank you.

8 Sir? Related to this motion, please.

9 MR. CAGE:

10 I will try to be. Edgar Cage --

11 MR. WINDHAM:

12 Please state your name and who you
13 represent.

14 MR. CAGE:

15 Edgar Cage with Together Louisiana.

16 I've heard comments from Secretary
17 Pierson of consistency and I've heard some comments
18 about efficiency, and we would like this process to be
19 handled like it was before where the public can have an
20 opportunity for dialog. A lot of things come out in a
21 dialog that you don't get when individuals just submit
22 them and you don't have any opportunity for interaction.

23 Also, I've heard about efficiency.

24 Efficiency is important, but I think effectiveness

25 should trump that. The many meetings I've been in where



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1 rules are already in place, sometimes the board members
2 hadn't grasped them. So, to me, the more you talk, the
3 more you communicate, the more you discuss, everybody,
4 all stakeholders, to include the Board, will have an
5 opportunity to fully understand and know what to expect.

6 And sitting through this meeting today,
7 there was so many instances that came up that were
8 outside the rules, and sometimes people still don't get,
9 but I don't think that should preclude us from
10 continuing the process we had before where the rules are
11 vetted, people have an opportunity to give their input,
12 to discuss them. I'd rather us to be effective rather
13 than efficient and expeditious. All right.

14 MR. WINDHAM:

15 All right. Thank you.

16 Any other comments from the public?

17 (No response.)

18 MR. WINDHAM:

19 Any other questions or comments from the
20 Board?

21 (No response.)

22 MR. WINDHAM:

23 I believe we have no objection to
24 Mr. Adley's motion now. We will have a substitute to
25 his substitute motion.



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1 Any objection to the substitute motion
2 that we have meeting on the 22nd of May?

3 Robbie, do you have a question?

4 MR. MILLER:

5 Does it have to be that day?

6 MR. HOUSE:

7 As a committee of the whole, I think
8 that's the original motion, and the original motion was
9 that there also be a meeting of the committee as a whole
10 on June the 27th.

11 MR. ADLEY:

12 You used the word "committee." I've
13 never used that. And I hear you saying that, but that's
14 not what I'm asking for. I'm asking for this Board to
15 meet --

16 MR. HOUSE:

17 You didn't make the original motion.

18 MS. MITCHELL:

19 He's talking about the original motion.

20 MR. WINDHAM:

21 Yeah. I believe the original motion was
22 for the 25th. The Board meeting is on the 27th. I
23 think it was the 25th. No? It was the same day?

24 MR. ADLEY:

25 This is in May. This motion is in May.



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1 That's all we're talking about now, and the date we had
2 asked for was the 22nd. If everybody looked at their
3 calendar, if there's a serious problem, if you want it
4 to be the 23rd or the 24th, that's fine.

5 MR. HOUSE:

6 What I would suggest you do is that
7 there be two motions, Mr. Chairman.

8 MR. WINDHAM:

9 I think so, too.

10 MR. HOUSE:

11 The first motion, the motion which is
12 now pending or the original motion that was pending is
13 that the Board meet as a Rules Committee of the whole
14 and meet as a board on June 27th.

15 MR. ADLEY:

16 That's not my motion.

17 MR. WINDHAM:

18 No, no. That's the original motion.

19 MR. ADLEY:

20 Okay.

21 MR. WINDHAM:

22 That's the original motion.

23 So we're looking at the two motions.

24 That motion was to meet as a Rules Committee, come as a
25 whole on the 27th prior to the regular-scheduled Board



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1 meeting.

2 Motioned and seconded.

3 MR. ADLEY:

4 But you have a substitute before you and
5 it's voted on prior to the primary motion.

6 MR. JONES:

7 And I object to the substitute motion,
8 not in substance, but in procedure, so that we can move
9 on then to consider that motion separately.

10 MR. WINDHAM:

11 All right. There's an objection to the
12 substitute motion. We'll take a rollcall.

13 Ms. Melissa.

14 SECRETARY PIERSON:

15 Let it be clear what we're voting for.

16 MR. WINDHAM:

17 We're voting on scheduling a meeting for
18 May the 22nd of the Board.

19 MR. JONES:

20 And, again, to make my objection clear,
21 if it were a separate motion, I would vote for it, but
22 because it is being set up as a substitute motion, I'm
23 voting against it so that hopefully a subsequent motion
24 will be made for a May 22nd meeting. But this, the
25 substitute motion, I'm voting against.



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1 MR. ADLEY:

2 And since it's my motion, I think I have
3 a right to close now that Mr. Jones closed it for me. I
4 wasn't crazy about his closing, so the proper way to do
5 things is to have a primary motion and a substitute
6 motion. You can vote for the substitute, you can vote
7 for the second one. I'm not going to vote for the
8 second one for the very reasons explained before, but
9 you will have that choice. You can vote yes on both of
10 them; you can vote no on both of them. You can do
11 whatever you want to, but we have the substitute motion
12 that we would meet on the 22nd so we as a Board have
13 time to look thoroughly through these, hear from public
14 ourselves. That's simply what the motion is.

15 I cannot imagine why anyone would object
16 to that, particularly, particularly Richard made it very
17 clear it doesn't make any difference how we vote. The
18 Secretary has the right and is going to publish the
19 rules. Period.

20 Now we have to make a decision about how
21 we think we ought to operate. I personally believe when
22 I look around this room, I guarantee it nobody in this
23 room read the rules, and we ought to have a chance to
24 sit down on the 22nd, as we will, and at least go
25 through and hear from the public approval, we want to



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1 hear from the public and discuss them ourselves.

2 MR. WINDHAM:

3 All right. I believe we're ready to
4 vote.

5 Ms. Melissa.

6 MS. SORRELL:

7 Robert Adley.

8 MR. ADLEY:

9 Yes.

10 MS. SORRELL:

11 Robert Barham is absent.

12 Millie Atkins.

13 MS. ATKINS:

14 No.

15 MS. SORRELL:

16 Mayor Brasseaux.

17 MAYOR BRASSEAUX:

18 Yes.

19 MS. SORRELL:

20 Representative Carmody.

21 MR. CARMODY:

22 No response.

23 MS. SORRELL:

24 Yvette Cola.

25 MS. COLA:



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1 No.
2 MS. SORRELL:
3 Major Coleman.
4 MAJOR COLEMAN:
5 Yes.
6 MS. SORRELL:
7 Ricky Fabra.
8 MR. FABRA:
9 Yes.
10 MS. SORRELL:
11 Manny Fajardo.
12 MR. FAJARDO:
13 Yes.
14 MS. SORRELL:
15 Jerry Jones.
16 MR. JONES:
17 No.
18 MS. SORRELL:
19 Heather Malone.
20 MS. MALONE:
21 No.
22 MS. SORRELL:
23 Robbie Miller.
24 MR. MILLER:
25 No.



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1 MS. SORRELL:
2 Jan Moller.
3 MR. MOLLER:
4 Yes.
5 MS. SORRELL:
6 Secretary Pierson.
7 SECRETARY PIERSON:
8 No.
9 MS. SORRELL:
10 Scott Richard.
11 MR. RICHARD:
12 Yes.
13 MS. SORRELL:
14 Darrel Saizon.
15 MR. SAIZON:
16 No.
17 MS. SORRELL:
18 Danny Shexnaydre.
19 MR. SHEXNAYDRE:
20 Yes.
21 MS. SORRELL:
22 Bobby Williams.
23 MR. WILLIAMS:
24 No.
25 MS. SORRELL:



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1 Steve Windham.

2 MR. WINDHAM:

3 No.

4 MS. SORRELL:

5 Dr. Wilson.

6 DR. WILSON:

7 No.

8 MS. SORRELL:

9 We have 10 noes and eight yeses.

10 MR. WINDHAM:

11 All right. So the motion fails.

12 Substitute motion fails.

13 Onto the original motion. Are there any
14 further discussions on the original motion?

15 (No response.)

16 MR. WINDHAM:

17 Is there any objection to the original
18 motion?

19 MR. ADLEY:

20 Object because I believe it says this
21 Board agrees to the rules as they're written.

22 MR. WINDHAM:

23 Mr. Adley objects, so we'll have a
24 rollcall vote on the motion.

25 MS. SORRELL:



1 Mr. Adley.
2 MR. ADLEY:
3 No.
4 MS. SORRELL:
5 Millie Atkins.
6 MS. ATKINS:
7 Yes.
8 MS. SORRELL:
9 Mayor Brasseaux.
10 MAYOR BRASSEAUX:
11 Yes.
12 MS. SORRELL:
13 Representative Carmody.
14 MR. CARMODY:
15 No response.
16 MS. SORRELL:
17 Yvette Cola.
18 MS. COLA:
19 Yes.
20 MS. SORRELL:
21 Major Coleman.
22 MAJOR COLEMAN:
23 Yes.
24 MS. SORRELL:
25 Rickey Fabra.



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1 MR. FABRA:
2 Yes.
3 MS. SORRELL:
4 Manny Fajardo.
5 MR. FAJARDO:
6 Yes.
7 MS. SORRELL:
8 Jerry Jones.
9 MR. JONES:
10 Yes.
11 MS. SORRELL:
12 Heather Malone.
13 MS. MALONE:
14 Yes.
15 MS. SORRELL:
16 Robbie Miller.
17 MR. MILLER:
18 Yes.
19 MS. SORRELL:
20 Jan Moller.
21 MR. MOLLER:
22 Yes.
23 MS. SORRELL:
24 Secretary Pierson.
25 SECRETARY PIERSON:



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1 Yes.
2 MS. SORRELL:
3 Scott Richard.
4 MR. RICHARD:
5 Yes.
6 MS. SORRELL:
7 Darrel Saizon.
8 MR. SAIZON:
9 Yes.
10 MS. SORRELL:
11 Danny Shexnaydre.
12 MR. SHEXNAYDRE:
13 Yes.
14 MS. SORRELL:
15 Bobby Williams.
16 MR. WILLIAMS:
17 Yes.
18 MS. SORRELL:
19 Steve Windham.
20 MR. WINDHAM:
21 Yes.
22 MS. SORRELL:
23 Dr. Wilson.
24 DR. WILSON:
25 Yes.



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MS. SORRELL:

All yeses. We have one no. Seventeen yeses, one no.

MR. WINDHAM:

So the motion passes.

Mr. Miller.

MR. MILLER:

I'd like to make a motion that we have a meeting of the whole Board to have the public input, or whatever the right words were for that substitute motion, on or about May 22nd to make sure we have availability of as many people as possible and ability the all of the things that need to be coordinated to have the meeting.

MR. WINDHAM:

Is there a second?

Seconded by Mr. Adley.

Is there any discussion?

Mr. Jones.

MR. JONES:

I was going to ask that the motion be restated to be to meet as a committee of a whole.

MR. MILLER:

That's fine.

MR. HOUSE:



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1 That the public input would include a
2 presentation by the Department as to the rules.

3 MR. MILLER:

4 Okay.

5 MR. JONES:

6 It's a public meeting. We can --

7 MR. HOUSE:

8 We can do it, too.

9 MR. JONES:

10 We can do whatever we want to in a
11 public meeting.

12 MR. WINDHAM:

13 All right. There's a motion and a
14 second.

15 Mr. Richard, do you have a question?

16 MR. RICHARD:

17 Just for the sake of clarity, the
18 purpose of this meeting, the sole agenda item for this
19 specially-called meeting would be to provide an overview
20 of the changes, the proposed changes to the Industrial
21 Tax Exemption Program?

22 MR. WINDHAM:

23 And to discuss any questions that might
24 exist, as Mr. Moller would like, is going to be -- yes.

25 MR. RICHARD:



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Okay.

MR. WINDHAM:

Yes.

Any other questions?

Mr. Adley?

MR. ADLEY:

No.

MR. WINDHAM:

No.

All right. Any comments from the public concerning the motion to have a meeting on the 22nd that you're all invited to?

(No response.)

MR. WINDHAM:

Any opposition? Any opposed?

(No response.)

MR. WINDHAM:

All in favor, indicate with an "aye."

(Several members respond "aye.")

MR. WINDHAM:

Opposed with a "nay."

(No response.)

MR. WINDHAM:

Motion carries.

We'll scheduled a meeting for the 22nd.



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1 MR. RICHARD:
2 Mr. Chairman?

3 MR. WINDHAM:
4 Mr. Richard.

5 MR. RICHARD:
6 Out of respect for the dialog that has
7 occurred today and out of respect for transparency and
8 some of the Q&A that was occurring at the table earlier
9 and for the sake of this Board and for folks that are
10 not here today that serve on this Board, I would ask or
11 respectfully request that the Secretary and his agency
12 put together a summary of the motions that were made and
13 approved today that clearly outlines what will occur at
14 the specially-called meeting on May 22nd.

15 MR. WINDHAM:
16 There or about.

17 MR. RICHARD:
18 There or about. And that also
19 summarizes the Administrative Procedures Act process and
20 the respective timelines that are involved with that
21 particular process that's occurring simultaneously as
22 this Board meets as well to consider applications
23 related to economic development. Just -- and provide
24 that on the website and to the Board members so the
25 folks that were -- obviously there's been a lot of



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1 discussion and a lot of dialog today. I don't know if
2 the Board would need to vote on that in the form of a
3 motion. I would think the Secretary should be able to
4 have the discretion to handle that provision of
5 information, but I think that it would be timely to
6 provide that so everybody, all stakeholders, are clear
7 as to what path forward we're moving on.

8 Thank you.

9 SECRETARY PIERSON:

10 We're pleased to support that. Again,
11 we've taken a major transparency approach to everything
12 we've done up to this point, by meeting with an
13 extensive number of stakeholders, by posting all of
14 these changes and the outline of our goals publicly on
15 the website. We'll be happy to do a synopsis that you
16 have requested to help build clarity around the intent.
17 And certainly, again, we are trying to limit our lane to
18 these improvements, these important improvements to the
19 program, and to bring those forward as quickly and as
20 reasonably possible including all of the important
21 public comment, which we have nine weeks to accomplish.
22 And I think you can give the group nine weeks or 89
23 weeks and they would -- where they would fill the time
24 available. What we want to do is take a narrow focus to
25 some important improvements to accomplish that goal over



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1 the next 9 weeks.

2 MR. HOUSE:

3 Thank you, Mr. Secretary.

4 MR. WINDHAM:

5 Thank you, Mr. Secretary.

6 Any other business to discuss?

7 (No response.)

8 MR. WINDHAM:

9 Is there a motion to adjourn?

10 Made by Mr. Fajardo; seconded by --

11 Manny.

12 All in favor, indicate with an "aye."

13 (Several members respond "aye.")

14 MR. WINDHAM:

15 All opposed with a "nay."

16 (No response.)

17 MR. WINDHAM:

18 Motion carries.

19 (Meeting concludes at 12:16 p.m.)

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2 **I, ELICIA H. WOODWORTH, Certified Court**
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5 **Commerce and Industry of the Louisiana Economic**
6 **Development Corporation, do hereby certify that this**
7 **meeting was reported by me in the stenotype reporting**
8 **method, was prepared and transcribed by me or under my**
9 **personal direction and supervision, and is a true and**
10 **correct transcript to the best of my ability and**
11 **understanding;**

12 **That the transcript has been prepared in**
13 **compliance with transcript format required by statute or**
14 **by rules of the board, that I have acted in compliance**
15 **with the prohibition on contractual relationships, as**
16 **defined by Louisiana Code of Civil Procedure Article**
17 **1434 and in rules and advisory opinions of the board;**

18 **That I am not related to counsel or to the**
19 **parties herein, nor am I otherwise interested in the**
20 **outcome of this matter.**

21 **Dated this 13th day of May, 2018.**

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ELICIA H. WOODWORTH, CCR
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<hr/>	12:16 180:19	20081244 94:20	20130849 9:4
\$	12th 15:19 122:13	20090808 79:25	20130873 61:5 75:14 76:24
\$11,262,390,255 38:3	13 60:18	20090828 95:13	20130874 61:6 79:1
\$3.2-million 42:17	13-acre 22:14	20091178 92:18	20131175 32:24
\$347,544 93:22	13th 80:3	20091195 94:20	20131176 32:25
\$390,111 93:20	14,139,000 12:13	20100024 95:3	20131236 14:13
\$6-million 22:11	15 13:23 61:22 62:18 69:21 71:24 73:13 76:25	20100024A 95:3	20131265 15:17
\$9.4 56:10	15-month 62:3	20100198C 37:16	20131354 94:20
\$9.4-million 55:9	150 13:24	20101176 94:20	20131385 32:13
<hr/>	15s 74:23	20110334 96:19	20131409 16:5
0	15th 20:15 72:14	20110335 96:19	2014 15:23 16:2,12,17 31:25
0365 75:21,24	16 20:8 73:13 74:16,20 75:13 77:7 82:1 113:18	20110606 81:22	20140006 92:19
060683B 95:6	16th 113:12	20110812 8:23	20140109 16:10
0874 75:15	17 69:1 75:13 77:7 82:2	20111134 92:18	20140142 16:15
<hr/>	17100 91:11	20111171 16:1	20140198C 37:7
1	18 71:24 72:14 74:21 77:8 82:4 85:13,15 94:18	20120041B 37:23	20140222 14:5
1 16:2,7,12 28:21 111:17	1952 20:21	20120058B 37:20	20140273 91:8 92:10
1.3 42:2,7	19th 20:7	20120227 84:7	20140297 14:16
1.5-million 42:1	1st 21:18 72:14	20120365 61:4 73:24	20140362B 37:8
1.8 42:1,2	<hr/>	20120379 95:13	20140440 95:13
10 19:10 70:9 115:14 132:18 171:9	2	20120499 85:3 86:9	20141058 10:6
10-year 115:18	2 14:9	20120993 10:9	20141070B 37:21
100 114:17,18,22 115:1, 18 126:15	20 22:1 63:13,17 66:5, 23 70:19,21,23 72:6,8,9 78:17 80:20,23 86:11 87:8,15 98:3,9	20121231 92:18	20141117 10:8 11:7 90:6
11 115:20	20071166 92:17	20121231A 92:18	20141140 15:21
11800 91:9	20071166A 92:17	2013 32:8	20141167 14:2
12 20:23 63:24 92:8	20071166B 92:18	20130067 9:6	20141270 37:13
12/31 69:1,21 76:25 80:2 84:12	20071312 94:19	20130279 84:10	20141341 12:10
12/31/16 74:10 84:9	20080781 95:10	20130338 95:13	20141446 14:1
12/31/2015 81:24	20080875 95:7	20130428 59:15	20141510 94:21
12/31/2016 85:5		20130457 87:22	20141521 32:21
12/31/2017 87:23		20130474 60:25	20141522 37:25
12/31/2018 65:25		20130475 60:24	20141555 10:13
		20130476 60:25	20141612 93:18
		20130477 60:25	
		20130518 9:5	



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2015 16:7 20:15 22:18 78:23	20160175A 37:5	87:24	155:4,7 157:22 160:13, 15 164:10,22 165:14,25
20150029 92:19	20160361 37:2	20180088 43:11	28 10:13 16:7 33:24 34:3,7,18 56:12,14
20150086 37:9	20160426 14:7	2019 15:23 16:3,12,17	29th 20:6
20150145 14:8	20160680 37:15	2020 16:8	<hr/>
20150156A 37:17	20160717 91:8 92:10	2021 66:16	3
20150161A 37:11	20160726 14:14	20th 121:23 134:23 156:1,4,7 159:12,17	<hr/>
20150162 37:12	20160773 12:10	210 22:19	3.2 42:21
20150189 90:4	20160967 95:14	21111224 94:20	3.2-million 41:25
20150189A 38:2	201614-5 37:15	21st 95:5,8,12 110:10, 11	3/9 81:24 84:9
20150273 18:19	20161431 32:22	22 16:17 31:6	3/9/2018 84:12
20150422 91:8 92:10	20161432 32:23	22nd 119:20 122:13 146:8,15 147:4 148:4, 10,14 151:10 152:10,23 153:1,3,17,25 154:22 157:19 158:2,8 164:2 165:2 166:18,24 167:12,24 175:11 177:11,25 178:14	30 16:8 45:22 117:22 118:8,16,20 141:18 142:15
20150693 95:13	20161444 37:24	23 16:17 34:8,19,23	3044 12:8
20150834 90:1	20161470 12:11	23rd 165:4	30th 25:11 110:11
20150848 14:9	20161486 12:8	24 19:8,12,13 26:18 39:4	31 16:3,12,13,18
20150905 14:3	20161507 37:4	24-month 20:25 23:1	31st 66:4 95:16
20150942 14:4	20161523 37:6	24th 110:12 112:14 165:4	365 75:19
20150945 37:18	20161542 33:1	25th 3:8 110:11 119:23 123:24 130:9,22 131:4, 19 132:11 134:6,13,14, 16 137:19 144:17 153:21 154:15,16,20 155:2 156:8 158:5 159:20 160:4,23 164:22,23	<hr/>
20150966 7:22	20161571 7:23	26th 110:12	4
20150979 59:14	20161605 12:9	27 85:5 87:24 120:1 121:10 129:21	<hr/>
20150992 59:13	20161616 40:7	27th 110:12 122:13 124:1 130:5,6,17 131:22 132:6,9 134:7 137:20 139:17 141:23 144:18,22 153:2,20	5
20151047 14:6	20161649 39:14		40 20:22 67:9 69:7,8,10, 20 70:13,25 71:15 73:20 86:5,15 137:24 141:17
20151066 14:10	20161650 39:13		40-some-odd 34:20
20151139 14:12	20161651 43:9		42 33:23 34:2,23
20151314 37:22	20161660 39:15		4275 10:13
20151315 17:19	20161943 10:16		4th 144:20
20151382 12:9	20161956 39:12		<hr/>
20151426A 32:2	2017 15:24 16:4,8 20:6, 8 80:2 84:12 85:13 95:5,9,12,16 134:23		6
20151426Q 31:10	20170070 43:10		51 34:25
20151647 13:24	20170189 100:20		529 10:14
20151753 37:10	20170233 7:21		5th 122:13
2015200053 37:1	20170234 43:12		<hr/>
2016 15:20 16:13,18 20:6 39:5 69:19 74:10 97:8 112:14	20170280 7:24		6
2016-73 114:21	2018 3:8 66:4 78:23 80:3 81:24 84:9 85:5		60 52:1 72:15 77:9



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118:1	ability 21:10,11,13 112:3 175:12	add 17:18 19:13 72:8,9	166:3 167:1 168:7,8 171:19,23 172:1,2 175:17 177:5,6
60-day 118:14	Abramson 3:19	added 40:8,12	
<hr/>	absent 168:11	addition 17:24	Adley's 32:16 163:24
7	absolutely 142:15	additional 15:21,25 16:5,10,14,19 19:13 58:10 84:3 114:18,22 118:20 158:19	administration 21:14 114:1
<hr/>	Acadiana 22:21,22	address 140:18	administrative 114:10 117:3,9 118:12 119:3,8, 18 155:19 157:9 178:19
7/11/2018 15:19	acceptable 53:19	adjourn 180:9	administratively 53:5
7/12/2013 15:18	acceptance 117:18	adjust 28:25	Administrator 59:12 139:9
701(e) 19:15	access 45:22	adjustments 136:2	adopt 122:17 126:22 134:2,4,5 138:1
701(e)(1)(e) 23:2	accommodate 45:19	Adley 3:11,12 13:5 23:25 24:1,10,23 25:5, 12 26:2 27:19 28:10 29:8,10,22 31:20,24 32:3 33:10,13,19 34:9, 21 35:1,20,24 36:14 40:4,5,23 41:2,6,20 42:4,18,22 43:18,19 44:3,7,19,24 45:6,12,24 46:10,17,21 48:23 49:3, 8,13,19 50:1,6,11,25 52:22 53:14 54:4,9,16, 21 55:2,17,25 56:8,13 57:1,6,13,17 58:7,19,22 59:20 61:16,20 62:2,10, 15,22 64:4 65:1 66:1,7, 11,25 67:8,20 68:7,8,15 69:4,14,15,23 70:14,18 71:4,17,22 72:3,17 73:18 74:4 75:9 76:23 77:1,6,14 78:6,18,22 79:4,8 80:8,17 81:5,25 82:5 85:11 86:2,10,12 87:6,12,15 88:1 97:1,10 98:1,8,19,21 99:3,23,25 102:2,7,11,19,23 103:13,22 105:9 106:5, 12 107:8,14 111:14 120:11,21,22 121:24 122:5 124:12,19,20 125:2,12,19 126:12,17 127:19 128:1,19 137:21 138:21,25 140:20 141:3,19 142:10,13 145:25 146:3,4 147:15, 20 148:7,19,25 149:6 150:13,14,20,21 151:1, 9 164:11,24 165:15,19	Administratively 53:5
70808 10:17	accomplish 120:2 161:9 179:21,25		adopting 125:18,24 137:25 142:11
70809 91:11	accomplished 123:11		adoption 120:1 121:10 126:21 128:9 133:25
70810 10:18	accordance 152:12		advance 28:20 117:5 119:6
70817 91:12	accountability 113:16, 18 117:1		advanced 154:1
71360 10:14,15	accountant 61:15		advances 31:7 39:4
75 40:20,21 42:2 114:24	accurate 133:17 135:14		advantage 27:20
<hr/>	achieve 113:13 137:10		advantages 24:24
8	acknowledge 111:1		Advantous 159:5
<hr/>	acquire 45:19		Affidavit 56:24 57:12
8 15:23	acquired 53:6		affiliate 21:2,21
80 114:23 115:1,14 116:5	Acquisition 7:21		affiliated 39:25
8000 10:16	act 104:14,19,21,23 119:4,6,9,18 126:5 127:7,12 139:11 153:20 155:19 157:10 178:19		affiliates 19:11 21:20 26:1
873 75:12	acted 104:15 141:23 142:9		Affinity 14:1
874 75:13	acting 67:16 122:19 129:17 155:7		afforded 27:14,21 107:20 113:23
89 179:22	action 72:23 104:4 117:17 155:1		AFS 17:20
8th 15:24	active 118:2		agencies 117:12
<hr/>	activities 128:5		agency 10:10 178:11
9	activity 119:16 144:12		
<hr/>	actual 159:10		
9 15:23 91:10 180:1			
90 80:19 130:9			
90-day 156:23			
9:30 132:18			
<hr/>			
A			
<hr/>			
abatement 12:3,6,17 55:14 113:23 114:14, 18,19 115:10,15,19 117:2 118:18			



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agenda 33:24 50:17 68:22 117:21,24 134:15 176:18	anybody's 139:22	63:2 66:5 70:11,12 91:24 94:7 96:2 98:14, 16,22 99:7 102:16 117:25 134:5 135:3,6 138:5,6 141:9 142:2,24 143:16	assume 24:3,5 40:24 45:15 49:21 53:18 68:18 88:22 98:25 107:9
agent 117:9	anytime 137:8 158:2	ap 70:8	Assuming 24:11
aggregate 55:13	APA 122:4,23 125:7 127:1 128:22 130:8 131:12 134:12 137:22, 25 138:6 139:5 142:3 144:16,21 146:10 152:2 153:4,9,18 154:7 155:17 157:18,22,25 160:20,22	approved 46:8 51:1 66:18 117:10 125:7 128:4 178:13	Atkins 3:22,23 17:8 93:7 96:4 168:12,13 172:5,6
aggressive 121:13	appeal 27:11 29:13 96:21 98:15,16,22 99:8, 10	approves 122:1	attempt 154:23
agree 104:11 123:19	appeals 96:14	approving 139:13 143:9	attend 154:20
agreed 28:14	applicable 114:5 117:12	approximately 114:24	attended 154:18
agreeing 20:1	applicant 117:6	April 3:7 20:6 113:12 123:24	attention 154:3
agreement 20:17 49:17	application 26:4,23 27:13,20 33:21,23 34:22 36:2,8,12 50:19, 21 52:17 65:16 67:5 91:17 100:20 104:12 114:5 117:6,8,9,17,19	area 23:6 54:2	attorney 110:7,8
Agreements 39:11	applications 7:20,25 8:4 12:6,12,18 13:21,24 14:22 31:7 38:9 39:3 53:7 55:15 58:17 65:6, 10 117:11 178:22	areas 136:9	attorneys 127:6
agrees 171:21	applied 49:22 70:19,21	argument 19:25	attract 112:3
ahead 3:5 64:21 140:9 146:7 149:2,4	apply 49:4 63:13 69:5,7 70:15 77:8 80:20 89:2 98:4 122:15	arrangement 20:24 22:7	attractive 114:14 115:10
Allen 14:8	appreciated 136:1	arrangements 21:16	August 15:23,24 16:2 110:12 121:13 130:9 134:13,14,16 156:8
allowable 115:2 121:7	appreciation 116:16	arrive 119:22 121:9 128:17	authority 122:20 139:8 149:5,7 151:12
allowed 24:3	approach 43:2 111:5,9 112:15 122:7 179:11	Ascension 37:9,11,16, 20 43:10,11,12	automatically 62:18 64:25
altogether 63:2	approval 39:9 106:9 116:13,15 117:10,14,18 120:5 121:2 167:25	assessed 57:7,24 67:2	availability 175:12
Aluminum 37:3,4	approve 7:4 8:10 9:19 11:14 12:25 15:4 17:6 18:6 38:17 58:18 60:2	assessor 62:8	Avenue 14:3
amend 157:23		assessors 112:25 117:13	average 19:12
amended 56:24 148:17,22,24		asset 40:13 42:10,13	avoid 138:16
amendment 114:16		assets 40:14 41:12,24 53:8 55:1 93:20,22 115:16	awarded 55:11
American 10:7		assignments 21:12	aware 21:6 24:7,9 110:5 113:11 123:4
amount 58:4 116:18 121:7 146:11		assistant 22:3	Axiall 59:13
ample 129:10		Associates 10:10	aye 7:10,11 8:14,15 9:21,22 11:16,17 13:6,7 15:7,8 17:9,10 18:9,10 30:13,14 38:20,21 58:24,25 60:7,8 76:16, 17 77:24,25 79:16,17 81:13,14 83:18,19 84:20,21 86:22,23 88:9, 10 90:23,24 91:25 92:1 93:8,9 94:10,11 96:6,7
amused 141:24		association 89:1,12 112:21,22,24,25 113:1 121:8	
analysis 51:14		associations 112:19 113:1	
and/or 160:16			
Anjaneya 16:1			
announcement 35:17			
answering 139:16			
anticipate 21:25 119:19 121:22			
anticipated 15:21 16:1,5,10,15,20			



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99:16,17 100:10,11 108:14,15 109:16,17 177:18,19 180:12,13	begin 24:12 28:21 72:6 111:22 122:4	164:14,22 165:13,14,25 166:18 167:12 171:21 175:9 178:9,10,22,24 179:2	Brittany 97:18
B	beginning 115:20 122:25	Board's 117:14	broad 143:18
Babin 19:1,2,19,20,24 23:5,10,14 25:10,15,19 26:6,15 27:4 28:9 29:17 30:3,20,23	begun 36:13	boards 116:12	broadcast 144:1,8
back 26:9 28:16 52:18, 20 57:18 62:4 97:5 107:15 110:10 115:17 121:1 122:8 127:3 128:24 129:8 138:1 142:21 143:13	behalf 35:16	Boatner 65:7,8 66:14, 19	brought 24:9 56:14 113:17 123:20 135:15
bad 28:11	Bel 22:21 112:5	Boats 37:3,4	build 47:1,24 52:9,12 53:20 179:16
Bags 95:12	believes 127:2 151:13	Bobby 6:12 170:22 174:15	build-to-suit 52:7
balance 68:4	Bell 32:13	body 13:13 117:24 119:9 120:10 121:2 127:7,12 128:6 144:3 145:10,14,21,24 147:8, 19 151:15 157:7,9 160:4 161:23	building 20:5 26:19 43:25 44:2,12,17 45:2, 4,5,13,14 47:5 50:23 52:7,13 53:12 54:23
ballroom 20:11,12	benefit 52:17,18 67:22, 23	body's 119:16	buildings 53:19 54:11
Bankers 14:3	benefits 22:24 27:1,21	Bossier 16:2 81:23 84:8,11 95:3 100:20 101:18,19,24 102:12,15 103:4,8,17 105:7,10,24 106:1,7,14,21 107:3 108:4	built 46:8
Baptist 31:11	Bienville 95:14	bottom 26:25 42:6	burden 114:10 115:24 117:3 118:12
bar 22:4	Biocarbon 10:7	bought 53:18	Burton 7:17,19 8:2,21 9:2 10:3,23 11:23 12:1
Barham 3:15 168:11	Bioenergy 9:6 10:6	Boulevard 91:10	business 13:16,25 20:21 52:11 112:8,20 113:6 116:3 135:7 152:19,20 180:6
barred 123:16	bit 74:22,23	BOURGEOIS 121:21 122:3 159:25	businesses 136:5
based 19:14 53:17 57:3 69:19 72:21 86:4 104:18 105:6 106:8 130:14 155:21 157:4 158:21	Blake 14:4,5,6	brand 50:19	button 136:16
baseline 20:8	board 3:3,7 8:7 9:15 11:11 12:21 13:17 14:25 17:3 18:2 20:2 23:1 24:9 27:10 30:9 35:8 38:14 58:14 59:24 76:13 79:13 81:10 83:15 88:6 89:6 90:14 91:20 93:2 94:3 95:23 99:13 100:7 101:19 102:1 103:4,17 104:2, 13 106:22 108:11 109:5,13,23 110:5,14, 19 111:1 112:23 113:12 116:1 117:6,7,10,18,23 118:7 119:1,6,12,25 122:1,7 123:3,8 126:2, 3,5,6,21 127:16 128:13, 15,16,24 129:17,22 130:3,13 131:16 132:1 133:23 134:21 136:3 137:12,17 138:16 139:9,10 141:20,23 142:1,16 143:7,12 144:18,25 146:8,24 147:2,23 149:18 150:23 151:4,14,19,25 152:10, 13,15 154:19 155:2,6, 15,16 158:2,11 159:5 160:4,15,17 163:1,4,20	Brasseaux 4:1,2 7:6 168:16,17 172:9,10	bypass 121:3
basically 52:6 138:3 160:12	boards 116:12	break 41:16	C
Baton 9:4 10:17,18 13:25 14:4,7,8,13,15 15:17 32:24,25 34:6,8, 17 37:2 85:4 90:2 91:9, 10,12 92:11	Boatner 65:7,8 66:14, 19	Brenda 126:8	C&i 117:14,23 118:7 137:12
beans 146:11	Boats 37:3,4	Brentwood 7:21	Caddo 7:21,22 10:11 17:20 37:8 101:12,17 102:14,16,25 104:16 105:22 106:8
bear 142:20	body 13:13 117:24 119:9 120:10 121:2 127:7,12 128:6 144:3 145:10,14,21,24 147:8, 19 151:15 157:7,9 160:4 161:23	bring 56:9,16 97:5 110:21 114:8 115:22 129:1 133:14,16 139:15 145:14 146:15 151:18 179:19	Caddo's 104:12
Becky 12:2	body's 119:16	bringing 77:9 124:9	Cage 162:9,10,14,15
began 20:5 65:9 115:5	bottom 26:25 42:6	brings 126:6	Calcasieu 7:23,24 14:9,18 16:16 37:15,18 59:14



calculations 111:6,10 136:12	choice 167:9	Coleman 4:13,14 8:11 11:15 15:6 29:14 90:22 169:3,4 172:21,22
calendar 165:3	choices 27:18 63:1 140:8	combine 51:25
call 3:5,9 74:25 114:9 130:2,13,15 132:10 148:1,2	Chabert 5:16	combined 51:14 55:16
called 3:8 144:24	chairman 11:2 62:24 72:19 73:2 78:7 88:17 90:16 103:25 110:19 120:12 122:9 128:21 135:12 138:20 139:20 141:13 151:23 153:11 161:18 165:7 178:2	combining 139:18
Calumet 100:19,23 101:6 118:13	challenges 112:12 116:22	commence 155:21
Cameron 37:17 95:7	challenge 7:2 159:18 167:23	commences 156:11 157:3
cancelation 94:18 95:4,7,11,15,20	change 10:5,25 89:25 90:2,4,7 91:6,16,24 138:14 143:24 149:14 155:20 157:23 160:8	commend 41:16
cancelations 95:24 96:3	charged 135:9	comment 81:7 86:17 93:24 99:13 121:20 123:8 124:2 129:20 133:20 144:17,21 153:4,9 154:2,4,17 156:15 157:25 158:4,5, 6 159:2,18 160:1,3 161:7,13,23 179:21
capital 113:20 116:21	charities 22:20	commentary 160:6
capitol 27:1 52:10	Charles 37:10,23,24,25 38:1 59:14	comments 8:3 9:11,15 10:24 11:10 12:16,21 14:21,25 16:23 17:3,23 18:2 28:9 29:16 30:6 38:13 58:11,14 59:17, 23 75:20 76:4,9,13 77:20 79:10 81:1 83:11, 15 88:3 90:10,14 91:15, 20 92:23 94:3 95:19,23 99:9 100:4 109:10 110:4 119:21,22 122:24 123:17 129:24 132:8 158:24 160:9,14,15 161:3 162:16,17 163:16,19 177:10
Car 15:21	checked 97:25	commerce 3:7 22:16 117:7 158:11
Carbide 37:22,23,24 38:1	chef 22:4	Commission 104:17
CARBO 96:18,25 97:18	Chemical 10:8 11:7 32:21,22,23,24,25 33:9 34:15 37:10,18,19 60:23 90:5,17 112:21	committee 120:25 122:8,10,12,21 124:23 125:6,25 126:1,2,4,5,6, 20 127:3,8,13 128:14 129:8,17 134:18,20 141:6 143:5,6,10 145:10,13,23 146:14,23 148:2,13,14 151:17,25 152:12 160:4 164:7,9, 12 165:13,24 175:22
care 89:16	Cheng 31:3,5,15,22 32:1,7,12,19 33:5 34:1 36:10,25 38:5,10 39:2,8 41:9 42:15,20 43:8,22 44:5,10,16,22 45:3 46:14,19 47:4,10,19 49:1,6,11,15,24 50:3,9, 14,20 51:7,9,16 56:23 57:4,10,15,19 58:5 60:14,15 65:23 66:3,9, 17,21 67:4,10 68:24 70:10 71:2 73:7,10,11 74:17 77:12 78:13,20 79:2 82:3 83:2 96:13,17 97:3,12,24 98:6,13 99:1 100:18 101:23 102:5, 17,21 103:6 105:8,15, 16,21,25 109:24 110:3	clean 122:16
carefully 151:16	cleaned 129:2	cleaned 129:2
Carmody 4:5,6 7:5 18:7 168:20,21 172:13, 14	clear 139:10 157:11 166:15,20 167:17 179:6	clear 139:10 157:11 166:15,20 167:17 179:6
carries 7:16 8:20 10:2 11:22 15:13 17:15 18:15 30:19 39:1 59:5 76:22 78:5 79:22 81:19 83:24 85:1 87:3 88:15 91:4 92:6 93:14 94:16 96:12 99:22 100:16 108:20 109:22 177:24 180:18	closed 167:3	cleared 153:15
case 48:3 110:8 145:6	closing 167:4	close 80:19 139:22 161:7 167:3
catch 31:21	club 20:11,18,20,22,23 21:5,14,17 22:6,8 23:16 25:1,21,22 27:17	closed 167:3
Cenla 10:14	club's 20:21	club 20:11,18,20,22,23 21:5,14,17 22:6,8 23:16 25:1,21,22 27:17
center 22:14	Co.-conn 7:22	club's 20:21
Ceramics 96:18,25 97:18	coincides 144:17	Co.-conn 7:22
certainty 113:21 118:11,15,22 135:8	Cola 4:9,10 93:6 99:8 168:24,25 172:17,18	coincides 144:17



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Committees 149:24	conclude 109:25	consultants 65:8 136:5	Cornelius 12:9
committing 135:3,4	concludes 7:25 9:8 10:20 30:25 180:19	consulted 123:13	Cornerstone 60:23
communicate 163:3	conduct 111:5 121:6	consulting 65:9 159:5	Corporation 9:4 37:11, 18,19,22,23,25 38:1
communication 106:22	conducted 112:17	Consumer 37:1	correct 24:5,11 26:8 34:4 47:11 48:1 53:3 54:22 56:7 58:4 60:13 62:1,7,21 65:6 67:13 69:13 74:12,16,18 77:5, 11 80:12 84:15 85:13, 15 102:22 103:19 104:9,11 105:20 106:16,25 109:5 121:25 126:16 130:19 132:13 133:5,9,11 135:17 143:1 147:10 149:15 156:19,21 157:13 158:14 159:12
communities 114:13 115:5,9,16,22,23,24 116:6 118:1	confident 118:17	consumption 132:23	corrected 34:6
community 113:6 114:20 115:20 117:19 136:11	confirm 105:8	contact 107:19	correctly 53:21 61:23 62:23
companies 28:23 39:24 55:21 73:4,5 114:15 136:10	confirmation 157:14	contacted 107:11	correspondence 106:21
company 14:11 23:20 27:16,22 31:8 32:21,22, 23,24,25 37:9,19 43:25 44:21 60:24 85:3,8,22 87:22 94:22 95:4,7,10, 14 96:20 113:19,23 114:5 116:20 118:17	Confirmed 157:16	contained 144:10	cost 56:25 57:12
companywide 40:18	conflict 128:23	Container 37:5	costs 22:12
compares 114:23	confused 74:14	continue 118:2	counsel 121:18 157:13
compelling 19:25	confusing 26:3 55:24	continues 22:13	country 54:14,19
competitive 120:4 136:8	confusion 98:2 131:3	continuing 163:10	couple 32:17 33:11
complete 122:1 129:9	consideration 86:20 90:17 120:10 132:2	contract 15:18,22 16:2, 7,11,16,24 17:19 18:19 19:8 20:14,15 25:7,8 28:2,16 29:21 42:3 52:14,16 65:20 69:18 73:24,25 74:7 80:2 81:23 84:8,11 85:4 90:1,3,6 92:9 93:18 94:19 95:6,9 114:2	Coushatta 9:5
completed 20:6	considered 50:24 117:18 119:25 131:15, 18 141:22 142:9 143:12 160:14	contracted 29:25 52:11	cover 55:14
compliance 25:3 117:15 119:3,8	consistency 162:17	contracts 10:6 73:17 91:7 92:10,17 95:3,12, 20 96:18 117:2	Coyle 61:13,14,18 64:1, 9,10,14 65:12,18 67:12, 17 70:4 71:7 75:11,24 76:1,5 77:23 78:14
compliant 25:23	consistent 27:12 28:1	contractual 20:10	crazy 167:4
comply 28:13	constantly 112:8	contracturally 27:23 28:13	create 23:9,20 27:24 44:8 63:2 67:21 120:5 149:14
component 55:9,10	consternation 157:12	Contractor 80:15,16	created 20:25 25:24 26:18 27:3 44:11 67:18 138:15
comprehensive 112:15	constituencies 140:1 153:6	convene 145:10,21,23	creates 21:23 22:15
computer 40:8,11	constituents 144:23	conversation 110:20 111:22 113:2 143:23 144:4	
computer-related 42:1	constitutional 114:16 126:3	cook 22:5	
concerned 146:20	constitutionally- created 115:18	Cooperating 49:16	
concert 114:7	construct 45:20	Cooperative 39:10	
	constructed 45:22 46:4 48:13	coordinated 175:13	
	construction 20:5 22:11,13 26:11 36:13 115:24	coordinator 22:3	
	constructive 137:13		
	consultant 71:10		



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creating 22:1 25:22
26:5 51:4
creation 21:23 27:22
creations 26:22
credit 21:8 26:14
credits 26:10 27:2
criteria 21:9,20
crossed 74:25
CT 10:6,7
cue 3:3
current 122:15 137:18
cut 67:9 73:8

D

Daigle 34:14,15,24
35:4
Danny 6:5 170:18
174:11
Darrel 6:2 51:21 170:14
174:7
date 15:19,24 16:3,8,
13,18 19:9 20:13 80:2
81:24 119:23 130:21
134:6 144:21 148:4,5,9
157:25 165:1
dates 20:15 26:21
75:14 107:19 110:11
122:9 124:18 143:6
day 147:24 148:15
164:5,23
days 63:5 75:7 80:20
117:22 118:1,8,16,20
130:9
DCR 66:16
deadline 80:19
deal 68:16 143:15
144:20,22
dealing 68:19 73:20
110:7 144:19
dealt 137:22

Deanne 39:23
December 16:13,18
25:9 66:4 95:5,8,12,16
decide 133:23 145:9
decided 54:2
decision 24:4 52:11
96:22 136:8 167:20
deck 100:25
Dedicated 8:23
deed 97:8
defer 31:10
deferral 8:23
deferred 31:9,19 60:19
definition 21:2 24:14
delay 130:6 138:14
146:10 149:10 152:6
delayed 128:24 138:10
delays 138:15,16
deliberating 155:16
157:5
delighted 35:18
deliverables 116:20
delivered 124:6
delivery 115:4
denial 101:24 105:19
denied 96:20 98:15
Denka 31:10,16 32:2
dent 72:19
deny 29:9 63:2 82:21,
24 83:12 108:4 117:25
denying 103:9,14
department 112:10
124:5 154:18 159:20
176:2
Department's 154:23
description 40:7
deserve 153:7

deserving 22:24
designed 128:3 137:9
142:7 144:11
desire 130:3
determine 21:12,13
24:14
determined 20:8
developer 52:12
development 22:12,
14,17 52:4 112:22
113:5 124:6,8 136:11
154:19 178:23
developments 48:13
Devillier 3:18
dialog 112:18 128:13,
17 137:7,14,18,20
162:20,21 178:6 179:1
diary 89:3
diarying 89:13
Didier 65:8
difference 140:15
167:17
differently 50:8
difficult 28:2
difficulty 116:11
direct 21:8
directed 112:6 119:6
128:4 154:24
direction 48:11
directive 112:16
directly 21:5,10,19,22
22:15 23:16 25:25
director 22:2,4 39:24
Dis-tran 10:13
disagree 141:19
142:15
discretion 179:4
discuss 158:3 163:3,12
168:1 176:23 180:6

discussing 146:9
147:3 151:5 155:18
157:6
discussion 38:8 74:6
75:2 108:6,10 111:12
120:15,20,24 124:19
128:11,16 175:18 179:1
discussions 7:7
104:18 111:2 116:2
121:8 171:14
disregard 126:6
disrespectful 161:22
diverse 155:16
DIVI 14:7
Division 80:15 114:1
docked 64:16
Doctor 78:12
document 110:23
111:4 113:16,24 114:8
137:14
documentation 64:21
111:9
documents 119:25
Don 56:9 120:24 126:19
129:15 146:18
door 139:21
doors 139:22
DOW 32:21,22,23,24,25
33:8,20 34:15
downsize 114:10
dozen 139:25
draft 114:8 143:9 156:5
drafted 123:7 137:14
drafting 123:6,9,10
124:11
Drive 10:14
Dryers 37:6
dual 110:8
due 69:21 72:14 75:13
76:24 95:4,8,11,15



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114:25	EJ 14:12	entire 52:17 121:2 126:21 131:16	exemptions 40:21 92:24 118:22
dues 67:14	Elastomer 31:11,16 32:2	entity 33:17	exercise 68:2 116:14
dun 89:16	elective 27:16	envision 155:6	exercised 68:3 118:19
duplicate 34:3	element 110:21,22	Epic 90:3,5	Exhibit 113:25 114:9 117:1,7
duty 152:15,16	elements 128:1	equipment 50:22 53:9, 10,12	exist 176:24
E	eligible 46:1 58:4	equipped 116:22,24	existing 15:18,22 16:2, 7,11,16 17:19 54:11,23 112:3
Eagle 14:9	emphasize 154:22	essentially 27:12 116:21 117:22 135:17	expand 114:15 115:11
earlier 115:9 132:10 133:3 155:2,4 156:6,8 178:8	employed 21:1,5 23:15 25:20,25 33:23	establish 27:14 119:19 128:14 151:24	expect 58:1 163:5
earliest 131:11 144:16 155:10 157:23 160:13 161:1	employee 20:7,14 24:21	established 114:17 115:19 143:6	expected 118:7
East 9:4 10:14,18 13:25 14:3,7,13,15 15:17 37:2,5 90:1 91:8 92:10	employees 20:9 21:3, 7,8,9,11,15 22:6,9 23:15 25:14,20,21 28:17 29:24,25 30:1 34:18 40:19 48:25 49:9, 22	establishing 117:1	expedite 62:25 156:24
economic 22:16 52:4 113:5 124:5,8 136:10 154:18 178:23	enactment 128:24	estate 43:24 55:9	expeditious 161:14 163:13
Edgar 162:10,15	encountered 112:13	ethics 110:13	expeditiously 154:24
Educators 113:2	end 20:16 21:17 65:24 66:8,23 118:21 120:25	evaluate 116:18	experience 20:19,22
Edwards 22:22 112:6, 16	endeavor 39:10 49:17 128:7	event 118:19	experiencing 115:24
Edwards' 114:20	ended 70:8	events 20:12 22:3,19, 20	expiration 22:7 80:2 81:23 84:8,11 85:4 87:23
effect 134:13 142:1 161:15	ending 75:19,24	exact 78:7	expire 21:17 65:2,24 66:4,8,10,23 72:13 73:13
effective 19:9 112:9 113:9 121:13 156:8 163:12	ends 52:23 75:20	examination 116:25	expired 65:15 66:15 68:25 69:18 74:10 76:24
effectively 143:13	Energy 37:14 79:25 80:6,15 93:17,19,20 95:2,6,9	exchange 113:22	expires 20:16 25:7,8, 13
effectiveness 162:24	enforcement 27:19 116:1,4	excluded 40:14,22	explain 29:19
Effervescence 12:10	enhanced 116:4	excuse 21:23 105:17 125:1 147:16	explained 167:8
efficiency 162:18,23, 24	Enlink 14:9	execute 116:23	explaining 19:23
efficient 112:10 113:9 114:8 120:5 132:5 163:13	entered 20:17 107:4	execution 113:9	explanation 63:25 64:2
effort 123:20 135:25	Energy 94:19	executives 52:15 112:22	expressed 116:16
eight-acre 45:21	entering 29:20	exemption 31:4 59:18 62:17 63:8,22 66:13,15 67:22 80:24 91:16 92:9 108:4 110:1,24 111:24 114:6 120:4 176:21	extend 28:25
	Enterprise 13:21 14:22 16:24 21:3,21 22:17,25 26:22		extended 20:4
			extension 23:1 101:9 104:16 106:7 108:22



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extensive 112:17,18 179:13	feature 113:16,19 116:7,14 118:10	five-years 67:7	
extenuating 19:23	features 114:2,4 119:18	floor 110:16 140:19 141:2 150:2	G
extreme 133:14	February 16:7,12 85:5 87:24 161:4	focus 140:7 179:24	gained 114:2,4
eyes 56:17	fee 98:17	focused 111:25 128:11	Gas 112:23
EZ 30:25	feedback 129:24 136:9	folks 178:9,25	gave 40:24 101:8
F	Feliciano 37:6	follow 27:23 67:22	gee 64:21
Fabra 4:17 169:7,8 172:25 173:1	fell 145:15	Forest 61:4,5,6,10,15 64:2,10 73:12	Geismar 37:16
Fabricators 92:17	fellow 110:19 127:2	form 179:2	general 10:16 20:21 22:2 110:7,9
facilities 22:8 102:6	fence 47:8,15,17	formal 120:1 154:6 159:17	generally 62:25 63:18
facility 20:19 21:4,19, 22 22:13,19 47:6,20 52:9 95:16 97:6 102:3 107:2	Fertilizer 37:12,13	Formosa 35:17	generate 21:7
fact 51:4 142:20,23 152:16	FG 33:1,11,18 35:13,16	Fortier 43:11	generous 63:18 89:7
factually 142:11	figure 73:14 116:18	forward 18:24 33:10 35:12 39:20 43:17 61:11 80:7 85:9 100:24 113:17 118:17,25 119:10,13,16 120:9 121:15 124:8 131:15 134:15 135:5,8 139:15, 23 142:17 143:4,7 147:3 152:3,9 154:24 155:24 157:18 159:1 161:25 179:7,19	gentleman 53:20
fails 171:11,12	file 28:20 53:7,8 56:24 57:18 62:17 64:22 89:5, 6	found 24:15	gentlemen 35:15
fair 40:17 113:4 161:11	filed 20:7,14 31:7 39:4 62:16 64:15,22 67:6 97:13	four-year 80:23	Georgia 37:1 59:14
Fairbanks 12:10	filing 27:20 53:10 117:5	frankly 63:17	get all 126:10
fairly 80:19 138:12	filings 64:17 89:14 97:7	free 22:20 141:25	give 65:19 68:4 72:25 80:23 94:22 163:11 179:22
Fajardo 4:20 13:1,2,3 60:4 83:1 84:19 87:16 88:2 91:23 109:9 169:11,12 173:4,5 180:10	fill 179:23	front 58:17 146:23	glad 111:20
fall 24:16 26:21	final 48:24 56:25 57:12 127:4 129:20	front-end 36:9	goal 114:12 121:5,10 179:25
faster 116:7 135:2	finally 116:9 134:22	full 127:7 137:6 150:23 151:3	goals 137:9 179:14
favor 7:10 8:14 9:21 11:16 13:6 15:7 17:9 18:9 29:15 30:13 38:20 58:24 60:7 76:16 77:24 79:16 81:13 83:18 84:20 86:22 88:9 90:23 91:25 93:8 94:10 96:6 99:16 100:10 108:14 109:16 141:10 177:18 180:12	find 33:25 40:17 46:12 51:5 54:5 72:22 126:8 138:10	full-time 33:22	good 3:2 13:23 19:2,15 31:6 35:15 36:21,22 39:23 41:22 67:18 101:14 136:13,18 139:24 146:14 147:13 160:8
fear 133:13	fine 153:5 162:5 165:4 175:24	fully 123:13 131:18 163:5	Gose 45:10,11,17 46:2 47:16,25 48:10,19
	finish 70:20 138:22	fully-executed 39:10	government 47:22 103:17 113:25 114:3 117:16
	firing 21:11	future 58:1	governmental 117:12
	fit 54:2		governments 113:5 116:13,15 117:4,13,20
	fits 98:4		Governor 22:21 35:18 112:5,12,16 114:20 119:7 123:1,22 124:4,9
	five-year 65:13,14 66:20 68:18,22 69:1,2 114:17,18		



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125:5	handshake 27:17	holds 153:17	idea 27:20 63:20 104:1 116:5 131:24 160:8
Governor's 123:2	happen 71:10 155:9 161:6	home 46:22	identical 78:9
Grace 7:22	happened 27:23 28:23 29:24 33:25 65:16 138:11 160:23	Hones 82:23	identified 64:8
grandfathered 59:21	happy 100:1 179:15	Hood 37:5	identify 18:24 19:17 34:13 35:13 39:20 45:8 51:19 59:10 61:11 80:7 85:9 97:16 101:4 159:1
grant 20:2 23:1 61:5,6 104:7 106:6,7 108:22	hardware 40:8,11 42:6	hope 88:24 89:9 121:15	Ill 8:24
grasped 163:2	Harris 35:12,14,15,22 36:4,18	Hospice 22:20	illuminate 137:9
Gravois 37:3,4	Harvey 93:17,19	Hospital 22:22	illustrated 25:4
great 116:16 161:6	hate 28:11	Hospitality 14:7 16:1	imagine 167:15
Greatwide 8:23	head 47:13 56:18	Houma 93:21	immediately 64:22
Gremillion 10:9	Health 14:1	HOUSE 122:18 125:9, 14,21 126:14 127:9 129:19 130:4,18 131:5, 9,23 132:12,16,22 133:4,10,18 134:3,10 135:18 139:6 143:2 144:15 147:9,25 148:11,21 149:3,9,16, 22 152:7 153:22 154:9, 13 155:3,8 156:2,12,20, 25 157:15,20 158:13 159:13,21 160:11,21 164:6,16 165:5,10 175:25 176:7 180:2	impacted 104:3 107:10 116:11
ground 146:5	hear 50:2 53:21 143:22 144:23 146:24 147:8,19 153:6 160:5 164:13 167:13,25 168:1	housed 43:25	implement 128:18 144:11
group 14:1,4,5,6 15:17 16:6 56:2 59:21 129:6 179:22	heard 67:24 106:13 127:25 146:16 151:11 153:8 154:5 162:16,17, 23	Hud 59:12	implementation 112:13 118:25 128:11 130:8 143:24
groups 14:14 89:1,12 113:6 123:14,16 152:18	hearing 70:1 119:23 130:21 131:6,10,11,16, 22 132:10 134:6 138:14 154:6 156:16	Hud's 60:16	implemented 123:23 139:24 143:14
grow 112:3	Heather 5:2 9:20 169:19 173:12	humbly 22:25	important 89:2,3,5 110:20 113:10,16 114:3 116:7,14 118:10 128:18 162:24 179:18,20,25
GSRI 10:16	held 22:19 48:4 110:10 132:9	Hunt 61:4,5,6,9,15,17 64:2,10 72:2 73:12	impression 54:10 104:19
guarantee 167:22	Helicopter 32:13	Hunter 51:20,21 53:2 54:13,18 56:6,11	improve 137:14
guess 23:7 24:2 69:6 126:8 127:1 131:3	helpful 56:1	Hunting 79:25 80:5,15	improved 115:8 116:8
guest 22:21	Henry 12:10		improvement 113:14 115:4,15
guidelines 24:21,22 25:24	Hey 65:20	I	improvements 110:23 111:23 112:7 115:25 119:7 121:14 179:18,25
Gulf 59:14 92:16,20	Highway 10:13 45:22	Iberia 37:4 97:25	inaccurate 142:12 152:22
guy 28:11	hill 146:11	Iberville 10:7 14:10 32:22,23 33:1 34:6,8 37:12,13,21,22 59:13 94:21 95:10	incent 23:19
guys 41:3	hired 53:20	IBM 9:4	incentives 88:23
H	hiring 21:11	Idaho 9:5	include 22:2 112:19,20 117:12 163:4 176:1
half 69:19 86:1	hit 47:2 70:23 128:23		
Halliburton 95:2,6,9	holding 43:24 110:8		
halting 157:4			
hand 151:15			
handle 179:4			
handled 162:19			



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included 45:13 113:2	initiated 123:1 161:13	51:12,13 53:12 54:1	Jerry 4:23 169:15 173:8
includes 156:15	inordinate 116:17	55:14 56:22 57:3,9,11	Jim 35:15,21 36:17
including 19:11 22:12 179:20	input 121:6,9 130:3,14 139:25 145:12 146:21 159:19 163:11 175:9 176:1	58:3 111:2,6,10,18 113:20 116:19,21	Jimmy 159:4
Incorporated 14:17 16:11 82:9	inside 44:1 47:15,17 50:22	investments 14:3 27:1 51:25	job 7:25 26:22 27:2,21 29:1 36:9,21,22 116:20
incorrect 46:3 139:7	inspect 48:4	invite 137:6	jobs 7:18 8:4 9:12 10:21 15:21,25 16:5,10, 14,19 19:10,12 20:25 21:24,25 22:1,5,6,16 23:9,20 25:22,25 26:4,9 27:15,24 43:21 44:8,11 51:3,4 52:1 55:12 56:9, 14,17 67:19 89:13 113:19
increase 19:11 72:5	inspection 97:7 137:6	invited 177:12	John 22:21 31:11 112:5
individual 112:8	instance 56:2	invoices 26:21	joint 55:8
individuals 162:21	instances 163:7	involved 159:6 178:20	Jones 4:23,24 11:1,5 25:17 38:18 72:22 81:6 82:13,16,19 83:6,7 84:15,16 88:16,19,20 89:18 90:15,19 96:5 103:21 105:1,3 109:2,6 112:1 120:13,18 127:14 129:13,14 130:1,10,23 131:2,7,20 132:3,14,20, 24 133:6,12 134:1,8 135:11,20,23 138:19,23 139:1 140:25 141:12, 15,16 142:14 143:3 145:24 150:8 153:10, 13,14,24 154:11,25 155:5 166:6,19 167:3 169:15,16 173:8,9 175:19,20 176:5,9
industrial 31:4 43:12, 16 45:11 46:6 48:14 50:16,17,23 59:18 91:16 109:25 110:24 111:24 112:22 114:6 176:20	instruction 123:2	Island 92:16,20	John 22:21 31:11 112:5
Industrial's 44:1	Instruments 14:13	issue 24:13 51:3 89:11 133:8 146:9	joint 55:8
industries 15:17 136:4,11	insure 70:24	issued 112:14 159:11	Jones 4:23,24 11:1,5 25:17 38:18 72:22 81:6 82:13,16,19 83:6,7 84:15,16 88:16,19,20 89:18 90:15,19 96:5 103:21 105:1,3 109:2,6 112:1 120:13,18 127:14 129:13,14 130:1,10,23 131:2,7,20 132:3,14,20, 24 133:6,12 134:1,8 135:11,20,23 138:19,23 139:1 140:25 141:12, 15,16 142:14 143:3 145:24 150:8 153:10, 13,14,24 154:11,25 155:5 166:6,19 167:3 169:15,16 173:8,9 175:19,20 176:5,9
Industriplex 91:10	intact 161:13	issues 133:14,16 155:17	Jones' 82:12
industry 3:7 88:25 112:3,4,20 115:11 116:2 117:7 158:12	intelligent 140:8	issuing 125:16	Jude 22:22
ine 34:5	intend 104:21	ITE 96:14	judgment 82:12
infer 75:12	intended 131:4	item 8:22 10:4 176:18	July 16:3 110:11 144:20 160:25
infinite 130:12	intent 103:16 119:17 151:7,10 159:10,17 179:16	items 11:11	jump 46:11
Informatics 10:16	intention 125:6	ITEP 44:9,21,23 46:1 47:3 49:4,5,23 50:12,13 52:19,23 53:6 55:12 56:5,15,20 57:2,8 59:12 86:5 88:22 114:17 115:13 116:19 118:4 119:10 133:8 144:10 155:20	June 39:4 60:19 109:3 110:11 112:14 113:18 119:20,24 120:1 121:10 124:1 126:21 127:3 129:9,21 130:5,6,16,22 131:4,19 134:6,23
information 40:24 111:12 130:14 144:10 179:5	interaction 162:22	<hr/> J <hr/>	
informed 103:7	interested 154:20 159:7 160:7	James 10:9 14:2 33:1 90:6	
infrastructure 22:12 115:25 116:4	interject 103:23	Jan 5:12 170:2 173:20	
initial 65:5,10,12,17 67:5,7 70:7 80:1 81:23 84:8,11 85:4 87:23 113:24	internal 121:8	January 15:19 16:12, 17 72:14 107:22,24 161:4	
initially 58:1 64:15 96:20	internally 55:11 112:17	Jeff 110:7	
initiate 119:7	International 14:11 91:7,17 92:9,12	Jefferson 39:12,13,14, 15 43:10 60:24 93:19	
	interrupt 125:22 132:25	Jennifer 101:6,19	
	Intralox 39:12,25		
	invest 22:13		
	invested 22:10 23:8 58:1		
	investment 12:13 16:6 23:6,20 26:13 38:3		



137:19 141:23 144:5, 17,18 153:2,20,21 154:15,16,20 157:22 158:5 159:22,24 160:15,23 164:10 165:14	Lapeyre 43:9	letter 89:16 103:9 105:11,19 118:6 122:10	locals 136:10
jury 56:20 57:8 58:2 101:25 103:9 105:11 106:2,4 112:24	Lapeyrs 40:1	level 113:21 115:14 118:12 121:15	located 102:3
<hr/>	large 155:16	LIDEA 114:7	location 10:25 91:6,9, 11,16
K	late 60:18 61:21,22 62:8 63:1,5,13,16,17,19,25 64:15 65:5,9,16 66:6 67:6,24 68:11,21 69:19 70:22,24 71:1,15,20,21 72:6,7,8,13,15 74:15, 20,24 75:7 77:3 78:16, 19 80:10,20 82:1 85:12, 25 86:3 87:13 89:11 96:19 97:2,4,11,14 98:17 112:5 140:3	lifestyle 22:14	locations 10:12 91:24
<hr/>	lateness 80:22	lift 117:2	logical 51:25 146:12
Kennedy 37:6	law 24:3,17 28:12 29:6, 19 67:21,22 110:6 115:25 116:4 122:15,20 123:24 132:1 139:8 144:21 154:8 158:6 161:5,8	likes 151:12	Logistics 17:20
keynote 22:21	Le 22:15	limit 179:17	long 36:1 109:3 137:23 138:12 140:2 147:24 148:8,9
kind 64:23 89:11 116:10 128:23 140:14	lead 34:15 128:17	limited 133:8	long-term 52:13,19
knowing 118:22	leading 133:25	lines 49:7 50:16 55:8	longer 95:15 122:15 126:9 149:15
knowledge 118:2,18	lease 52:13,19	link 111:8 119:15 132:18 144:9	looked 33:22,24 97:7 165:2
Kristin 103:4 105:15	leased 21:7,9,11 24:21	list 40:13 55:19 71:23 89:9	lot 40:14 46:6,9 47:18 56:16 111:25 118:23 126:8 128:17 133:14,15 139:24 153:6 162:20 178:25 179:1
<hr/>	leave 13:12 40:14 129:22	listed 42:3	Louisiana 10:14,15,17, 18 20:11 22:16 36:23 37:5,8,20,21 52:4 53:24 54:15,20 55:1 91:10,12 94:19 110:24 112:20, 21,25 113:3 114:15 115:12 122:20,23 133:22 139:8 144:2 154:8 162:15
L	leaves 9:3	listen 158:4	Louisiana's 111:23
<hr/>	LED 24:22 39:11 49:17 65:10 97:5 112:6,15 114:7 116:24 117:4,8 118:7	listing 42:10,13	LP 14:10 37:12,13,17, 19 38:2 59:15 90:1,3 100:20
La 14:12 33:1,11,18 35:13,16 61:7	Lee 36:22	lists 42:10	Lubricants 100:19
LABI 114:7	left 42:1 68:4 73:5	literally 142:24	Lubrication 37:7
Lafayette 7:23 14:6 18:19,23 19:3,20 20:9, 20 21:2,18 22:10,24 23:6,7 25:25 29:20 32:14 59:15	legal 116:25 121:18 157:13	live 144:7	<hr/>
Lafourche 14:5	legally 142:11	Livingston 16:6 38:2 90:4	M
laid 134:25 142:24	legislative 156:16	LLC 8:24 9:5,6 10:6,7,9, 13,16 12:9,10,11 13:24 14:1,2,3,5,6,8,9,12,13, 14,15 15:17,22 16:1,6, 16 17:20,21 18:19,23 19:3 31:11 33:12,18 35:13,16 37:2,3,4,5,6,8, 14,16,20,21 39:12,13, 15,19 43:10,12,24 59:13,14 61:5,6,7,15 64:10 85:3 87:22 90:3, 5,7 92:12,17,21 93:17, 19,21 94:19 95:12	Machine 39:13,25
Laitram 39:13,14,15, 18,24,25 40:14 41:24	legitimately 97:11	LNG 37:17	machinery 39:14 40:1 50:22
Lake 59:14	Leonard 159:3,4,15 160:2,19 161:10 162:4	local 22:22 39:9 47:22 52:12 107:20 113:4,21 115:5 116:13,14,15 117:3,13,16,20 118:10, 12,19 120:5	mack 110:5
Lambert 12:2,4,15 13:15,19			
land 22:12 45:19			
Landry 110:7			
lane 91:11 128:3 179:17			
language 19:14			



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made 3:4 7:5 8:11 9:19 11:14 13:1 15:5 17:7 18:7 23:6 27:2,16 30:12 35:18 57:3 58:22 60:4,6 74:4 75:9,10 77:17 79:8 81:5 82:23 86:10 87:15 88:1 90:21 91:23 93:6 94:8 96:4 98:11 99:7 108:4,5 110:6,14 120:17 134:21 136:2 143:12 145:22 157:11 160:16 166:24 167:16 178:12 180:10	22:7 24:15 25:8 manager 20:21 22:2,3, 4 34:16 35:17 51:22 52:5 101:6 manages 24:16 Managing 21:22 Manchac 91:11 Mandi 143:17 manner 89:6 119:8 121:16 Manny 4:20 169:11 173:4 180:11 manufacturing 40:15, 16,18 41:17 44:1 45:15 46:13,24 47:6 55:10 95:4,8,11 March 16:7 20:15 80:3 Marine 92:16 market 20:20 marketing 22:3 Martiny 5:6 Mary 37:3 Mason 97:17,18,20 match 35:3 material 26:20 160:8 materials 26:11,19 matrices 136:7 matter 104:15 139:12 153:7 Mauser 43:10,24,25 44:1,11,17 48:24 49:17, 22 50:13 51:13,22 52:15,18,23 53:9,15 54:1 Mauser's 45:19 52:8 maximum 114:21 Mayor 4:1,2 7:6 168:16, 17 172:9,10 Mcelroy 81:22 82:6,8, 17 84:3,7,10	Mcquiston 85:20,21 86:18 meaning 86:5 means 137:24 meant 36:8 measures 71:9 mechanism 118:3 meet 21:9,20,24 24:22 28:23 29:1 111:1 122:12 147:18 150:23 151:3 157:7 164:15 165:13,14,24 167:12 175:22 meeting 3:6,8 13:17 19:10 52:16 63:3 104:16,17 109:5,23 117:21,25 120:1 121:1 122:1 123:25 124:18 129:9 130:2,6,14,16,17 131:4,17,22 132:6,9 134:6 139:17,21 144:18,24 146:8,15 147:2,7,21,22,23 148:1, 2,13 149:1,13 150:23, 25 151:4,25 152:10,22, 24 153:17,25 154:1,3,5, 8,21 157:22 158:2,8 160:15,17,18,22 162:1 163:6 164:2,9,22 166:1, 17,24 175:9,14 176:6, 11,18,19 177:11,25 178:14 179:12 180:19 meetings 110:8 126:19 131:25 134:20 141:6 144:1 146:18 152:18 154:8 162:25 meets 178:22 Melissa 3:9 7:1 38:6 150:11 166:13 168:5 member 17:21 128:13 144:25 154:19 members 3:3 7:11 8:7, 15 9:16,22 11:11,17 12:22 13:7 15:1,8 17:10 18:3,10 30:9,14 35:8 38:21 58:25 59:24 60:8 62:24 76:17 77:25	79:17 81:14 83:19 84:21 86:23 88:6,10 90:24 92:1 93:2,9 94:4, 11 96:7 99:17 100:11 108:11,15 109:17 110:5,15,20 111:21 128:15 137:12 163:1 177:19 178:24 180:13 Meril 14:12 message 88:24 89:8, 13 125:7 messaging 116:11 met 15:20,25 16:4,9,14, 19 19:10 21:4 52:8 Metal 81:22 84:7,10 Methanex 37:8 43:11 Methanol 10:8 90:7 methodology 137:10 Metoyer 13:20,22 14:20 15:15 16:22 17:16,17 18:16,17 19:5, 7 23:21 24:6,19 25:2 28:4,19 30:24 31:2 Michael 52:3 microphone 64:6 mid 121:13 Midcontinent 112:23 middle 146:5 Midstream 14:10 Mill 81:23 82:9 84:7,11 Miller 5:9 38:7,19 47:13,14,21 48:2,16,21 60:6 74:8,13,19 75:4 91:24 97:22 149:12,19 164:4 169:23,24 173:16,17 175:6,7,23 176:3 Millie 3:22 168:12 172:5 mind 128:7 130:11 minimum 19:12
---	--	--	---



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minute 140:21	86:10 87:3,15 88:1,15 90:21 91:4,23 92:6 93:5,14 94:7,16 96:2,12 98:11,19 99:7,22,23 100:16 108:3,20,21 109:1,22 119:13 120:9, 14,17,23 127:15 129:16 140:19,22,24 141:1,4,7, 9,21 142:7,18,19 145:9, 21,22 147:7,12,13 148:12,17,18,20 150:2, 17,18,19,20,22 151:24 152:13,15 154:14 157:6 162:3,8 163:24,25 164:1,8,17,19,21,25 165:11,12,16,18,22,24 166:5,7,9,12,21,22,23, 25 167:2,5,6,11,14 171:11,12,13,14,18,24 175:5,8,11,21 176:13 177:11,24 179:3 180:9, 18	Natchitoches 14:11	86:9 93:18 110:11 112:19 114:12 146:19 152:18 156:24 179:13
minutes 7:3	nationwide 19:11	numbers 65:21 94:19	
misinformed 97:5	nature 48:14		
Missy 19:2,20	nay 7:13 8:17 9:24 11:19 13:9 15:10 17:12 18:12 30:16 38:23 59:2 60:10 76:19 78:2 79:19 81:16 83:21 84:23 86:25 88:12 91:1 92:3 93:11 94:13 96:9 99:19 100:13 108:17 109:19 177:21 180:15	<hr/> O <hr/>	
mistake 34:2	necessarily 53:24 114:4	object 127:20 166:7 167:15 171:20	
MITCHELL 148:23 150:24 155:25 156:18 164:18	needed 52:8 53:7,8 115:8 120:2 128:2 129:22	objection 118:16 150:7,9 158:22 163:23 164:1 166:11,20 171:17	
Moller 5:12,13 15:5 136:21,22 137:2,16 139:16 140:12,13 141:8 143:20 144:13 145:2,16 150:3,6 170:2,3 173:20, 21 176:24	net 20:25 21:24 22:1 25:22 26:9 27:15	objects 171:23	
Monday 35:18	Network 12:11	obligation 20:10 151:15	
Mondi 95:12	newly-established 116:16	observation 78:13	
money 23:9	NFR 10:6	observe 111:9	
monitoring 89:4	night 120:24 126:19	occasion 107:5	
Monroe 16:10	Nitrogen 37:11,13	Occidental 37:10	
Monsanto 37:9	noes 171:9	occur 27:25 121:22 178:13	
month 63:5 70:22 128:25 149:11	none's 52:24	occurred 98:3 178:7	
months 19:8,13,14 26:18 61:22 62:19 63:24 74:21 77:7 78:15, 19 80:9 82:4 85:13,15 86:1,3 87:8 97:4,13,14 112:17 130:9 140:4 143:11,14	note 38:6 111:7	occurring 178:8,21	
Mooring 14:2	noted 11:9 90:19 112:11 115:3 116:9 118:5 119:2	October 21:18 28:21 161:1	
Morehouse 9:6,7 37:7	notice 65:19 118:8 119:17 134:12 154:1 159:10,17	offered 28:22	
morning 3:2 12:5 13:23 19:2 31:6 35:15 39:23 132:19	noticed 113:12 117:11, 20 131:25	office 22:4 110:7,8 114:2	
motion 7:4,16 8:10,20 9:19 10:2 11:14,22 12:25 15:4,13 17:6,15 18:6,15 29:9 30:12,19 38:17 39:1 58:18 59:5 60:2 68:7,9,13 74:2,4 75:9 76:22 77:20 78:5,9 79:8,22 81:5,19 82:23 83:12,24 84:15,17 85:1	notification 117:5,22	official 147:21,22 158:6	
	noting 113:8	offline 161:24	
	November 16:8 110:12	offset 55:13	
	number 11:6 17:19 18:19 36:15 40:18 42:14 53:11 73:24 79:1	Oil 112:23	
		older 128:1	
		Om 16:15,16	
		one's 80:19	
		one-year 99:24	
		online 144:1	
		open 110:8 120:15,20 123:8 128:16 129:22 139:21 144:12 154:2,7,	



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8	18,22 171:13,14,17	17:20 18:20 31:12	Payne 12:9
opening 22:18	Orion 14:13	32:14,22,23,24,25 33:1, 2 37:2,3,4,6,7,8,9,10, 11,12,13,14,15,16,17, 18,20,21,22,23,24,25 38:1,3 39:13,14,15 43:10,11,12,13 45:20, 25 46:4,7,8,9 47:24 48:3,6,11 59:13,15 60:24 61:5,6,7 62:4,8 80:1 81:23 84:8,11 85:4 90:2,4,6 91:9 92:11,20 93:19,21 94:21 95:3,7, 10,14 97:25 100:20 101:12,18,19,25 103:8 104:1,16 105:7 106:21 108:4	payroll 21:14
operate 21:19 126:1 167:21	Orleans 12:7 14:12 15:22		PCS 37:11,12
operating 14:10 20:19	Orpheum 12:11		penalize 65:11 72:6
operation 55:13 95:15 97:8	Ouachita 14:1 16:11		penalized 70:4
operations 22:2 38:2 90:1,3 97:6	outline 130:13 141:11 179:14		penalty 63:2 66:22,23 67:3 68:3 70:25
opinion 110:9 138:9 141:24	outlined 27:25 124:19 128:12 133:2 135:10 152:14 154:23		pending 165:12
Oppilations 37:2	outlines 178:13		people 63:4,19 67:21 70:21 72:23 123:3 131:12 139:2,18 145:5 148:6 161:2 163:8,11 175:12
opportunity 20:3 27:13 28:16 123:5 160:5 161:7 162:20,22 163:5,11	output 123:12	parishes 34:11 116:11	percent 19:11 40:20,22 42:2 63:13,17 66:5,23 67:9 69:7,8,10,20 70:19,21,23 71:1,15 72:6,8,15 73:21 77:9 78:17 80:20,23 86:5,11, 15 87:8,16 98:3,9 114:17,18,22,23,24 115:1,14,18 116:5 126:16
Opportunitylouisiana 152:25	overview 111:4 143:18 144:10 157:7 158:10 176:19	Park 17:21 91:11	perfectly 141:25 146:14
Opportunitylouisiana .com 111:8	owned 44:17 50:23	parking 3:3	Performance 31:11,16 32:2 37:14 93:17,18,20
Opportunitylouisiana .com. 119:15	owner 17:18,24 46:6 53:8,9 92:11,20	parks 48:14	performs 21:14
opposed 7:13 8:17 9:24 11:19 13:9 15:10 17:12 18:12 30:16 38:23 59:2 60:10 76:19 78:2 79:19 81:16 83:21 84:23 86:25 88:12 91:1 92:3 93:11 94:13 96:9 99:19 100:13 108:17 109:19 177:15,21 180:15	owners 45:5 48:15	part 14:18 21:6 24:2 46:13 47:18,20 59:21 122:11 133:24	period 15:18 16:11,16 21:1,5 24:25 62:3 65:12,14,17 67:7 118:14 119:20 134:12, 18 135:6,7 153:19 154:17 159:18 161:3 167:19
opposition 177:15	owns 43:25	partial 93:16,25	periods 28:25
opt 118:4	<hr/> P <hr/>	participate 161:8	permanent 21:24 25:25
option 26:18 29:2	p.m. 180:19	parties 129:2 146:19 160:7	permissible 123:24
order 3:6,8 27:18 31:8 39:4 112:14 113:18 114:14,19,21 115:21 117:2 119:9 134:24 147:7 156:4	Pacific 37:1	party 44:14	Pernici 52:2,3,25 53:4, 22 54:24
organized 118:5	Pack 91:7,17 92:9,11	pass 37:17 147:6 157:23	perpetuity 48:15
original 114:25 152:14 164:8,17,19,21 165:12,	paid 67:13	passed 114:1 134:22	personally 167:21
	Paper 14:11	passes 175:5	
	Parc 18:18,22 19:3,20 20:9 21:1,9,10,18 22:10,23 23:6 25:25 29:20	passing 142:20	
	Pardon 125:3	past 80:21	
	parish 7:22,23,24 8:24 9:5,6,7 10:7,9,11,15,19 12:7 14:1,2,3,4,5,6,7,8, 9,10,11,12,14,16,18 15:18,22 16:2,6,11,16	path 179:7	
		pathway 27:22 119:13	
		pause 33:4 39:17	
		Pavillon 22:15	
		pay 21:13 52:20 63:9	
		paying 57:20 63:21,23	



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persons 33:22	points 127:24	principles 113:13	21:3,7,21,25 22:25
perspective 29:4	police 101:25 103:9 106:1,4 112:24	prior 31:7 65:15 132:9 139:25 148:8,9 151:7 165:25 166:5	23:11,19 25:24 27:13 28:18 31:4 40:21 55:12 91:17 110:24 111:24 112:2,7 113:7,10,14 114:6,25 115:19 116:8, 25 117:15 119:10 120:3,4 128:12 176:21 179:19
Petroleum 20:10,18, 20,23 21:5,13,17 22:6,8 23:16 25:1,21 27:17	policy 110:9	private 20:22 48:6,9,17	programs 112:9 114:24 124:7
physical 54:25	Poly 34:18,19	privately 145:4 146:19	project 21:1,4 22:11 27:16 28:25 35:17 36:12 40:7 45:13 50:24 52:5 55:9,16 67:18 117:14
piece 49:21	Port 14:8	problem 51:2,3 53:16, 17 165:3	projects 111:5,10
Pierson 5:19,20 27:8,9 28:7 54:7 55:5,6,23 106:18,19 107:1,18 110:17,18 111:19 120:8 121:4 124:15,16,25 127:22,23 133:2 137:5 141:24 144:6 152:5 158:20 162:17 166:14 170:6,7 173:24,25 179:9	portion 28:21 41:8,10 75:3,5 78:16 110:1	problems 138:10	promulgated 160:24, 25
Pineville 10:14,15	portray 136:3	procedure 84:14 122:10 126:7 166:8	proper 89:14 122:7 129:4 167:4
Piping 90:3,5	position 69:20	Procedures 119:3,9, 18 155:19 157:10 178:19	property 44:15 46:5 47:2,9 48:6 53:18 57:20 114:13,20 115:4,8,15
place 110:13 117:21 126:4 136:6 144:4,7 152:17 163:1	positions 22:1	Proceed 7:17 9:1 13:14 15:14 19:5,22 32:6 36:24 39:7 43:7 59:6 61:2 79:23 83:25 94:24 96:16 152:23	proposal 115:22
Placid 85:3,7,21 87:7, 22	positive 106:13	proceedings 118:6	propose 68:2 143:23
plan 146:7	possibly 28:25 148:6	process 40:15,17 41:17 46:13,24 48:7 63:11,14 64:17 70:25 106:20 111:23 113:14 114:11 115:9 116:13,15 117:1,4 118:9,11,15,25 120:4,6 122:4,9,25 123:9 124:4 128:8,21, 22 129:11 133:24 134:18,22 135:2,5 136:6 137:25 138:8,13 140:2,9 141:22 142:4,8 143:4,25 146:11 152:2, 6 153:8,9 155:21,23 156:11,23 157:3,4 159:7 160:9,12 161:13, 14 162:18 163:10 178:19,21	proposed 110:23 111:23 113:14 117:4 130:24 131:1 136:23 137:19 140:16 143:3 145:4 152:2,3 155:22 157:19 158:11 176:20
planning 132:6	posted 135:15	processes 124:7 155:18 157:14	proposing 115:7,13 118:16 137:4 143:24
plant 34:17,19,23 51:22	posting 179:13	Products 61:5,6,7,10, 15 64:2,10 73:12	provide 101:20 114:12, 19 115:8,15 116:6 118:10 119:17 120:4 159:19 176:19 178:23 179:6
play 137:12	potential 150:23	Professional 17:21	provided 22:24 103:8 110:22 111:3,13 114:17 115:21 119:14 122:20 137:15
played 126:25	Pou 10:10	program 7:18 9:12 12:3,6,17 13:21 15:20, 24 16:4,9,13,18,25 19:9	provision 63:13 68:17, 18,19 114:19 155:22
plead 129:7	practitioners 113:5		
pleased 179:10	Praxair 37:15		
pleasure 76:23	preclude 163:9		
pledged 111:3	precludes 124:18		
plenty 124:1 128:13 137:13	prepared 33:18 118:24 125:16		
Pod 91:7,17 92:9,11	present 4:25 5:21 12:2 13:20 97:9		
point 28:24 68:5 128:10,18,20 129:16 143:19 153:21 179:12	presentation 126:20 152:1 176:2		
pointed 27:19 112:1 123:1	presented 38:10		
	presently-scheduled 130:16		
	preserve 118:9		
	pretty 41:22 134:25 159:18		
	Previous 91:9		
	primary 166:5 167:5		
	Princeton 102:8,12 107:3,9,10,11		



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179:4	pushed 143:13	ran 63:3	recommendation 27:11 29:5 135:16 142:5
provisions 21:4 122:15	put 28:17 40:21 51:8 55:21 66:22 89:3 97:23 122:16 135:25 141:21 143:25 148:4 152:3 178:12	Rapides 10:15	recommendations 112:6
public 8:3 9:11 10:24 12:16 14:21 16:23 17:23 30:6 38:9 58:11 59:18 76:10 79:10 81:7 83:11 88:3 90:10 91:15 92:23 93:24 95:19 99:9 100:4 108:7 109:10 110:9,21 111:7 118:6 119:15,23 121:9,20 123:16 129:20,24 130:3,14,21 131:6,10, 16,22 132:7,8,10,23 133:20 134:6 137:18,20 143:22 144:17 147:23 151:4 153:4,8,9 154:1, 2,4,5,6,8 156:15 157:25 158:1,4,5,6,25 159:16, 18 160:17,18 161:12,23 162:19 163:16 167:13, 25 168:1 175:9 176:1,6, 11 177:10 179:21	putting 66:22	rate 21:13	reconsider 98:16
publically 145:5	Q	ratio 40:17,18	record 107:5
publication 121:12 122:2,22 128:10 140:10 141:19,20 142:25 149:2,5 151:8,12 152:9	Q&a 161:23 178:8	Raymond 39:22,23 40:10,25 41:4,11,18,23 42:8 43:1,3	records 110:9
publicly 146:19 179:14	qualifications 116:20, 25	reach 123:12 146:5	recruit 114:15 115:11
Publics 131:25	qualified 21:1	reaching 114:13 115:9 136:15	recuse 11:6 90:16
publish 124:22 134:19 138:6 139:9 142:19 167:18	qualify 23:11 26:21	read 7:2 32:8 33:21 34:7 84:2,3 87:18 92:14 94:24 138:17 139:2 160:6 167:23	recused 90:19
published 121:20 125:17 133:1,22 138:2 152:24 153:18 156:3,4, 7,10 159:11 161:12	Quality 7:18 8:4 9:12 10:20	reading 61:23 78:23 79:3 125:4	Red 9:6
publishing 125:18,24 134:14 157:18	question 23:18 25:6 32:17 40:6 43:18 45:7,9 48:24 50:7 53:17 56:19 71:13 102:13 103:3 105:2 129:15 135:13 139:17 143:21 144:14 145:6 151:21 155:17 164:3 176:15	ready 35:19,25 36:2 48:5 168:3	redo 161:2
purchasing 26:19	questions 8:7 9:15 11:10 12:21 14:25 17:3 18:2 23:8 28:8 30:9 33:11 35:2,7 38:13 58:10,14 59:23 77:19 79:13 81:1,10 83:15 88:6 91:20 93:2 94:3 95:23 97:21 99:13 100:7 109:13 111:11 131:13 132:8 137:3 145:3,11,13,15 153:16 158:19 159:8 161:24 163:19 176:23 177:4	real 35:21 43:24 55:9 73:8	reduce 58:3 69:8 71:5 73:20 77:9 80:22 86:10
purpose 23:19 146:9 147:2 151:4 158:10 176:18	quick 23:8 73:8	realigned 117:4	reduced 69:10 114:21
purposes 84:14	quickly 138:13 179:19	reason 25:6 63:24 94:22 127:7 131:21	reduces 58:3
push 161:3	quorum 6:24	reasonable 43:1 121:7	reducing 73:15
	R	reasoning 46:12	reduction 66:5 69:20 71:16 72:16 75:8 86:5 87:8,16 98:9 99:24 115:1
	raises 132:8	reasons 22:23 27:25 129:23 139:24 156:24 167:8	reference 142:10
		receipt 117:13,22 118:1	Refining 85:3,8,21 87:22
		receive 58:2 93:21 101:11,12 113:22	REG 37:16
		received 24:25 84:9,12 101:22,24,25 102:13,14 103:9 106:22 157:12	register 133:22 156:10
		receiving 158:10	regular 117:25
		receptions 20:13	regular-scheduled 165:25
		recognize 142:8	regularly-scheduled 157:21
			regulation 24:16
			regulations 117:15
			reject 141:25
			rejection 105:11
			related 43:23 47:5 77:20 108:10 162:8 178:23



relating 24:16	representing 19:3 61:17 125:5	11:12,20 12:19,23 13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	Rice 37:6
relative 27:21 110:23 111:9,11,22 113:13	request 17:18 18:18 19:13 20:2 22:25 29:13 82:21,24 93:17 94:22 103:10 139:20 156:16 178:11	13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	Rich's 15:21
relevance 162:3	requested 15:19,24 16:3,8,13,18 55:15 60:19 80:3 81:24 85:5 87:23 179:16	13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	Richard 5:23,24 74:1,5 75:10 77:18 98:12 100:3 124:13,24 125:20 126:18 129:16 136:15, 17 137:23 139:5 142:18,20 148:8,9 151:21,22 154:4 155:13,14 156:9,14,22 157:2,17 158:9,15,18 161:17,20,21 167:16 170:10,11 174:3,4 176:15,16,25 178:1,4,5, 17
relief 118:11	requesting 90:2,4,6 101:9 104:15	13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	Rickey 4:17 172:25
rely 82:12 117:13	requests 89:25 91:7 92:9 94:18 95:4,7,10,15	13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	Ricky 169:7
remain 25:21 48:17 161:13	required 28:13 65:10 119:18 131:10,11 141:5 154:6 155:19 157:24 161:8	13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	rise 121:14
remainder 142:3	requesting 90:2,4,6 101:9 104:15	13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	River 9:6
remaining 62:8 68:21 86:6	requests 89:25 91:7 92:9 94:18 95:4,7,10,15	13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	road 10:17,18 45:14,16, 20,22 46:4,7,16,20,23, 25 47:1,24 48:4,5,9,12, 18 53:15 56:20,25 57:21
remains 57:9	required 28:13 65:10 119:18 131:10,11 141:5 154:6 155:19 157:24 161:8	13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	roads 48:12
remarks 119:22	requirements 15:20, 25 16:4,9,14,19 19:9 21:25 29:1 45:18	13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	Robbie 5:9 164:3 169:23 173:16
remember 154:15	requires 21:23	13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	Robert 3:11,15 150:13 168:7,11
reminding 89:15	resolution 126:1	13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	rock 35:19
removing 56:25	resolutions 39:10	13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	ROI 49:14,20 50:4 51:14,17 52:1 111:12, 18
renew 64:18 65:14	respect 124:6 138:20 178:6,7	13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	roll 3:9 35:19 63:10
renewal 63:25 64:19,24 65:21 66:20 70:3,7 71:6 80:3 81:24 82:21,24 83:12 84:9 85:5 87:23 89:11 97:14 98:23 99:4	respectfully 141:18 142:10 178:11	13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	rollcall 150:11 166:12 171:24
renewals 8:22 9:3,8, 12,19 59:8,19 60:3,18 61:21 62:9 68:20,23 69:1,2 89:3,7,9 96:19	respective 73:15 178:20	13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	rolls 62:4,11,18 63:7,16 97:23 115:17
renewed 64:25 65:2 68:1 74:15	respond 7:11 8:15 9:22 11:17 13:7 15:8 17:10 18:10 30:14 38:21 58:25 60:8 76:17 77:25 79:17 81:14 83:19 84:21 86:23 88:10 90:24 92:1 93:9 94:11 96:7 99:17 100:11 108:15 109:17 177:19 180:13	13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	Romph 10:10
replacement 22:6	response 3:16,20 4:18, 21 5:7,10,17 6:3,10 7:8, 14 8:5,8,18 9:13,17,25	13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	Ron 85:21,24
Report 20:7,15		13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	Rona 34:15
represent 18:7 88:25 113:19 127:2 162:13		13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	Ronnie 6:9
representative 3:18, 19 4:5 7:5 18:22 33:8, 16 39:18 43:15 61:9 80:5 82:8,14,17 85:7 96:21,24 100:22 168:20 172:13		13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	
representatives 83:8		13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	
represented 27:24 29:20		13:10 14:23 15:2,11 17:1,4,13,25 18:4,13 30:7,10,17 35:9 38:11, 15,24 58:12,15 59:3,25 60:11 75:22 76:11,14, 20 77:21 78:3 79:11,14, 20 81:8,11,17 82:10,15, 18 83:13,16,22 84:24 87:1 88:4,7,13 90:12 91:2,18,21 92:4,25 93:3,12 94:1,5,14 95:21,25 96:10 99:11, 14,20 100:5,8,14 108:8, 12,18 109:11,14,20 126:23 163:17,21 168:22 171:15 172:15 177:13,16,22 180:7,16	



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room 3:4 22:5 137:13
167:22,23

Roue 13:25

Rouge 9:5 10:17,18
13:25 14:4,7,8,13,16
15:18 32:24,25 34:6,8,
18 37:2 85:4 90:2 91:9,
10,12 92:11

RTA 13:16

rule 24:18,20 69:7 77:8
80:20 98:4 103:24
119:10 126:20 128:5
161:5

rulemaking 140:2
159:6

rules 19:14 24:5,12
28:12 62:5 111:16
115:7 117:15 119:14
120:10,25 121:12,19
122:2,8,12,14,16,17,20,
21,24 123:5,6,7,23
124:2,22 125:6,8,10,16,
25 126:1,2,4,5,6,20,23
127:3,8,13 128:2,3,9,
14,22 129:2,7,8,17,18,
23 130:8 131:15,18
132:17,21 133:1,2,15,
20,25 134:18,19,20,23
135:15 136:1,24
137:18,19,23,25 138:1,
2,5,12,18 139:3,9,14,24
140:3,6,10,15 141:6,20,
22 142:1,8,19 143:5,6,
8,10,11,14,18,23,25
144:9,11 145:10,12,23
146:13,16,23 147:3
148:14 149:24 151:5,
16,17,19 152:1,3,9,12,
16,24,25 153:18,20
155:7,20,22 156:5
157:8,19,24 158:11
159:10 160:4,24 161:12
163:1,8,10 165:13,24
167:19,23 171:21 176:2

run 111:10 146:24

rural 107:5

S

Sabine 37:16

Sadler 101:5,6,10,21
102:9 103:18 106:15,24
107:6,12,16,21,25

Sai 16:16

Saik 12:11

Saizon 6:2 38:7 170:14,
15 174:7,8

sake 151:24 155:15
176:17 178:9

Salle 61:7

Sasol 37:17

sat 142:21

schedule 21:12 65:13
130:7 152:14 154:22

scheduled 139:17,21
177:25

scheduling 166:17

school 102:1 103:4,17
104:2,13 106:22 112:23
116:3,12

schools 22:23 115:25

Scott 5:23 170:10
174:3

search 53:24

seconded 7:5 9:20
11:15 13:5 15:5 17:7
18:7 29:14 38:18 58:22
78:12 79:9 81:6 83:1
84:19 86:16 87:16 88:2
90:22 91:24 93:6 94:8
96:4 98:12 99:8 100:3
109:1,9 145:24 150:6
166:2 175:17 180:10

Secretary 5:19,20
27:8,9 28:7,15 54:7
55:5,6,19,23 106:18,19
107:1,18 110:17,18
111:15,19 121:4
122:19,25 123:13
124:9,15,16,25 125:16

127:22,23 135:9,19,21
137:5 139:7,20 142:6,
16 144:6 145:23 149:5
151:11 152:5 157:11
158:20 162:16 166:14
167:18 170:6,7 173:24,
25 178:11 179:3,9
180:3,5

Secretary's 29:5
123:25 155:22

Section 19:14 23:2

seek 113:13 116:12

seeks 117:19

segregated 55:10

segregation 43:2

Senator 5:6,16

send 89:13

sending 89:15

senior 61:14

sense 146:14 151:18

separate 53:7 128:7,14
151:15 155:20 166:21

separately 166:9

September 20:16
21:18 25:9,11,13
110:12

serve 178:10

services 14:15,17 22:5
37:14 80:1,6,15 93:17,
19,21 95:2,6,9

sessions 123:11
124:11

set 24:21 52:6 64:18
65:13 72:13 111:17
119:14,23,25 122:1,9
123:7,9 127:4 128:2
129:10 133:25 143:7,11
147:7 166:22

Seventeen 175:2

Shell 37:18,19

sheriff 102:1 104:2
105:14,20 118:5

sheriffs 112:25 116:12

Shexnaydre 6:5,6
58:23 94:8 170:18,19
174:11,12

shifts 21:12

Shintech 37:20,21

Shipyards 92:21

shocked 82:20

Shop 39:13,25

shorter 114:25

shoulder 117:3

show 33:23 154:15

showed 34:23

shown 19:15 38:7
156:6

Shreveport 7:21
101:11 102:4,8 104:13,
18

side 34:7,8 104:12

significant 22:15
112:1 114:6 118:11
155:17

similar 148:5,15

simple 35:21

simplification 124:4,7

simplify 63:14

simply 71:5 124:11
132:6 142:11,16 167:14

simultaneously
178:21

sincerely 128:25

single 42:14 74:7 75:18

sir 23:11 25:16 27:5
28:5 35:5 47:11 49:2
53:3 58:6 61:17,19
64:11 67:14,19,21 71:8
76:2 77:13 78:21 81:3
86:17 98:7 99:2 101:2,
17 102:18 103:2 104:23
106:11 111:21 122:4
125:22 149:17 153:23



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154:10 157:1 162:8	147:2 148:1,13 149:13 151:25	64:23 112:2,19 113:25 114:3 120:5 136:3 140:1 152:19 159:2 162:12	structure 55:11
sit 160:5 167:24	specially-called 176:19 178:14		stuck 104:4
site 24:22 34:4,5 45:14, 21,23 46:15,20 97:7	specials 10:4,20	State's 24:14	Studio 12:11
sitting 62:19 72:22 132:1 163:6	Specialty 14:14,15	stated 144:8	subject 47:1 122:22 123:7 126:2
situated 22:15	specific 119:11	statement 46:4 161:11	submit 117:6 131:12 156:5,6 162:21
situation 64:23	specifically 24:20 35:16 133:2 144:8	statutes 24:14	subsequent 166:23
skinny 114:9	specs 46:5,8 47:24	statutorily 142:12	substance 166:8
Slone 6:9	spectrum 152:19	statutory 126:4	substantive 160:8
slow 128:8	speed 110:22	stay 128:3 136:8 146:13	substitute 146:1 148:18,20 150:1,22 157:6 163:24,25 164:1 166:4,7,12,22,25 167:5, 6,11 171:12 175:10
small 136:2	spent 111:25 116:17 118:23	Steel 10:13	success 20:18
smaller 89:10	split 34:10	step 18:24 33:10 35:12 43:17 61:11 80:7 85:9 100:24 159:1	successes 124:8
Smart 10:17	St 8:24 10:9 12:8 14:2 22:22 31:11 33:1 37:3, 9,23,24,25 38:1 90:6	steps 89:8	successfully 114:15 115:11
software 40:8,12,20,22 41:8 42:2,5	stable 115:8 136:6	Steve 6:16 171:1 174:19	suggest 55:18 56:16 63:12 70:24 73:19 122:6,12 146:6 147:1 151:13 152:11,13,20 165:6
sole 146:8 147:2 151:4 176:18	staff 22:9 23:18 27:11 28:3 33:21 43:20 46:12 61:23 113:24 116:24 132:7 135:17 137:8 142:6 161:25	Steven 61:14 64:10	suggested 119:22 128:5
someone's 63:20	staged 116:10	stop 69:24 70:25 152:2 157:9	suggesting 26:20,23 121:2
sooner 114:13 115:10, 16	Stair 40:1 43:9	straddles 34:5	suggestion 72:18
SORRELL 3:10,14,17, 21,25 4:4,8,12,16,19,22 5:1,5,8,11,15,18,22 6:4, 8,11,15,19,23 150:12 168:6,10,15,19,23 169:2,6,10,14,18,22 170:1,5,9,13,17,21,25 171:4,8,25 172:4,8,12, 16,20,24 173:3,7,11,15, 19,23 174:2,6,10,14,18, 22 175:1	stakeholder 110:21 123:14,16	straight 76:6 126:10,13 141:4	suitable 54:12
sous 22:4	stakeholders 112:18 163:4 179:6,13	straightened 76:7	Suite 91:10,11
span 78:8 80:9	stand 124:10	strategic 137:9	summarizes 178:19
speak 18:20 101:17 125:25	standpoint 28:3 132:5	stream 115:5	summary 178:12
speaker 22:21	stands 99:24	streamline 113:15 116:12 120:3	support 27:11 29:5 101:12 113:6 179:10
speaking 48:7	start 57:20 128:22 133:13 160:12,13	streamlined 118:5	supportive 113:7 116:3
special 18:18 20:2,12 22:3 29:13 130:2,13,15 132:9 144:24 146:7,15	started 53:25 134:17	streamlining 145:17	supposed 74:15 89:5
	starting 128:10	Street 13:24	suspect 153:5
	state 24:3,17 27:24 28:12 29:6,19,21 30:1 39:11 49:17 55:1,12	stress 135:2	swiftly 125:6
		strict 119:3	
		strictly 41:17	
		strike 122:14	
		strong 116:3	



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swoop 145:15**Symphony** 22:22**synopsis** 179:15**systems** 116:3

T

table 145:21 178:8**takes** 45:25 56:20 57:8
58:2 144:7**taking** 41:16 46:3,7
51:12,13 70:13 71:9
89:8 117:17 118:24
132:2 139:19 144:4**talk** 89:12 122:10
136:23 163:2**talked** 123:2,18 126:18
139:18**talking** 89:1 122:2
123:4,10,25 130:7
140:7 153:1 164:19
165:1**Talon** 43:12,16 44:1
45:11 46:6 49:18 50:17,
23 51:13 52:15,18,20,
24 56:5,15**Talon's** 53:11**Tammany** 8:24**Tangipahoa** 48:3**tax** 12:3,6,17 21:8 24:24
26:13 27:2 31:4 34:15
39:24 46:6 55:11,14
57:20 59:18 62:4,11,18
63:7,10,16 67:22 91:16
92:8,24 97:7,23 101:6
108:4 109:25 110:24
111:24 112:25 113:22
114:6,13,18,19,20
115:4,8,14,15,17,18,19
118:18 120:4 176:21**taxes** 44:15 63:9,22,23**taxpayer** 144:2**Technologies** 37:7**telling** 44:20**template** 134:25**term** 15:19,24 16:3,8,
13,18 113:20 114:21,25
115:2,13 116:21**termination** 16:15**terminations** 15:16
16:24**terms** 122:24 123:6
125:25**Terrebonne** 37:14
80:1 92:19 93:21**terrible** 63:21**testimony** 106:8**text** 125:4 126:18**Textron** 32:13**thereabout** 158:2**thereof** 75:3**thing** 29:18 72:10
105:10 124:3 129:4
138:7 142:22,25 148:3**things** 53:13 55:20
127:25 128:6 130:12
131:25 136:13 138:15
139:19 145:8 162:20
167:5 175:13**thinking** 55:7 135:7**thinks** 149:8**thirds** 104:5**thought** 146:22**three-year** 68:17,19**Thursday** 104:17**tidying** 133:15**tie** 52:10**Timber** 9:5**time** 20:9 24:7,25 36:1
41:16 47:23 60:13
62:16,17,25 64:23,25
65:19 67:24,25 71:11
73:25 78:8 89:14 101:8104:14,19 106:8 107:20
111:21,25 114:4 116:6,
17,18 118:24 119:20
121:7 124:1 128:13
129:10,16,20 131:14
132:1,2 133:17 134:17,
18 135:25 136:23
137:13,17 138:11
139:23 140:1 143:11,
15,19 144:5 145:12
146:22 149:24 153:7,19
157:8,23 158:4 161:1,3
167:13 179:23**timeframe** 25:23 27:14
118:21 121:14**timeline** 149:14**timelines** 178:20**timely** 89:6 135:6,7
179:5**times** 139:12**timing** 121:18**today** 39:19 43:16
61:10 68:1 82:9 96:25
110:21,22 111:25
116:10 118:13 122:21
123:24 125:5,10,15
128:10,22 132:18
139:11 141:21 142:11
144:4,8 151:11 152:3
153:18 155:21,23 156:6
157:11 159:9,16,19
161:12,14 163:6 178:7,
10,13 179:1**told** 126:15**tomorrow** 125:8
126:22,24**top** 89:4**total** 12:12 34:20 38:3
40:19 41:7,12 42:16,19
51:14,15 52:23 62:8
70:12 73:5**totally** 139:7**town** 107:10**track** 36:9**traffic** 115:25**training** 110:6,14**transcribed** 154:17**transfer** 92:8,24 93:16,
25**transparency** 178:7
179:11**transparent** 144:12**Transport** 8:24**Triumph** 16:6**trump** 162:25**turn** 110:16**Turner** 14:14,15 15:17**turns** 160:7**two-year** 27:14**Ty** 45:11**type** 20:19 48:13 70:25**typically** 52:9**typo** 14:17

U

Uh-huh 108:1**ultimately** 52:20 58:3
153:20**uncertainty** 149:15**unclear** 29:18**understand** 20:2 23:8
24:3 28:18 29:23 57:14
62:23 71:14 106:20
140:15,16 144:3 145:18
153:17 163:5**understanding** 26:7,9
52:14 53:1,6 98:23
102:20,24 104:14 118:2
121:19 126:22 159:9
161:16**Understood** 55:24**uniform** 27:18**Union** 37:22,23,24,25**TORRES REPORTING & ASSOCIATES, INC.**

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United 38:2 90:1,3		11:14 17:7 18:8 78:12	109:4,8,12,15,18,21
unusual 63:4		79:9 86:16 90:21	110:2 120:7,16,19
USA 37:17 43:10,24,25 44:11,18 95:12	W	100:25 101:1,15,16	121:17 124:14 127:5, 11,17,21 129:12
Usie 59:7,11,12 60:17 61:3,25 62:6,13,20 79:24 80:11 81:21 84:1, 6 85:2,14,18 87:17,21 89:20,24 90:9 91:5,14 92:7,15 93:15 94:17 95:1,18	W.R. 7:22	103:1,11,15 104:10,22	130:20,25 135:22
utilized 112:2	wages 113:20 116:20	106:10 108:5,23 109:1	136:19,25 140:11,17,23
utilizing 118:3	wait 118:20 140:21	171:5,6 174:23,24	141:14 145:7,19 146:2
	waited 160:23	Windham 3:1 6:1,16, 17,25 7:9,12,15 8:1,6,9, 13,16,19,25 9:9,14,18, 23 10:1,22 11:3,8,13, 18,21,25 12:14,20,24 13:4,8,11,18 14:19,24 15:3,9,12 16:21 17:2,5, 11,14,22 18:1,5,11,14, 21 19:4,16,21 23:4,12, 17,23 26:12,24 27:6 28:6 29:3,7,12 30:5,8, 11,15,18,22 31:1,13,18 32:5,10,15 33:3,7,15 34:12 35:6,10 36:6,20 38:4,12,16,22,25 39:6, 16 40:2 41:14 42:12,25 43:5,14 44:13 45:1 47:7,12 50:18 51:6,11, 18,23 55:4 57:22 58:9, 13,16,21 59:1,4,9,16,22 60:1,9,12,20 61:1,8 64:7,12 65:4 67:15 68:6,12 69:12,17 70:2, 5,16 71:12,19,25 72:11 73:9,16,23 74:3,11 75:1,6,16,23 76:3,8,12, 15,18,21 77:4,16,22 78:1,4,11,25 79:6,12, 15,18,21 80:4,25 81:4, 9,12,15,18 82:7,11,22 83:4,10,14,17,20,23 84:4,13,18,22,25 85:6, 16,23 86:7,14,21,24 87:2,10,14,19,25 88:5, 8,11,14,18 89:17,22 90:8,13,18,25 91:3,13, 19,22 92:2,5,13,22 93:1,4,10,13,23 94:2,6, 12,15,23 95:17,22 96:1, 8,11,15,23 97:15,19 98:10,18 99:6,12,15,18, 21 100:2,6,9,12,15,21 101:3,7,13 103:20 104:8,20,25 105:5,13, 18,23 106:3,17 107:23 108:2,9,13,16,19,25	147:5,11,17 148:16 149:25 150:5,10,16 151:6,20 153:12 155:12 158:17,23 159:23 161:19 162:2,6,11 163:14,18,22 164:20 165:8,17,21 166:10,16 168:2 171:1,2,10,16,22 174:19,20 175:4,15 176:12,22 177:2,8,14, 17,20,23 178:3,15 180:4,8,14,17
	Wash 15:22		withdraw 158:22
	watching 144:2		word 164:12
	Watermark 13:25		words 36:2,16 51:8 126:25 175:10
	ways 113:8		work 21:12 121:19 123:11
	Weatherford 59:15		workforce 112:2
	website 132:17 133:21 135:16 144:9 152:25 178:24 179:15		workshop 122:11
	weddings 20:12		workshops 111:16
	week 63:19 70:22 72:21 156:6		worth 75:8
	weeks 63:5 119:21 121:6,11 179:21,22,23 180:1		writing 160:16
	WELD 38:2 90:1,3		written 110:23 119:21 131:12 160:1,3 171:21
	West 14:8 32:23,25 34:6,7,17 85:4		wrong 61:24 78:24 158:7
	Westlake 14:16		
	whatnot 20:13 26:20		Y
	whatsoever 125:11		y'all 48:8 51:15 67:3 98:3 102:24 107:10 133:19 138:17 146:6,17
	whichever 160:4		YCI 10:8 90:7
	Williams 6:12 9:20 94:9 170:22,23 174:15, 16		year 21:18 25:11 63:6, 9,14,17 65:11,25 66:6, 8,12,13,24 68:4 69:19 70:24 71:1,15 72:8
	WILLIAMS 6:13		
	Wilson 6:20,21 8:12		



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74:21,22,24 75:2,8
78:16 80:21 86:3 87:13
89:10 98:25 107:24
112:5 115:6,17,20,22,
23 134:19,23 143:14

year-to-year 57:24

years 20:22,23 48:4
63:15,24 64:16,19,24
65:15,16,17 66:18 67:6
68:2,11 69:3,11,21,25
70:3,17 71:8,20,21
72:5,9,13,15 73:21
74:22,23,24 77:2,10
79:5 82:1 86:6 98:24
114:22,23 115:2,14
137:24 141:17 142:15

years' 75:8

yeses 171:9 175:2,3

yesterday 104:18
125:4,8 126:15

yield 114:14,20,24
115:10 116:5

Yogi 16:10

Yuhuang 10:8 11:7
90:17,20

Yuhuant 90:5

Yvette 3:4 4:9 168:24
172:17

Z

Zone 13:21 14:22 16:25
21:3,21 22:17,25 26:22



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